

To: Economic and Development Services Committee

From: Warren Munro, HBA, RPP, Commissioner,  
Economic and Development Services Department

Report Number: ED-22-214

Date of Report: November 23, 2022

Date of Meeting: November 28, 2022

Subject: Heritage Oshawa's Recommendation to Designate 10 Sites  
under the Ontario Heritage Act

Ward: Wards 1, 4 and 5

File: 12-04

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## **1.0 Purpose**

The purpose of this Report is to seek Council direction on whether or not to designate ten (10) sites as properties of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (the “Ontario Heritage Act”).

On April 28, 2022, Heritage Oshawa recommended that the following sites be designated under Part IV of the Ontario Heritage Act:

- Memorial Park – 110 Simcoe Street South;
- McLaughlin Hall – 1 Hospital Court;
- Traicus Buildings – 10, 12 and 14 Bond Street West;
- Oshawa Clinic – 117 King Street East;
- Pascoe House – 1935 Grandview Street North;
- Hancock House – 2850 Grandview Street North; and,
- Holy Cross School – 357 Simcoe Street South.

On May 9, 2022, the Development Services Committee considered the above motion of Heritage Oshawa as DS-22-109 and referred the recommendation from Heritage Oshawa to staff for a report.

On June 23, 2022, Heritage Oshawa recommended that the following sites be designated under Part IV of the Ontario Heritage Act:

- Drew House – 442 King Street East;
- Mushroom House – 469 King Street East;
- Oshawa Federal Building and Post Office – 47 Simcoe Street South;
- 76 Elgin Street East;

- General Motors South Plant – 700-900 Park Road South; and,
- 78-82 King Street West.

Related resolutions with respect to Memorial Park, the Hancock House and the Oshawa Federal Building and Post Office appear on the November 28, 2022 Economic and Development Services Committee Agenda.

The purpose of this Report is to respond in a comprehensive manner with respect to the remaining ten (10) sites recommended for designation by Heritage Oshawa.

Attachments 1 to 10 are maps showing the location of the ten (10) sites recommended for designation by Heritage Oshawa and the existing zoning in the related areas.

Attachments 11 to 20 are copies of the Heritage Research Reports for the ten (10) sites recommended for designation by Heritage Oshawa. Owing to their length, these Heritage Research Reports are not attached but can be found at the following links:

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_1-Hospital-Crt\\_McLaughlin-Hall.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_1-Hospital-Crt_McLaughlin-Hall.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_10-12-and-14-Bond-St-W.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_10-12-and-14-Bond-St-W.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_King-St-E-117.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_King-St-E-117.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_Grandview-St-N-1935\\_Pascoe-House.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_Grandview-St-N-1935_Pascoe-House.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_Simcoe-St-S-357\\_Holy-Cross-School.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_Simcoe-St-S-357_Holy-Cross-School.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_King-St-E-442\\_Redacted.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_King-St-E-442_Redacted.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_King-St-E-469.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_King-St-E-469.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_Elgin-St-E-76\\_Redacted.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_Elgin-St-E-76_Redacted.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_GM-South-Plant.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_GM-South-Plant.pdf)

[https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt\\_King-St-W-78-82.pdf](https://www.oshawa.ca/en/parks-recreation-and-culture/resources/Documents/Heritage-Research-Rpt_King-St-W-78-82.pdf)

Attachment 21 is a draft flow chart released by the Provincial government illustrating the process to designate a property under Section 29 (Part IV) of the Ontario Heritage Act.

Attachment 22 is a copy of correspondence from Atria Development, owner of 117 King Street East, consenting to the designation of only the portion of the building that was constructed in 1948 with a prominent classical structure that anchors the corner at Charles Street and King Street East.

Attachment 23 is a copy of correspondence from the Executive Director of The Refuge, owners of 357 Simcoe Street South, advising that the owner would like to re-evaluate the Heritage Oshawa request in 2023 once the site plan approval process has been finalized.

Attachments 24 to 31 are copies of correspondence dated August 13, 2022 from the remaining eight (8) owners advising that they do not support the designations under Part IV of the Ontario Heritage Act.

