

**To:** COUNCIL  
**Meeting Date:** 2/24/2026  
**Subject:** **Objection to Notice of Intention to Designate – 210 King Street East**  
**Submitted By:** Brynn Nheiley, Director of Planning  
**Prepared By:** Scott Abbott, Planner – Heritage  
**Report No.:** 26-008-PG  
**Wards Affected:** Ward 3

**RECOMMENDATION:**

THAT Council not withdraw the Notice of Intention to Designate 210 King Street East;  
AND THAT Council enact a by-law to designate the property at 210 King Street East in accordance with subsection 29(8) of the Ontario Heritage Act.

**EXECUTIVE SUMMARY:**

- A Notice of Intention to Designate 210 King Street East was published on December 15, 2025.
- A Notice of Objection was received by the Clerk within the legislated 30-day objection period.
- Council must consider the objection and decide whether or not to withdraw the Notice of Intention to Designate.
- If Council decides not to withdraw the Notice, Council may proceed to pass a designation by-law in accordance with subsection 29(8) of the Act.

**STRATEGIC ALIGNMENT:**

Strategic Action

**Objective(s):** Not Applicable

**Strategic Action:** Not Applicable

Core Service

## **Program: Community Development**

**Core Service:** Heritage Conservation

### **BACKGROUND:**

Council has received a Notice of Objection to the Notice of Intention to Designate the property at 210 King Street East under section 29 of the *Ontario Heritage Act* (**Appendix A** of Report No. 26-008-PG). The objection concerns (i) the procedural validity of the Notice of Intention to Designate, and (ii) questions whether the property meets the criteria for designation prescribed under Ontario Regulation 9/06.

### **ANALYSIS:**

#### **Procedural Validity of the Notice of Intention to Designate**

Section 29(4) of the *Ontario Heritage Act* requires staff to publish a Notice of Intention to Designate a property and serve notice on the property owner. The Notice must include a statement explaining the cultural heritage value or interest of the property, and information regarding opportunity to object within 30 days of publication notice.

Staff have since become aware that a copy of the Notice of Intention to Designate served to the property owner was missing a page that included the objection period. The Notice as published in the newspaper included the objection period. (**Appendices B-D** of Report No. 26-008-PG)

Notwithstanding the above, an objection was received and staff have prepared this report in accordance with the *Ontario Heritage Act*.

#### **Application of Ontario Regulation 9/06**

The objection contends that the statement of cultural heritage value or interest and heritage attributes do not adequately demonstrate that the property satisfies the criteria under Ontario Regulation 9/06 and further asserts that a property must satisfy two or more criteria to merit designation.

As set out in Report 25-017-PG, Heritage Planning staff evaluated the property and determined that it satisfies four (4) of the nine (9) prescribed criteria, including criteria related to design/physical value, historical or associative value, and contextual value. (**Appendix E** of Report 26-008-PG)

The objection does not identify an error in the application of the Regulation or provide evidence that negates the conclusions previously accepted by Council.

### **Alterations and Integrity**

The objection emphasizes alterations to the building over time, including modifications to the ground-floor façade, application of stucco cladding, rear additions, and window and door modifications, and asserts that these changes have compromised the building's integrity.

Staff acknowledge that the building has undergone alterations. However, the *Ontario Heritage Act* does not require a property to be unaltered to merit designation. Many designated properties reflect incremental change while retaining key design features that convey cultural heritage value.

In this case, the property retains, among other features:

- its two-and-a-half-storey form and massing;
- parapet end walls and double chimneys;
- symmetrical fenestration pattern; and
- stone construction beneath later finishes.

The alterations identified do not negate the cultural heritage value or interest of the property.

### **Historical Associations and Contextual Value**

The objection further asserts that the property no longer reflects the defining characteristics of a Georgian commercial building associated with Preston's industrial development or the Werlich family, and that the property does not contribute meaningfully to the surrounding streetscape.

As documented in Report 25-017-PG, the association of 210 King Street East with the Werlich family is supported through historic mapping, directories, advertisements, and published secondary sources. The building's role as a long-standing commercial function along King Street East contributes to an understanding of Preston's historic development as a regional centre of trade and industry.

With respect to contextual value, Ontario Regulation 9/06 does not require architectural uniformity among adjacent properties. The subject property's scale, setback, and relationship to the historic commercial corridor supports its contextual value as part of a surviving 19th-century streetscape.

## **EXISTING POLICY / BY-LAW(S):**

### **Ontario Heritage Act**

Designation of property is subject to the [Ontario Heritage Act](#) (Notice of Intention to Designate and objections), including subsections 29(3), 29(5), 29(6) and 29(8)

## **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.

## **ADVISORY COMMITTEE INPUT:**

### **Municipal Heritage Advisory Committee (MHAC)**

At its meeting on June 17, 2025, the MHAC reviewed the heritage evaluation report for 210 King Street East. The committee unanimously recommended its designation under Part IV of the *Ontario Heritage Act*.

## **PUBLIC INPUT:**

### **Transparency:**

The Council agenda is posted on the City's website as part of the reporting process.

## **INTERNAL / EXTERNAL CONSULTATION:**

- Heritage Planning staff consulted with the City Clerk's Division regarding notice requirements and statutory timelines.
- Correspondence was received from the owner's legal representative respecting the Notice of Intention to Designate, and staff provided written acknowledgment of receipt. Staff advised that the objection would be addressed through the statutory process under section 29 of the *Ontario Heritage Act* and that the representative would be kept informed of applicable timelines and next steps.

## **CONCLUSION:**

Staff have reviewed the objection submitted in response to the Notice of Intention to Designate the property municipally known as 210 King Street East and have considered the concerns raised by the property owner. As outlined in the designation report, the property meets the prescribed criteria for designation.

The matters raised in the objection do not undermine the identified cultural heritage value or interest in the property. Based on the analysis provided in this report, staff

continue to support the proposed designation and recommend that Council proceed with the designation of the property under Part IV of the *Ontario Heritage Act*.  
(**Appendix F** of Report No. 26-008-PG)

### **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. 26-008-PG Appendix A – Notice of Objection (received December 22, 2025)
2. 26-008-PG Appendix B – Notice of Intention to Designate (intended version)
3. 26-008-PG Appendix C – Notice of Intention to Designate (served on owner)
4. 26-008-PG Appendix D – Notice of Intention to Designate (published in newspaper, December 15, 2025)
5. 26-008-PG Appendix E – Council Report 25-017-PG Heritage Designation Report for 210 King Street East
6. 26-008-PG Appendix F – By-law to Designate 210 King Street East