

City of Mississauga  
**Corporate Report**



<p>Date: June 7, 2023</p> <p>To: Chair and Members of Heritage Advisory Committee</p>	<p>Originator's files:</p>
<p>From: Jodi Robillos, Commissioner of Community Services</p>	<p>Meeting date: July 25, 2023</p>

## Subject

**Amendment to the City's Heritage By-law: Delegated Authority to Determine and Agree to Alternative Timelines**

## Recommendation

1. That the City's Heritage By-law 0078-2018, as amended (the "Heritage By-law"), be amended to delegate authority to appropriate Staff to extend the time period and/or agree to not apply the time restriction related to decisions to designate a property under Part IV on applications or notices made under the *Ontario Heritage Act* (the "Act").
2. That the necessary amending by-law be prepared and enacted, in a form satisfactory to the City Solicitor.

## Executive Summary

- The *More Homes More Choice Act, 2019* (Ontario) brought changes to the Act that include limiting heritage designation timelines once Zoning and/or Official Plan amendment applications are deemed complete.
- Ontario Regulation 385/21 under the Act (the "Regulation") provides opportunities to Council and an applicant to agree to extend these timelines or not apply these timelines.
- The Heritage By-law currently delegates authority to the Director level-Staff to enter into agreements that extend the timelines for Council to make a decision on applications made under Part IV of the Act.
- Amending the Heritage By-law to include waiving the designation timelines as per the Regulation allows staff to expediently manage these matters on development applications and seek conciliatory solutions in the pursuit of conserving Mississauga's rich heritage.

## Background

The Province of Ontario, through the *More Homes, More Choice Act, 2019*, amended Section 29 of the Act to limit the time period in which municipalities can designate properties under the Act where there is an application to amend the Zoning By-law and/or Official Plan, subject to any exception prescribed by any regulation. Subsection 1(2) of the Regulation permits the owner of a property and Council to agree to either extend the time period or agree that the time restriction does not apply. This additional time allows the City to work with property owners to find solutions that meet the needs of both parties.

## Comments

Staff seek additional delegated authority, as per Section 5 of the Heritage By-law for the Director to not only extend the time periods for decisions on Part IV applications made under the Act but to also have the authority to extend the time periods and agree to not apply the time restriction for decisions on any application or notice under the Act, where permitted. The proposed waiver form, which would be fully enabled by this change, is attached as Appendix 1.

## Financial Impact

There is no financial impact resulting from the recommendation of this report.

## Conclusion

In light of recent changes to the Act, Council should provide additional delegated authority to appropriate staff to extend the period of time and agree to not apply the time restriction for decisions under the Act, where permitted. This will aid in the conservation of Mississauga's irreplaceable cultural heritage.

## Attachments

Appendix 1: Proposed Waiver Form



Jodi Robillos, Commissioner of Community Services

Prepared by: P. Wubbenhorst, Heritage Planner