## **2.0 Recommendation**

1. That the Economic and Development Services Committee recommend to City Council: That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 117 King Street East as a property of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:
  - (a) Obtaining an updated Heritage Research Reports to provide evidence that the subject property specifically addresses the requirements of the Ontario Heritage Act;
  - (b) Preparing a Notice of Intention to Designate the property located at 117 King Street East under the Ontario Heritage Act which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner;
  - (c) Publishing the Notice in the Oshawa This Week newspaper;
  - (d) Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
  - (e) Preparing the necessary by-law which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner for subsequent consideration by Council.
2. That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4<sup>th</sup> quarter of 2023 on Heritage Oshawa's request to designate 357 Simcoe Street South to permit the owner to finalize the site plan approval process.
3. That, pursuant to Report ED-22-214 dated November 23, 2022, the Economic and Development Services Committee select Option 1, Option 2 or Option 3 from Section 5.10 of Report ED-22-214 for the remaining sites where the property owner does not support Heritage Oshawa's request for designation.

4. That, pursuant to Report ED-22-214 dated November 23, 2022, Council authorize Planning Services and Legislative Services staff to not proceed with any designation requested by Heritage Oshawa until Heritage Oshawa has followed the process established by Council to advance designations in consultation with the owners such that Council is informed of the position of the property owner.

### **3.0 Executive Summary**

Not applicable.

### **4.0 Input From Other Sources**

The following have been consulted in the preparation of this Report:

- Commissioner, Finance Services
- City Solicitor
- Heritage Oshawa
- Owners of the subject properties

During the summer of 2022, owing to the lack of consultation by Heritage Oshawa with affected property owners, as directed by the Development Services Committee on May 9, 2022 and September 12, 2022, respectively, City staff were required to send letters to the affected property owners requesting their stance on the potential designation of the subject property under Part IV of the Ontario Heritage Act.

Attached to the letter, City staff provided a copy of the Heritage Research Report relating to the subject property, together with information on the City's Heritage Property Tax Reduction Program.

The responses from the affected property owners form Attachments 22 to 31 to this Report.

Only Atria Development, owner of 117 King Street East, has consented to the designation (see Attachment 22) and Atria's consent was restricted to only the portion of the property that was constructed in 1948. This portion features a prominent classical structure that anchors the corner at Charles Street and King Street East.

The property owners of 442 King Street East provided a response to staff (see Attachment 27) which indicated they were unsure of their stance on designation. Staff followed up with the owners to answer their questions and provide further clarification on the designation process. However, no further response was provided to staff. Therefore, staff will interpret their response dated November 4, 2022 as being not in favour of designation at this time.

## **5.0 Analysis**

### **5.1 Heritage Oshawa Inventory of City of Oshawa Heritage Properties**

The Heritage Oshawa Inventory of City of Oshawa Heritage Properties (the “Inventory”) identifies properties of cultural heritage value or interest within the City of Oshawa. The Inventory includes all properties on the City of Oshawa Register of Properties of Cultural Heritage Value or Interest (the “Register”) as well as properties identified as ‘Class A’ or ‘Class B’.

‘Class A’ properties are properties that have been evaluated by Heritage Oshawa and are determined to have the highest potential for designation.

‘Class B’ properties are properties that have been evaluated by Heritage Oshawa and are determined to have good potential for designation.

All of the sites recommended by Heritage Oshawa, except 76 Elgin Street East, are identified in the Inventory as ‘Class A’ properties. The site located at 76 Elgin Street East is identified in the Inventory as a ‘Class B’ property.

### **5.2 The City of Oshawa Register of Properties of Cultural Heritage Value or Interest**

The Register is the list of properties from the Inventory that have been formally recognized by Council, pursuant to Section 27 of the Ontario Heritage Act, as being properties within the City of Oshawa having cultural heritage value or interest.

The Register includes “designated” and “listed, non-designated” properties.

A property is automatically added to the Register as a designated property once it is designated in accordance with the process established in the Ontario Heritage Act.

A property is added to the Register as a listed, non-designated property by resolution of Council.

Any alteration to the identified heritage attributes, or demolition of a structure containing heritage attributes of a designated property, must be considered by Council in consultation with Heritage Oshawa. Only the owner of the property can appeal Council’s decision on a request to alter or demolish heritage attributes of a designated property.

The subject properties are not currently listed in the City’s Register.

## **5.3 Background**

### **5.3.1 Heritage Research Report**

Heritage Research Reports for the ten (10) properties have all been prepared by Melissa Cole, a local heritage consultant and form Attachments 11 to 20 of this Report.

