

**To:** COUNCIL

**Meeting Date:** 12/5/2023

**Subject:** 23-348-CD: 44-46 Park Hill Road East, Notice of Intention to Designate under Part IV of the Ontario Heritage Act

**Submitted By:** Joan Jylanne, Manager of Policy Planning

**Prepared By:** Jeremy Parsons, Senior Planner – Heritage

**Report No.:** 23-348-CD

**File No.:** R01.01.152

**Wards Affected:** Ward 4

**RECOMMENDATION(S):**

THAT Report 23-348-CD: 44-46 Park Hill Road East, Notice of Intention to Designate under Part IV of the Ontario Heritage Act be received;

AND THAT Council approve the Statement of Cultural Heritage Value and List of Heritage Attributes, attached as Appendix A to this report;

AND THAT Council authorize the Clerk to publish a Notice of Intention to Designate the property municipally known as 44-46 Park Hill Road East in accordance with Section 29 of the Ontario Heritage Act because of its cultural heritage value.

AND FURTHER THAT, should Council not wish to proceed with designation, that Council requires, as a condition of site plan approval, the submission of a Salvage Plan to ensure the careful retention and integration of brick masonry into the design of the proposed mixed-use building, and that any additional brick units be salvaged and made available for reuse or donation.

**EXECUTIVE SUMMARY:**

**Purpose**

This report has been prepared to provide a recommendation to Council in support of the designation of the property municipally known as 44-46 Park Hill Road East under Part IV of the Ontario Heritage Act. The report also provides Council with the option of an alternative measure, as a condition of site plan approval, if designation is not pursued.

## Key Findings

- The property located at 44-46 Park Hill Road East is not currently listed on the Heritage Register nor designated under the Ontario Heritage Act.
- The property is subject to an active Site Plan application and a Demolition Permit submission. A three-storey, mixed-use building with a commercial ground floor and ten residential units above is being proposed.
- The one-and-a-half storey brick dwelling on the property was built between 1867 and 1875 by local builder and bricklayer George Dando.
- The property has been identified to meet sufficient criteria in order for the City to pursue designation under Part IV of the Ontario Heritage Act. Heritage Planning staff have also provided Council with the option to require a Salvage Plan for the retention of historic material on site, as an alternative measure.

## Financial Implications

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately \$500. The City also pays to register the bylaw on title to the property, which costs approximately \$75.

Should the property be designated, the property owner will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

### STRATEGIC ALIGNMENT:

Strategic Action; or

Core Service

**Objective(s):** Not Applicable

**Strategic Action:** Not Applicable

**Program:** Community Development

**Core Service:** Heritage Conservation

### BACKGROUND:

The subject property is located at 44-46 Park Hill Road East at the intersection of Market Street, Cambridge Street and Park Hill Road East. The property is located north of the downtown core and directly east of the Grand River and the Park Hill Road Bridge. The property is 568.61 square metres (0.14 acres) in size (Figure 1).

The subject property is not currently listed on the Heritage Register nor designated under Parts IV or V of the Ontario Heritage Act. However, the property is located adjacent to a listed property in 38-42 Park Hill Road East. The property contains a one-and-a-half storey brick building that has additions extending from the western and northern elevations (Figures 2 to 6). The structure was built between 1867 and 1875 while under the ownership of George Dando (1831-1898), as demonstrated within the Analysis section below.

The subject property is zoned C1RM1 (Commercial-Residential) in the City's Zoning Bylaw and is within the Galt City Centre Core Area (Urban Growth Centre) in the Official Plan. The property is also located within the Regeneration Area in the Official Plan.

The property was previously divided into two separate units as a legal duplex; one unit being used for commercial purposes and the other a residential unit. The property was last sold in 2022. The property has seen several unsympathetic alterations over the years (Figure 4, for example). Figures 7 and 8 show the immediate context with adjacent buildings.

In 2022, a scoped Heritage Impact Assessment (HIA) was submitted for the property located at 149 Ainslie Street North, evaluating the impact of a proposed eight-storey residential building on the adjacent property located at 38-42 Park Hill Road East. The scoped HIA only minimally researched the history of the adjacent property at 38-42 Park Hill Road East, so its documentation was of little use to this evaluation.

