

# Memorandum to Council

Legal and Enforcement Services

Legal Services Division



**To:** Mayor and Members of Council

**CC:** Michael Hickey, Fire Chief  
Will Kang, Director of Building Services &  
Chief Building Official

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

**From:** Francesco Santaguida, Commissioner of  
Legal and Enforcement Services/Town  
Solicitor

**Date:** March 18, 2024

**File #:** LS 13-23

**Subject:** Further update regarding 417 Byron Street  
North Business Licensing By-law  
Exemption Request

Further to the discussion and consideration of this item at Council on January 29, 2024, Enforcement Services, Fire and Emergency Services, and Building Services staff have continued to work with the owner of 417 Byron Street North regarding the request for an exemption to Business Licensing By-law # 5545-04. Building Services staff have requested that the owner of 417 Byron Street North provide the Town with updated drawings, and obtain a building permit. The updated drawings may be provided and a permit may be obtained after an exemption is granted by Council.

Staff have drafted By-law # 8060-24 and included it within the March 18, 2024 Council meeting agenda. By-law # 8060-24 includes the conditions set out in [LS 13-23](#), as well as additional conditions related to both the Building Services Division and Fire and Emergency Services Department requirements.

Given the discussions at the Committee of the Whole and Council meetings with respect to this request, please note that staff **have not** included "Condition 2" in By-law # 8060-24, as noted on Page 4 of [LS 13-23](#), and reads:

2. This Owner shall achieve compliance with the Business Licensing By-law through attrition by not replacing the seven (7) additional residents currently residing at 417 Byron Street over-and-above the Business Licensing By-law maximum of ten (10). For clarity, the total number of occupants permitted to reside at 417 Byron Street shall progressively decrease to ten (10).