

## The Knox United Church Heritage Designation Amendment Bylaw, 2021

### ISSUE

This report submits Bylaw No. 9737, *The Knox United Church Heritage Designation Amendment Bylaw, 2021* (the “Amendment Bylaw”) for City Council’s consideration. The Amendment Bylaw would implement City Council’s decision to change the legal land description in Bylaw No. 8232, *The Knox United Church Heritage Designation Bylaw, 2003* (the “Original Bylaw”) to reflect a subdivision of the property at 838 Spadina Crescent East such that the Original Bylaw would refer only to the parcel containing the Knox United Church building following subdivision.

### RECOMMENDATION

1. That permission be granted to introduce Bylaw No. 9737, *The Knox United Church Heritage Designation Amendment Bylaw, 2021* (the “Amendment Bylaw”), and that the same be given FIRST AND SECOND reading;
2. That the City Solicitor be directed to amend the Amendment Bylaw to include the complete legal land description when the same becomes available following conclusion of the subdivision process and bring back the final version of the Amendment Bylaw for THIRD reading and final passing.

### BACKGROUND

At its [December 21, 2020 Regular Business Meeting](#), City Council adopted the recommendation of its Standing Policy Committee on Planning, Development and Community Services and resolved:

1. That the City Solicitor be requested to prepare an amendment to Bylaw No. 8232, *The Knox United Church Heritage Designation Bylaw, 2003*, with such amendment limited to amending the legal land description to reflect the approved subdivision; and
2. That the General Manager, Community Services Department, be requested to prepare the required notices for advertising the proposed bylaw amendment.

The Original Bylaw was passed by City Council on September 22, 2003. As further background, the Original Bylaw together with Minutes of the September 22, 2003 Regular Business Meeting of City Council and the corresponding reports are attached to this report.

## **DISCUSSION/ANALYSIS**

The proposed Amendment Bylaw will amend the legal land description in the Original Bylaw to reflect the subdivision of the property such that the bylaw refers only to the parcel containing the Knox United Church building following subdivision. However, a condition of the Administration's subdivision approval is that the proposed amendment to the Original Bylaw first be approved. Therefore approval of the proposed Amendment Bylaw is required before the new legal land description can be generated at the conclusion of the subdivision approval process, after which time the Amendment Bylaw would be brought back to City Council to be approved and passed in its final form once the complete legal land description is available, which will take place when the subdivision process is complete.

## **PUBLIC NOTICE**

*The Heritage Property Act* requires that a Notice of Intention to Amend Heritage Designation Bylaw be served on the Registrar of Heritage Property and the owner of the relevant property. As well, the Notice must be registered against the title to the property and advertised in at least one issue of a newspaper in general circulation in the municipality. All of these prerequisites have been undertaken. The date advertised in the Notice for City Council's consideration of this matter was January 9, 2021.

*The Heritage Property Act* further provides that anyone wishing to object to the proposed designation must serve Council with an objection stating the reason for the objection and providing the relevant facts. The objection must be served at least three days prior to the Council meeting at which the Bylaw is to be considered.

If an objection is received, Council shall either refer the matter to the review board established under *The Heritage Property Act* or withdraw the proposed bylaw.

## **APPENDICES**

1. Confidential – Solicitor/Client Privilege;
2. Bylaw No. 9737, *The Knox United Church Heritage Designation Amendment Bylaw, 2021*;
3. Bylaw No. 8232, *The Knox United Church Heritage Designation Bylaw, 2003*;
4. Minutes of the September 22, 2003 Regular Business Meeting of City Council and corresponding reports;
5. Notice which appeared in *The Star Phoenix* on January 9, 2021.

### Report Approval

Written by: Andrew Glum, Solicitor  
Approved by: Cindy Yelland, City Solicitor