

City of Mississauga  
**Corporate Report**



<p>Date: September 19, 2024</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Jodi Robillos, Commissioner of Community Services</p>	<p>Meeting date: November 6, 2024</p>

## Subject

**Repeal and Replacement of Heritage Designation Bylaw for 1160 Clarkson Road North due to Administrative Error (Ward 2)**

## Recommendation

That the heritage designation by-law for 1160 Clarkson Road North (Ward 2) be repealed and replaced as per the Corporate Report from the Commissioner of Community Services, dated September 19, 2024.

## Executive Summary

- Council adopted a motion to designate the subject property under the Ontario Heritage Act on April 17, 2024.
- The required Notice of Intention to Designate was served in error on the property rather than the property owner, as required by Section 29 of the Ontario Heritage Act.
- The error was not discovered until after Council passed the corresponding heritage designation by-law.
- In order to ensure the by-law is compliant, it is recommended that the heritage designation by-law for the subject property be repealed and replaced now that the notification requirements have been corrected, the Notice of Intention to Designate has been published and served on the property owner, and no notice of objection to designate the property has been received by the City Clerk.

## Background

The Heritage Advisory Committee, at its meeting on April 9, 2024, considered a Corporate Report dated March 4, 2024, regarding the heritage designation of the subject property. The Committee recommended designating the property under Section 29 of the Ontario Heritage Act

("the Act"). Council adopted the recommendation on April 17, 2024, through resolution 0074-2024.

Council passed the corresponding heritage designation by-law (0107-2024) ("the By-law") on June 12, 2024. Subsequently, it was discovered that the Notice of Intention to Designate (the "NOID") to designate the property under the Act was served on the property itself rather than the property owner, as required, in error.

## Comments

A corrected NOID was issued on July 24, 2024 and correctly served on the property owner. No objections were received by the thirty (30) day deadline of August 23, 2024. However, in order to ensure that the By-law is fully compliant under the Act, it is recommended that the original be repealed and replaced subsequent to the now fulfilled correct notice requirements. The proposed By-law is attached as Appendix 1. Staff have been in contact with the property owner and informed them of the need to re-issue all notices in accordance with the Act.

## Financial Impact

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

## Conclusion

The heritage designation by-law for the subject property should be repealed and replaced in order to ensure that it is compliant now that the initial notice requirements have been correctly met.

## Attachments

Appendix 1: Proposed revised heritage designation by-law



---

Jodi Robillos, Commissioner of Community Services

Prepared by: P. Wubbenhorst, Heritage Planner