

## Staff Report

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**Report To:** Community Services Committee  
**Report From:** Jacklyn Iezzi, Heritage Coordinator  
**Meeting Date:** April 21, 2021  
**Report Code:** CS-21-018  
**Subject:** Request to Designate 908 2nd Avenue East (Kilbourn Block) under Part IV of the Ontario Heritage Act

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### Recommendations:

THAT in consideration of Staff Report CS-21-018 respecting a request to designate 908 2<sup>nd</sup> Avenue East under Part IV of the *Ontario Heritage Act*, the Community Services Committee recommends that City Council:

1. Support the designation of 908 2<sup>nd</sup> Avenue East for its design/physical value, historical/associative value, and contextual value; and
2. Direct staff to proceed with issuing Notice of Intention to Designate the property in accordance with Section 29 of the *Ontario Heritage Act*.

### Highlights:

- The current owner of 908 2<sup>nd</sup> Ave E has applied to have the property designated under Part IV of the *Ontario Heritage Act*.
- The *Ontario Heritage Act* requires that Council consult with its Municipal Heritage Committee prior to designating a property. It is the mandate of the Community Services Committee to act as the City's Municipal Heritage Committee under the Act.
- Staff support the designation of 908 2<sup>nd</sup> Ave E under Part IV of the Act for its design/physical value, historical/associated value, and contextual value.

## **Strategic Plan Alignment:**

6.1 Promote heritage conservation through the Community Improvement Plan, heritage property tax program, façade program, heritage register and designation of properties.

## **Background:**

The current owner of 908 2<sup>nd</sup> Ave E (Kilbourn Block), 2133139 Ontario Inc., has applied to have the property designated under Part IV of the *Ontario Heritage Act* (see Schedule 'A'). The property is listed on the City's Register of Properties of Cultural Heritage Value or Interest.

The *Ontario Heritage Act* ("the Act"), permits Council to pass a by-law to designate a property within the City to be of cultural heritage value or interest subject to satisfying one or more of the criteria prescribed in Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest), and in accordance with the process set out in Section 29 of the Act.

Generally, if the Council of a municipality intends to designate a property to be of cultural heritage value or interest, it must serve Notice of Intention to Designate the property on the owner and the Ontario Heritage Trust and publish the notice in a newspaper having general circulation in the municipality.

Section 29(2) of the Act requires that Council consult with its Municipal Heritage Committee prior to issuing Notice of Intention to Designate. It is part of the mandate of the Community Services Committee to act as the City's Municipal Heritage Committee under the *Ontario Heritage Act*. The process for designation is provided in Schedule 'B'.

The purpose of this report is consult with the City's Municipal Heritage Committee on the cultural heritage value of the subject property, as required by the Act, in order to make a recommendation to City Council on the merits of the request for designation.

## **Analysis:**

This section provides an analysis of the cultural heritage value of 908 2<sup>nd</sup> Ave E in consideration of Provincial and City policies and regulations.

## **Provincial Policy Statement**

Planning authorities, including the City, are required to have regard for the provincial interests under Section 2 of the *Planning Act*. The conservation of features of significant architectural, cultural, historical, and archaeological interest, and the promotion of built form that is well designed and encourages a sense of place, are among the provincial interests provided under Section 2.

Furthermore, all decisions made by a municipality must be consistent with the Provincial Policy Statement (PPS), 2020. The PPS recognizes the important environmental, economic, and social benefits that cultural heritage and archeological resources provide and states that significant built heritage resources and cultural heritage landscapes shall be conserved (policy 2.6.1).

Policy 1.7.1 (e) further states that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

## **City of Owen Sound Official Plan**

The City's 2006 Official Plan (OP) is consistent with the policies of the PPS and states that significant built heritage resources and significant cultural heritage landscapes within the City, which are valued by the community, shall be conserved for the benefit of present and future residents as well as tourists and visitors (Sec 7.2.2.1).

The OP further states that the City may identify heritage resources through the process of developing a Heritage Conservation and Interpretation Plan, or by application by a property owner (Sec. 7.2.2.2). Where the City, after consultation with the Municipal Heritage Committee, identifies a property as having significant cultural heritage value or interest, it may initiate the process of designation (Sec. 7.2.2.3).

The OP generally encourages owners of recognized heritage resources to have their properties designated (7.2.2.5) and supports the identification and protection of the City's heritage resources including historical places, buildings, and areas (Sec. 3.4.2.5).

## **Evaluation of Cultural Heritage Value or Interest**

As noted, the *Ontario Heritage Act* permits Council to pass a by-law designating a property to be of cultural heritage value or interest provided that the property satisfies one or more of the criteria prescribed in Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest (see Schedule 'C').

On December 16, 2020, the Municipal Heritage Committee considered a request by the property owner of 908 2<sup>nd</sup> Ave E to have the property listed on the City's Register of Properties of Cultural Heritage Value or Interest.

Listing a property on the Register is the first step that a municipality should take in the identification and evaluation of a property that may warrant heritage conservation, recognition, or long-term protection. A listed property may become a future candidate for designation.

The Committee passed resolution CS-201216-004, recommending that City Council approve the inclusion of 908 2<sup>nd</sup> Ave E as a property on the City's Heritage Register for its design/physical value, historical/associative value, and contextual value. A complete analysis of 908 2<sup>nd</sup> Ave E in consideration of the criteria prescribed by Ontario Regulation 9/06 is provided in Staff Report CS-20-157, attached as Schedule 'D'.

On January 18, 2021, City Council passed resolution R-210118-012, approving the recommendation of the Committee to list the property on the City's Heritage Register.

Finally, Section 29 of the *Ontario Heritage Act* requires that Notice of Intention to Designate the property be served on the property owner and Ontario Heritage Trust and contain, among other matters, a statement of cultural heritage value or interest of the property and a description of the property's heritage attributes.

A statement of cultural heritage value for 908 2<sup>nd</sup> Ave E and a list of the property's heritage attributes are provided in Schedule 'E'.

## **Financial Implications:**

There are minor financial implications associated with publishing the Notice of Intention to Designate the property in the Sun Times newspaper.

## **Communication Strategy:**

The recommendation of Community Services Committee will be provided to City Council. Following Council's decision on the matter, Notice of Intention to Designate the property will be served on the property owner and the Ontario Heritage Trust and published in the Sun Times newspaper in accordance with Section 29 of the *Ontario Heritage Act*.

Following Notice of Intention to Designate, there is a 30-day period in which objections to the designation may be received.

## **Consultation:**

With the property owner.

## **Attachments:**

- Schedule 'A': Heritage Designation Application, 908 2<sup>nd</sup> Ave E
- Schedule 'B': Process for Designation by Municipal By-law
- Schedule 'C': Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest
- Schedule 'D': Staff Report CS-20-157
- Schedule 'E': Statement of Cultural Heritage Value or Interest and Heritage Attributes, 908 2<sup>nd</sup> Ave E

## **Recommended by:**

Jacklyn Iezzi, BES  
Heritage Coordinator

## **Reviewed by:**

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Manager of Planning & Heritage

## **Reviewed & Supported by:**

Pam Coulter, BA, RPP  
Director of Community Services

## **Submission approved by:**

Tim Simmonds  
City Manager

For more information on this report, please contact Jacklyn Iezzi, Heritage Coordinator at [heritage@owensound.ca](mailto:heritage@owensound.ca) or 519-376-4440 ext. 1250.