



MEMO

To: Chair and Members, Planning and Environment Committee

From: Michael Greguol, Heritage Planner

Date: January 6, 2023

Re: HAP22-081-D – 864 Hellmuth Avenue

Please be advised that the applicant of the Heritage Alteration Permit application for 864 Hellmuth Avenue (HAP22-081-D) wishes to withdraw their Consent Item from the Planning and Environment Committee (PEC) meeting scheduled for January 9, 2023, in order to have the application considered again at a future meeting of the Community Advisory Committee on Planning (CACP). The Heritage Alteration Permit application was included on the CACP Agenda for its meeting scheduled December 14, 2022. The advisory committee meeting was unable to proceed as there was not enough members present to reach quorum. As a result, the applicant was unable to speak to the item at the CACP meeting.

Section 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit:

- a) The permit applied for;
- b) Notice that the council is refusing the application for the permit; or,
- c) The permit applied for, with terms and conditions attached. (Section 42(4), *Ontario Heritage Act*)

A decision on a Heritage Alteration Permit application must be made within 90 days or the request is deemed permitted. However, Section 42(4) of the *Ontario Heritage Act* enables a municipality and applicant to extend the timeline to an agreed-upon period.

The City has received a written request from the applicant to extend the 90-day timeline pursuant to Section 42 of the *Ontario Heritage Act* to March 8, 2023. As per the Delegated Authority By-law (C.P.-1502-129), the Manager, Community Planning, Urban Design, and Heritage has agreed to the extended timeline.