In January 2023, a Pre-Consultation application (P01-23) was submitted to the City, proposing a three-storey, mixed-use building with a commercial ground floor and ten residential units above.

In October 2023, a Site Plan application (SP37-23) was submitted to the City and is currently under staff review. The proposal submitted for Site Plan was largely unchanged from the Pre-Consultation application, from a building design perspective.

On November 3, 2023, a Demolition Permit submission was received by the City to remove the existing one-and-a-half storey brick building on site, however it has been deemed incomplete at the time of writing this report. On November 24, 2023, staff received notification of concerns about the demolition and proceeded to bring forward a report to Council outlining options for consideration for the retention or removal of the structure.

On November 27, 2023, Heritage Planning staff brought forward Memo 23-004 (MHAC) to the Municipal Heritage Advisory Committee (MHAC) for consultation. MHAC's recommendations to Council are listed in the advisory committee section of this report. Initially, Heritage Planning staff were not of the opinion that the subject property

contained substantial cultural heritage value, limited by the lack of time to research the history of the property. However, following the MHAC meeting, Heritage Planning staff were given additional time to research the property and uncovered additional details contributing to its assessed cultural heritage value. The City's Information and Archives Analyst Dan Schmalz provided invaluable assistance to Heritage Planning staff in the research compiled for this report.



Figure 1: The subject property, hatched in blue, shown on an aerial map (City of Cambridge).



Figure 2: A view of the subject property from the southwest corner, at the intersection of Park Hill Road East and Cambridge Street, showing exterior details including dichromatic brickwork and raised quoins (City of Cambridge).



Figure 3: Looking west, showing the rear brick extension and small frame addition. The gable ends appear to be clad in modern vinyl siding (City of Cambridge).

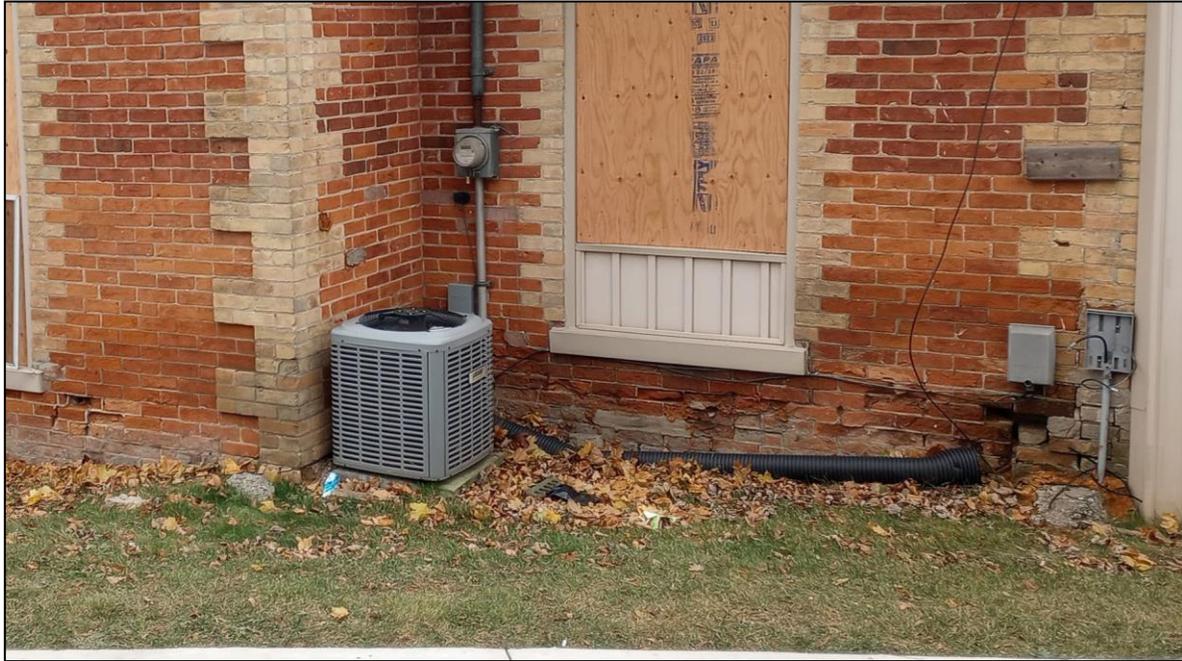


Figure 4: Showing brick spalling and degradation near foundation level (City of Cambridge).



