

Bill No. 185
2024

By-law No. C.P.-1502()-____

A by-law to amend By-law C.P.-1502-129, as amended, being “A by-law to delegate certain authority of Municipal Council to consent to or grant permits for alterations to heritage designated properties”, to change Civic Administration titles to reflect the current organizational structure, and to include written approvals for properties subject to Heritage Easement Agreements.

WHEREAS section 5(3) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipal power be exercised by by-law;

AND WHEREAS section 23.1 of the *Municipal Act*, 2001 provides that section 9 and 11 of the *Municipal Act*, 2001 authorizes a council to delegate its powers or duties to a person or body, subject to certain limitations;

AND WHEREAS subsection 33(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (“the *Ontario Heritage Act*”), the Municipal Council may make decisions in respect to the consent of alterations of property designated under Part IV of the *Ontario Heritage Act*;

AND WHEREAS under subsections 33(15) and 33(16) of the *Ontario Heritage Act*, Municipal Council may, by by-law, delegate its power to consent to all alterations or with respect to such classes of alterations as are described in the by-law by the council of a municipality, to an employee or official of the municipality if the council has established a municipal heritage committee and has consulted with the committee prior to delegating the power;

AND WHEREAS pursuant to subsection 42(4) of the *Ontario Heritage Act*, Municipal Council may grant permits for the alteration of property located in a Heritage Conservation District designated under Part V of the *Ontario Heritage Act*;

AND WHEREAS under subsections 42(16) and 42(17) of the *Ontario Heritage Act*, Municipal Council may, by-law, delegate its power to grant a permit for specific alterations or classes of alterations for a property situated in a Heritage Conservation District if the council has established a municipal heritage committee and consulted with it before the delegation;

AND WHEREAS under subsection 37(1) of the *Ontario Heritage Act*, Municipal Council may, by by-law, enter into an easement or covenant with owners of real property or interest in real property, for the conservation of property of cultural heritage value or interest;

AND WHEREAS Municipal Council enacted By-law No. C.P.-1502-129, as amended, being “A by-law to delegate certain authority of Municipal Council to consent to or grant permits for alteration to heritage designated properties” on April 14, 2015;

AND WHEREAS the Council deems it appropriate to amend By-Law No. C.P.-1502-129, as amended, being “A by-law to delegate certain authority of Municipal Council to consent to or grant permits for alterations to heritage designated properties” to include written approvals for properties subject to Heritage Easement Agreements.

NOW THEREFORE the Municipal Council of The Corporation of the City of London ENACTS as follows:

1. That By-law No. C.P.-1502-129, as amended, is hereby further amended

by deleting all references to the title “Manager, Community Planning, Urban Design and Heritage” and by replacing them with the title “Director, Planning and Development”.

2. That By-law No. C.P.-1502-129, as amended, is hereby further amended by adding the following new section:

“Part IX: - HERITAGE EASEMENT AGREEMENTS

23. Municipal Council delegates to the Director, Planning and Development powers that Municipal Council has regarding granting written approvals under Section 37 of the Act.

24. The delegated authority in Section 23 does not include the power to refuse a written request to make alterations under Section 37 of the Act.

25. The Director, Planning and Development shall consult with the CACP in situations where a written request is not recommended for approval.

3. That By-law No. C.P.-1502-129, as amended, is hereby further amended by deleting all references to the title “London Advisory Committee on Heritage” and replacing them with the title “Community Advisory Committee on Planning”.

4. This by-law shall come into force and effect on the date it is passed subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

PASSED in Open Council on June 4, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – June 4, 2024

Second Reading – June 4, 2024

Third Reading – June 4, 2024