

To: COUNCIL

Meeting Date: 9/23/2025

Subject: Passing of Designation By-laws for Listed Heritage Properties

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Prepared By: Scott Abbott, Planner - Heritage

Report No.: 25-004-PG

File No.: R01.01.153, R01.01.164, R01.01.166, R01.01.165, R01.01.168

Wards Affected: Ward 1
Ward 3
Ward 4

RECOMMENDATION(S):

THAT Report 25-004-PG Passing of Designation By-laws for Listed Heritage Properties be received;

AND THAT Council enact designation by-laws for the following properties, in accordance with Section 29 of the *Ontario Heritage Act*:

- 231 Queenston Road
- 44 Wellington Street
- 58 Ainslie Street South
- 1370 Maple Grove Road
- 4 Veterans Way;

AND FURTHER THAT following enactment of the by-laws, the City Clerk be directed to issue the required Notices of Passing and, following the 30-day appeal period, proceed with registration of the by-laws on title.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to recommend that Council enact designation by-laws for five properties under Part IV of the *Ontario Heritage Act*. This step follows the issuance of Notices of Intention to Designate (NOIDs), the expiration of the objection periods, and

confirmation that no objections have been received. Enacting the by-laws will permit the Clerk to issue the required Notices of Passing and register the by-laws on title after the appeal periods expire.

Key Findings

- NOIDs have been issued for all five properties in accordance with the *Ontario Heritage Act*.
- The 30-day objection periods for the five properties have ended with no objections received.
- Each property met at least two-criteria under Ontario Regulation 9/06 (as amended), justifying designation under Part IV of the *Ontario Heritage Act*.
- Enacting the designation by-laws will enable the City Clerk to issue the required Notices of Passing and register the by-laws on title following the statutory appeal period.

Financial Implications

The City does provide and pay for the installation of a heritage plaque at a cost of approximately \$500. The City also pays to register the bylaw on title to the property, which is under \$100.

STRATEGIC ALIGNMENT:

Strategic Action

Objective(s): Not Applicable

Strategic Action: Not Applicable

OR

Core Service

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

On May 27, 2025, Council approved Report 25-055-CD, authorizing the issuance of NOIDs for four listed properties:

- 44 Wellington Street
- 58 Ainslie Street South
- 1370 Maple Grove Road
- 4 Veterans Way

In addition, 231 Queenston Road was approved for designation by Council on June 17, 2025, through Report 25-045-CD.

NOIDs were issued for all five properties in accordance with the Ontario Heritage Act. As of the date of this report, no objections have been received.

ANALYSIS:

Under Section 29(8) of the *Ontario Heritage Act*, the City of Cambridge is required to pass a designation by-law within 120 days of publishing the Notice of Intent to Designate (NOID), provided no objections are received or Council chooses not to withdraw the notice.

As of August 15, 2025, the objection periods for all five properties have expired with no objections received, fulfilling the requirements under the *Act* and allowing Council to proceed with designation.

The *Ontario Heritage Act* outlines the following steps that must occur after a by-law is passed:

1. Notice of Passing: The Clerk must publish a notice of the by-law in a newspaper of general circulation (Section 29(8)).
2. Service of By-law: A copy of the by-law must be served on the property owner and the Ontario Heritage Trust (Section 29(8)).
3. Registration on Title: The Clerk must register the by-law on title at the appropriate land registry office (Section 29(19)), following the 30-day appeal period.

Staff have prepared the designation by-laws (see Appendices) and recommend that Council enact the by-laws at this meeting to ensure compliance with the *Ontario Heritage Act* and completion of the designation process.

EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Designation by municipal by-law

29 (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,

(a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed, the property meets the prescribed criteria; and

(b) the designation is made in accordance with the process set out in this section. 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (1); 2022, c. 21, Sched. 6, s. 4 (1).

If no notice of objection or no withdrawal

29 (8) If no notice of objection is served within the 30-day period under subsection (5) or a notice of objection is served within that period but the council decides not to withdraw the notice of intention to designate the property, the council may pass a by-law designating the property, provided the following requirements are satisfied:

1. The by-law must be passed within 120 days after the date of publication of the notice of intention under clause (3) (b) or, if a prescribed circumstance exists, within such other period of time as may be prescribed for the circumstance.
2. The by-law must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property and must comply with such requirements in relation to the statement and the description as may be prescribed and with such other requirements as may be prescribed.
3. The council must cause the following to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust:
 - a. A copy of the by-law.

A notice that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under paragraph 4, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

4. The council must publish notice of the by-law in a newspaper having general circulation in the municipality, which must provide that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under this paragraph, a notice

of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal. 2019, c. 9, Sched. 11, s. 7 (6); 2021, c. 4, Sched. 6, s. 74 (2).

FINANCIAL IMPACT:

The City does provide and pay for the installation of a heritage plaque at a cost of approximately \$500. The City also pays to register the bylaw on title to the property, which is under \$100.

PUBLIC VALUE:

Sustainability:

The passing of designation by-laws supports sustainability through conservation for future generations of the places and spaces that are considered historically significant to the community.

Transparency:

The Council agendas are posted publicly as part of the report process.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

The Municipal Advisory Committee (MHAC) supported the designations.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

All property owners have been informed about the proposed designation in accordance with the requirements of the *Ontario Heritage Act*.

CONCLUSION:

Given that the 30-day notice period passed for all properties without appeal before or on August 15, 2025, heritage planning staff recommends that Council pass the designation by-laws and direct staff to carry out all remaining responsibilities related to the designation of the subject properties as outlined within Part IV of the *Ontario Heritage Act*.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

General Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 25-004-PG Appendix A – By-law to Designate 231 Queenston Road
2. 25-004-PG Appendix B – By-law to Designate 44 Wellington Street
3. 25-004-PG Appendix C – By-law to Designate 58 Ainslie Street South
4. 25-004-PG Appendix D – By-law to Designate 1370 Maple Grove Road
5. 25-004-PG Appendix E – By-law to Designate 4 Veterans Way