Figure 5: Looking south at the rear of the building (City of Cambridge).



Figure 6: Looking northeast at the one-storey brick extension and replaced porch on the western elevation (City of Cambridge).



Figure 7: Showing the subject property in context with adjacent buildings on Park Hill Road East (City of Cambridge).



Figure 8: Showing context, looking south, from the subject property towards modern infill and down Cambridge Street (City of Cambridge).

**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).

Notice required.

(1.1) Subject to subsections (1.2) and (2), if the council of a municipality intends to designate a property within the municipality to be of cultural heritage value or interest, it shall cause notice of intention to designate the property to be given by the clerk of the municipality in accordance with subsection (3). 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (2).

## Consultation

(2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under subsection (1), consult with its municipal heritage committee. R.S.O. 1990, c. O.18, s. 29 (2); 2002, c. 18, Sched. F, s. 2 (9).

## Notice of intention

(3) Notice of intention to designate under subsection (1) shall be,

(a) served on the owner of the property and on the Trust; and

(b) published in a newspaper having general circulation in the municipality. R.S.O. 1990, c. O.18, s. 29 (3); 2005, c. 6, s. 1.

## Contents of notice

(4) Notice of intention to designate property that is served on the owner of property and on the Trust under clause (3) (a) shall contain,

(a) an adequate description of the property so that it may be readily ascertained;

(b) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property; and

(c) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (4).

## Same

(4.1) Notice of intention to designate property that is published in a newspaper of general circulation in a municipality under clause (3) (b) shall contain,

(a) an adequate description of the property so that it may be readily ascertained;

(b) a statement explaining the cultural heritage value or interest of the property;

(c) a statement that further information respecting the notice of intention to designate the property is available from the municipality; and

(d) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the

notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (5).

### Objection

(5) A person who objects to a proposed designation shall, within thirty days after the date of publication of the notice of intention, serve on the clerk of the municipality a notice of objection setting out the reason for the objection and all relevant facts. R.S.O. 1990, c. O.18, s. 29 (5); 1996, c. 4, s. 55 (2); 2009, c. 33, Sched. 11, s. 6 (4).

### Consideration of objection by council

(6) If a notice of objection has been served under subsection (5), the council of the municipality shall consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day period under subsection (5). 2019, c. 9, Sched. 11, s. 7 (6).

### Notice of withdrawal

(7) If the council of the municipality decides to withdraw the notice of intention to designate the property, either of its own initiative at any time or after considering an objection under subsection (6), the council shall withdraw the notice by causing a notice of withdrawal,

(a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and

(b) to be published in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

### If no notice of objection or no withdrawal

(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:

i. A copy of the by-law.

ii. 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).

Deemed withdrawal.

(9) If the council of the municipality has not passed a by-law under subsection (8) within the time set out in paragraph 1 of that subsection, the notice of intention to designate the property is deemed to be withdrawn and the municipality shall cause a notice of withdrawal,

(a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and

(b) to be published in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

Same

(10) For clarity, the deemed withdrawal of a notice of intention to designate a property under subsection (9) does not prevent the council from giving a new notice of intention to designate the property in accordance with this section. 2019, c. 9, Sched. 11, s. 7 (6).

Appeal to Tribunal

(11) 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 of subsection (8), 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).

If no notice of appeal

(12) If no notice of appeal is given within the time period specified in subsection (11),

(a) the by-law comes into force on the day following the last day of the period; and

(b) the clerk shall ensure that a copy of the by-law is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered by-law is served on the Trust. 2019, c. 9, Sched. 11, s. 7 (6).

