

To: COUNCIL

Meeting Date: 2/24/2026

Subject: **Objection to Notice of Intention to Designate – 29 Roseview Avenue**

Submitted By: Brynn Nheiley, Director of Planning

Prepared By: Scott Abbott, Planner – Heritage

Report No.: 26-021-PG

Wards Affected: Ward 4

RECOMMENDATIONS:

THAT Council, having considered the Notice of Objection submitted under subsection 29(5) of the *Ontario Heritage Act*, determine under subsection 29(6) of the Act not to withdraw the Notice of Intention to Designate for the property municipally known as 29 Roseview Avenue;

AND THAT Council enact a by-law to designate the property municipally known as 29 Roseview Avenue in accordance with subsection 29(8) of the Act.

EXECUTIVE SUMMARY:

- A Notice of Intention to Designate the property municipally known as 29 Roseview Avenue under section 29 of the *Ontario Heritage Act* was published on December 15, 2025, in accordance with subsection 29(3) of the Act.
- A Notice of Objection was received by the Clerk on January 12, 2026, within the legislated 30-day objection period, in accordance with subsection 29(5) of the Act.
- Pursuant to subsection 29(6) of the Act, 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 respecting the Notice of Intention to Designate the property municipally known as 29 Roseview Avenue under Section 29 of the *Ontario Heritage Act* (**Appendix A** of Report No. 26-021-PG). The objection raises concerns primarily regarding whether designation is necessary and the potential impacts of heritage designation on property value, maintenance costs, and future alterations.

Council previously considered and accepted Report 25-017-PG, which recommended designation under Part IV of the *Ontario Heritage Act*. Following Council's direction, the Clerk issued the Notice of Intention to Designate and published notice in a newspaper having general circulation in the municipality, in accordance with subsection 29(3) of the Act. (**Appendices B-D** of Report No. 26-021-PG)

ANALYSIS:

In accordance with subsection 29(6) of the *Ontario Heritage Act*, where an objection is received within the 30-day objection period, Council is required to consider the objection and determine whether to withdraw the Notice of Intention to Designate or continue the designation process.

Objection to the Merits of Designation

The objection states that designation is "unnecessary" and would negatively affect the property's value. The owner further raises concerns that designation may lead to restrictions on alterations, increased maintenance costs, higher insurance rates, and resale difficulties.

Staff acknowledge the owner's concerns; however, the *Ontario Heritage Act* establishes that Council's decision to designate must be based on whether the property meets the

prescribed criteria for cultural heritage value or interest under Ontario Regulation 9/06. Designation does not prevent alterations to a property; rather, it provides a framework to ensure that changes to identified heritage attributes are reviewed and managed appropriately.

Staff further note that there is no cost to property owners associated with the act of designation. The owner may apply to the City's Designated Heritage Property Grant Program to support the costs of maintaining heritage attributes.

Recent exterior renovations

The owner notes that approximately \$35,000 was invested in exterior renovations during the past summer, and that shortly afterwards the City expressed interest in designating the property.

Staff advise that the City's interest in designation is based on the property's cultural heritage value as evaluated under Ontario Regulation 9/06. The evaluation of 29 Roseview Avenue identifies that the property retains extensive original stonework and architectural detailing characteristic of the Romanesque Revival style.

Recent investments in exterior upkeep do not undermine the justification for designation, and may reflect appropriate stewardship consistent with long-term conservation of the resource.

Concerns Regarding Fairness and Comparable Properties

The objection raises concerns that there may be other older homes in the area which are not included on the City's Heritage Properties Register, citing houses at 5 Roseview Avenue and 103 Roseview Avenue as examples.

Inclusion on the Heritage Properties Register and prioritization for potential designation is based on staff evaluation and community identification of individual properties that demonstrate cultural heritage value. The existence of other non-designated properties in the area does not preclude Council from designating 29 Roseview Avenue where it meets the prescribed criteria under Ontario Regulation 9/06. Council's decision must focus on the merits of the subject property and whether it satisfies the prescribed criteria.

Application of Ontario Regulation 9/06

As documented in the staff designation report prepared for MHAC, 29 Roseview Avenue was evaluated under Ontario Regulation 9/06 (as amended by O. Reg. 569/22). Heritage Planning staff determined that the property satisfies six (6) of the nine (9)

prescribed criteria, including criteria related to design/physical value, historical/associative value, and contextual value.

The property is a rare local example of Romanesque Revival architecture applied to a residential structure, known locally as “The Castle House,” constructed in 1891 by local carpenter Joseph B. Strain.

The property’s ashlar granite construction, tower and turret, arched entry porch, and high degree of craftsmanship contribute to its cultural heritage value.

The objection does not identify an error in the application of Ontario Regulation 9/06, nor provide evidence that negates the conclusions previously accepted by Council.

EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Designation of property is subject to Section 29 of 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 19, 2025, the MHAC reviewed the heritage evaluation report for 29 Roseview Avenue. The committee supported the recommendation to designate the property 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 under section 29 of the *Ontario Heritage Act*.
- Staff acknowledged receipt of the objection correspondence and advised the owner that the objection would be addressed through Council's statutory process and that the owner would be kept informed of applicable timelines and next steps.

CONCLUSION:

Council has already determined that 29 Roseview Avenue meets the prescribed criteria for designation under Ontario Regulation 9/06, as outlined in Report 25-017-PG.

Having reviewed the objection, staff are of the opinion that:

- the objection does not undermine the cultural heritage value or interest of the property;
- the property meets the prescribed criteria for designation under Ontario Regulation 9/06; and
- there is no basis to withdraw the Notice of Intention to Designate.

Accordingly, staff recommend that Council not withdraw the Notice of Intention to Designate under subsection 29(6) of the Act and direct staff to proceed with designation in accordance with subsection 29(8) of the *Ontario Heritage Act*. (**Appendix E** of Report No. 26-021-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. 26-021-PG Appendix A – Notice of Objection (received January 12, 2026)
2. 26-021-PG Appendix B – Notice of Intention to Designate (served on owner)
3. 26-021-PG Appendix C – Notice of Intention to Designate (published in newspaper December 15, 2025)
4. 26-021-PG Appendix D – Council Report 25-017-PG Heritage Designation Report for 29 Roseview Avenue
5. 26-021-PG Appendix E – By-law to Designate 29 Roseview Avenue