Given that most of the Heritage Research Reports for the subject properties were commissioned shortly after the enactment of Ontario Regulation 9/06, most of them do not specifically address the requirement under said regulation to provide evidence that each property meets one or more of the criteria for designation under the Ontario Heritage Act in relation to the following three categories:

1. Design or physical value;
2. Historical/associative value; and,
3. Contextual value.

### **5.3.2 Supplemental Heritage Research Reports**

In the event Council chooses Option 2: Designate for any of the sites recommended by Heritage Oshawa, staff recommend that a supplemental Heritage Research Report be completed for the subject property, given that the existing Heritage Research Reports completed by Melissa Cole do not provide the requisite information in order to inform the designation by-law and Designation Statement and Description for the subject property.

This required information includes:

- Evidence that the subject property meets one or more of the criteria for designation under the Ontario Heritage Act in relation to the following three categories:
  - Design or physical value;
  - Historical/associative value;
  - Contextual value;
- A Statement of Cultural Heritage Interest or Value; and,
- A listing of heritage attributes at a level of detail which identifies individual features of the subject property.

Staff estimate that a supplemental Heritage Research Report would cost up to \$6,000. In the event Council chooses to proceed with all ten (10) designations, Council will need to provide funding to Heritage Oshawa in the range of \$60,000 in the Heritage Oshawa 2023 Budget. In 2022, Heritage Oshawa received \$12,000 to acquire Heritage Research Reports.

#### **5.4 Historical Significance of 117 King Street East**

The Heritage Research Report dated November 2021 generally summarizes the cultural heritage value or interest of 117 King Street East as follows:

- “1. (i) This property has design and physical value, the original two-storey clinic building constructed in 1948, is representative of 20th century public building constructed in the style of modern classicism
- 2 (ii) This property has direct association with the Oshawa Clinic. For over 94 years the Oshawa Clinic has been providing quality health care services to families in Oshawa and the surrounding communities in Durham Region.”

#### **5.5 Historical Significance of 357 Simcoe Street South**

The Heritage Research Report dated September 2008 generally summarizes the cultural heritage value or interest of 357 Simcoe Street South as follows:

“The architecture of Holy Cross School contains elements of Modern Classicism. Modern Classicism is characterized by simplified forms of Classical elements that still achieve a formal composition.

Holy Cross School opened its doors in 1938. During the 1950s and 60s additions were added onto the school to accommodate the growing population in the South (sic) end of Oshawa. The growth in population was due to the settling of immigrants from Poland and Ukraine. Holy Cross Catholic School served as an educational institution for the population of South (sic) Oshawa for approximately 70 years.”

#### **5.6 The Provincial Policy Statement**

The Provincial Policy Statement (“P.P.S.”) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the *Planning Act*, R.S.O. 1990, c. P.13 (the “Planning Act”) requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Planning Act.

Section 2.6 of the P.P.S addresses Cultural Heritage and Archaeology and in particular states that (among other things):

“Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

This Section of the P.P.S. does not currently apply to the properties adjacent to each of the subject properties since they are not currently designated. It would apply if they were designated.

## **5.7 Heritage Designation Process**

On July 1, 2021, the Provincial government implemented changes to the Ontario Heritage Act proposed under Bill 108, the “More Homes, More Choice Act, 2019, S.O. 2019, c. 9”. As a result, some procedures have changed with respect to the designation process, including the appeal process for heritage designation.

The Ontario Heritage Act provides the framework for identification, conservation and protection of cultural heritage resources, and empowers a municipality to designate, by by-law, a property to be of cultural heritage value or interest in order to protect the property’s cultural heritage value.

The designation of any of the subject properties would be governed by Part IV, Section 29 of the Ontario Heritage Act for individual property designation.

Attachment 21 illustrates the process to designate a property under Section 29 (Part IV) of the Ontario Heritage Act.

Where a Council chooses to initiate the process to designate and issues a Notice of Intention to Designate for a property, the property will be subject to certain interim protections. Any existing permit that allowed for the alteration or demolition of the property, including a building permit or a demolition permit, becomes void. Proposed activities that would require Council’s consent during the period of interim protection include any:

- Alteration affecting the property’s heritage attributes;
- Demolition or removal of heritage attributes; or,
- Demolition or removal of a building or structure.

The property owner’s consent is not required for a designation to proceed, under the Ontario Heritage Act. The property owner’s objections, if any, can be considered by following the objection procedure illustrated in Attachment 21.

## **5.8 Property Standards By-law 1-2002 and Heritage Properties**

On October 26, 2020, City Council considered Report CORP-20-29 and adopted the following recommendation:

“The Council approve a by-law to amend Property Standards By-law 1-2002, as amended, in a final form and content acceptable to Legal Services and the Commissioner of Corporate Services to establish standards specific to heritage properties.”