If notice of appeal

(13) If a notice of appeal is given within the time period specified in subsection (11), the Tribunal shall hold a hearing and, before holding the hearing, shall give notice of the hearing to such persons or bodies and in such manner as the Tribunal may determine. 2019, c. 9, Sched. 11, s. 7 (6).

Forwarding of record of decision

(14) If the council of the municipality made a decision on a notice of objection under subsection (6) and if a notice of appeal is given within the time period specified in subsection (11), the clerk of the municipality shall ensure that the record of the decision under subsection (6) is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

## **Cambridge Official Plan**

Section 4.6.1 of the Cambridge Official Plan (OP) also states that the City will pass by-laws to designate properties of cultural heritage value.

### **ANALYSIS:**

The subject property at 44-46 Park Hill Road East was originally part of a large swath of land owned by Robert Dickson (1796-1846), a son of Galt's founder William Dickson. After Dickson's passing, these lands were surveyed as Plan 444, with the subject property identified as Lot B, at the corner of Queen Street (now Park Hill Road East), Head Street (now Cambridge Street), and Arthur Street (now Market Street).

According to the property's title history, the property was first sold by the trustees of Dickson to Milton Cushing Schofield (1819-1908) in 1863. Schofield owned both Lots B and C within Plan 444, which included both the subject property and the adjacent property (now addressed as 38-42 Park Hill Road East). The 1867 *Map of the Town of Galt* (Appendix B, Figure 5) indicates that there was an earlier structure on the subject property, located approximately where the rear yard parking area is today. However, it appears that this building was demolished by 1885 as evidenced by the 1885 *Fire Insurance Plan of Galt* (Appendix B, Figure 7).

Schofield was a well-known public land surveyor who was originally from Brockville but became established in the Kitchener-Waterloo area (Waterloo Region Generations). Schofield was responsible for surveying large portions of Grey County, Wellington County, Berlin (now Kitchener), Waterloo, and Galt (see Appendix B, Figure 3, for example). In 1855, Schofield partnered with another prominent surveyor, Joseph Hobson (1833-1917) but by 1870 Hobson had moved into transportation engineering and became the chief engineer of the Great Western Railway and later the Grand Trunk Railway (Biographical Dictionary of Architects in Canada).

In 1869, the subject property was sold by Schofield to George Dando (1831-1898). Dando was a builder and bricklayer by trade and was involved in the construction of numerous buildings in Galt during the 19<sup>th</sup> century. Dando was known as “one of the town builders who erected a number of blocks in different parts of the town” (Waterloo Historical Society Seventh Annual Report, 1919). Dando was born in Paulton, Somersetshire, England in 1831 and married Sarah Ann Burge (1832-1923), also of Somersetshire, England before relocating to Canada (Waterloo Region Generations).

The 1871 Census depicts George Dando as an English-born mason who had seven children living in one house (Appendix B, Figure 12). The 1881 Census lists Dando as a bricklayer, along with his son William James (1856-1934) while another son, George Junior (1863-1933) is listed as a butcher (Appendix B, Figure 13). By 1891, George is shown to have at least one employee and his profession is depicted as “bricklayer/construction”. At the time, the Dando family is also living in a two-storey brick house with ten inhabitants (Appendix B, Figure 14). This corroborates with other sources that indicate that George and Sarah Ann had a total of ten children (Waterloo Region Generations).

George Dando is attributed with the construction of the Dando Block, a prominent commercial building located at 17-35 Ainslie Street North, built circa 1889 (Dilse Inventory, 1981). Dando died in 1898 of bronchopneumonia and is buried in Trinity Anglican Church Cemetery (Waterloo Region Generations). His obituary within the *Galt Reporter*, notes that Dando was “one of [Galt’s] most highly respected residents and best-known men.” (Appendix B, Figure 17). Dando Avenue is named for George Dando. Dando’s son, William James, continued his profession in masonry and built prominent buildings across the City including 10 James Street (1886) and 7 Churchill Drive (1888), both designated under the Ontario Heritage Act. George Dando’s great nephew, George G. Dando (1905-1958), opened a pharmacy, “Dando Drugs”, at 60 Main Street in 1933 (Historical Chronology of Galt, Jim Quantrell).

Dando’s family remained on title for the subject property until 1925. The brick dwelling at 44-46 Park Hill Road East was constructed by Dando between 1867 and 1875. This is evidenced by the absence of the dwelling on Park Hill Road East on the 1867 *Map of*

*the Town of Galt* (Appendix B, Figure 5) and the presence of the dwelling on the 1875 *Bird's Eye View of Galt* (Appendix B, Figure 6). Given the shared ownership, similar build dates, and similar construction styles and materials, it is possible that Dando also built the adjacent property at 38-42 Park Hill Road East.

The 1875 *Bird's Eye View of Galt* indicates that the brick dwelling on the subject property originally had two flanking chimneys on gable ends and two dormers on the front of the building. Both features have since been removed. This map also illustrates that the one storey brick addition on the western elevation was present as early as 1875 and may be original to the structure.

Fire Insurance Plans for Galt, as early as 1885, indicate that the property was originally addressed as 34-36 Queen Street. These plans also show that the brick building had multiple side and rear additions, in both frame and brick. The 1885 Fire Insurance Plan also demonstrates that the subject property, as well as the adjacent listed property at 38-42 Park Hill Road East, were divided up internally into separate units, and were possibly tenanted. This is somewhat unusual, but not rare, for smaller single-detached dwellings in the 19<sup>th</sup> century.

The subject property has been altered from its original condition but retains its exterior brick masonry and decorative details. The roof has been altered to remove early gabled dormers and chimneys, the original roof material has been replaced with asphalt shingles, and all original windows and doors have been replaced with modern products. Real estate photographs from 2022 also appear to indicate a lack of remaining interior attributes of heritage value remaining inside the building. A preliminary exterior evaluation has also indicated that there is brick spalling and degradation visible on the masonry, most notably at the foundation level where water damage is visible (Figure 4).

### **Evaluation under Ontario Regulation 9/06 (amended by 569/22)**

Heritage Planning staff are of the opinion that the property meets four (4) of nine (9) criteria contained in Ontario Regulation 9/06 (as amended by 569/22). According to legislative changes introduced to the Ontario Heritage Act through the More Homes Built Faster Act, 2022, properties must meet at least two (2) of nine (9) criteria under Ontario Regulation 9/06 (amended by 569/22) to be considered for designation under Part IV of the Ontario Heritage Act.

- **The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.**

**YES** – The property contains physical and design value as a representative example of a 19<sup>th</sup> century working class dwelling. The simple brick building is

representative of architectural styles and methods during this period. Despite the building being heavily altered, it retains its material brick exterior and decorative details including: dichromatic brick accents, raised quoins, soldier-course jack arches, and buff brick accents surrounding the windows and doors. This material and these architectural elements are also representative of the work of George Dando, a well-known bricklayer and builder in Galt.

- **The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.**

**NO** – The property does not contain a high degree of craftsmanship or artistic merit. The property uses traditional materials and methods.

- **The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.**

**NO** – The property does not demonstrate a high degree or technical or scientific achievement. The property uses traditional materials and methods.

- **The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.**

**YES** – A review of available sources has indicated that the subject property is associated with Milton C. Schofield, a prominent land surveyor in southern Ontario and George Dando, a well-known builder and bricklayer in Galt. Both individuals are considered significant, however, Dando is noted as being particularly significant to Galt.

- **The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.**

**NO** – A preliminary review of available sources has indicated that the property is fairly well-documented in local historical sources, however it is not the focus of any sources. The building is not featured in any local walking tours, inventories, or registers. It is not anticipated that the property would yield any additional unknown information that would contribute to a better understanding of Galt.

- **The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.**

**YES** – The property is associated with a prominent builder and bricklayer in Galt, George Dando. Dando is responsible for the construction of several buildings in Galt, including the eponymous Dando Block at 17-35 Ainslie Street North. The building’s construction materials, decorative features, and style are examples of the work of George Dando, an individual recognized as significant in the history of Galt.

- **The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.**

**NO** – Although the property is one of many one and two storey late 19<sup>th</sup> century brick buildings in this area, the historical character of the area has been substantially altered through infill and redevelopment. The adjacent apartment tower located at 95 Cambridge Street is an example of the redevelopment that has occurred in this area over the years.

- **The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.**

**YES** – The property is historically and visually linked to its surroundings, having been built during the late 19<sup>th</sup> century, at a similar time to other nearby properties including the adjacent building at 38-42 Park Hill Road East. The property is also constructed in red and buff brick, material common during the late 19<sup>th</sup> century and commonly found in this area.

- **The property has contextual value because it is a landmark.**

**NO** – The property has not been identified as a landmark and is not recognized locally as a landmark.

Given that the property has been determined to meet four (4) of nine (9) criteria contained in Ontario Regulation 9/06 (as amended by 569/22), it is considered to contain sufficient cultural heritage value to merit designated under Part IV of the Ontario Heritage Act. As such, Heritage Planning staff are recommending designation based on the property’s physical/design value, historical/associative value, and contextual value.

### **Cultural Heritage Attributes**

Heritage Planning staff have provided a list of cultural heritage attributes that are summarized below. The full Statement of Cultural Heritage Value can be seen in Appendix A.

- The siting of the 19<sup>th</sup> century brick dwelling at the corner of Park Hill Road East, Cambridge Street, and Market Street;

- Exterior brickwork, in running bond, and including dichromatic brick accents;
- Raised quoins extending every three courses;
- Soldier-course jack arches; and
- Buff brick accents surrounding windows and doors.

**FINANCIAL IMPACT:**

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately \$500. The City also pays to register the bylaw on title to the property, which costs approximately \$75.

Should the property be designated, the property owner will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

**PUBLIC VALUE:**

**Transparency:**

Council reports and meetings are open to the public.

**ADVISORY COMMITTEE INPUT:**

The MHAC was consulted on November 27, 2023, through Memo 23-004 (MHAC) and provided with Heritage Planning staff’s recommendations as presented in this report. The Committee decided to receive the report although it did not support Heritage Planning staff’s other recommendations. Instead, the Committee decided to pass the following recommendation to Council:

THAT Memo 23-004 (MHAC) be received;

AND FURTHER THAT MHAC supports the designation of the property at 44-46 Park Hill Road East, that MHAC recommend that Council authorize the issuance of a Notice of Intention to Designate in accordance with Part IV of the Ontario Heritage Act.

**PUBLIC INPUT:**

Meetings of Council are open to the public and agendas are posted publicly.

**INTERNAL / EXTERNAL CONSULTATION:**

Heritage Planning staff conducted a site visit to the property, from the right-of-way, on November 24, 2023.

There are no consultation requirements under the Ontario Heritage Act for notifying property owners or the public prior to issuing a NOID. Despite the short timeline involved on this file, Heritage Planning staff have notified the property owner and their applicant about the proposed NOID via email on November 30, 2023.

Section 29(4) of the Act outlines that property owners are to be served with a copy of the NOID following Council's direction to issue. Any person may object to a NOID within thirty (30) days of its issuance as per Section 29(5).

### **CONCLUSION:**

Heritage Planning staff are recommending that Council designate the property located at 44-46 Park Hill Road East under Part IV of the Ontario Heritage Act given that it has been determined to contain sufficient cultural heritage value, meeting four (4) of nine (9) criteria under Ontario Regulation 9/06 (as amended by 569/22). The Statement of Cultural Heritage Value and List of Attributes (Appendix A) would form the NOID under Section 29 of the Ontario Heritage Act. If Council supports designation, the designation by-law for the subject property will come before Council at a later date, following the issuance of a NOID and expiry of the legislated objection period.

However, should Council not wish to proceed with designation, Heritage Planning staff are recommending that Council require, as a condition of site plan approval, the submission of a Salvage Plan to ensure the careful retention and integration of brick masonry into the design of the proposed mixed-use building, and that any additional brick units be salvaged and made available for reuse or donation.

### **REPORT IMPACTS:**

Agreement: **No**

By-law: **No**

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**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

1. 23-348-CD Appendix A – Statement of Cultural Heritage Value or Interest
2. 23-348-CD Appendix B – Supporting Archival Material and Historical Mapping