The City’s Property Standards By-law 1-2002, as amended, (“Property Standards By-law”) prescribes minimum standards for the maintenance and occupancy of buildings, structures, and surrounding lands. It is intended to:

- Address the City’s strategic goal of “Social Equity: Ensure an inclusive, healthy and safe community”;



- Provide a mechanism to maintain properties and buildings to a minimum standard;
- Provide tools to maintain and enhance the character/image of the City;
- Sustain property values;
- Preserve the tax base; and,
- Protect the safety and the quality of life of residents and businesses.

The Ontario Heritage Act is prescriptive in what a Property Standards By-law can address from a heritage perspective. In that regard, as it relates to heritage, a municipal property standards by-law may only establish minimum standards for maintenance of heritage attributes of properties that are designated by municipal by-law (Section 29) or designated by the Minister (Section 34.5).

Section 35.3 of the Ontario Heritage Act states:

“If a by-law passed under Section 15.1 [Property Standards By-law] of the Building Code Act setting out standards for the maintenance of property in the municipality is in effect in a municipality, the council of the municipality may, by by-law,

- (a) Prescribe minimum standards for the maintenance of the heritage attributes of property in the municipality that has been designated by the municipality under Section 29 or by the Minister under Section 34.5; and,
- (b) Require property that has been designated under Section 29 or 34.5 and that does not comply with the standards to be repaired and maintained to conform with the standards.”

The *Building Code Act*, 1992, S.O. 1992, c.23 (the “Building Code Act, 1992”) is the enabling legislation that permits municipalities to establish property standards by-laws. The Building Code Act, 1992, not only grants the authority to pass a property standards by-law, but also legislates administrative requirements related to the inspection process, order contents and issuance processes, order appeal processes, emergency orders, etc.

Repair is defined in the Building Code Act, 1992, as:

“...the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards established in a by-law passed under this section.”

Through the Building Code Act, 1992, municipalities may prescribe standards for the maintenance and occupancy of property and for prohibiting the occupancy or use of property that does not conform to the standards. Furthermore, municipalities can require that non-conforming property be repaired and maintained to conform to the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.

By-law 90-2020, passed by Council on October 26, 2020, further amended the Property Standards By-law 1-2002 to provide for the protection of properties with cultural heritage value or interest. The Property Standards By-law 1-2002 can be found at the following

link: <https://www.oshawa.ca/en/Document-Feeds/General-By-Laws/PropertyStandardsBy-law1-2002.pdf>.

Under the amended By-law, standards are now provided for the maintenance of designated heritage properties to ensure that no heritage attribute is altered, demolished, removed or relocated.

## **5.9 Heritage Property Tax Reduction Program**

On March 21, 2011, Council adopted a Heritage Property Tax Reduction program which provides annual tax reductions for eligible heritage properties as an incentive to encourage property owners to restore and maintain heritage properties within the City.

The amount of the Heritage Property Tax Reduction is 40% of the City and education portions of the property taxes. At this time, the Region of Durham does not participate in the program and therefore there is currently no reduction of the Region's portion of the taxes.

In order to qualify for the Heritage Property Tax Reduction Program, a property must meet the following criteria:

- (a) Be located in the City;
- (b) Be designated under Part IV or Part V of the Ontario Heritage Act;
- (c) Be subject to a Heritage Easement Agreement with the City; and,
- (d) Comply with additional eligibility criteria as set out in By-law 106-2011.

Additional eligibility criteria set out in By-law 106-2011 include, but are not limited to:

- (a) The property is not subject to any by-law contravention, work order or outstanding municipal requirements or liens; and,
- (b) The property is in good and habitable condition and meets all of the City's requirements related to the heritage property.

## **5.10 Options for Sites other than 117 King Street East and 357 Simcoe Street South**

On the basis that the owners of the remaining eight (8) sites, other than 117 King Street East and 357 Simcoe Street South, do not support Part IV designation of their respective properties, three (3) options are available to the Economic and Development Services Committee on a go-forward basis to deal with this matter.

### **5.10.1 Option 1: Add to Register as Listed, Non-designated Properties**

Should the Economic and Development Services Committee wish for Council to formally recognize the eight (8) properties as properties having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act, in which case they would become

“listed, non-designated” properties on the City’s Register, then the following recommendation should be adopted:

“That the Economic and Development Services Committee recommend to City Council:

That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be authorized to add the following sites to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as listed, non-designated properties:

- McLaughlin Hall - 1 Hospital Court;
- Traicus Buildings – 10, 12 and 14 Bond Street West;
- Pascoe House - 1935 Grandview Street North;
- Drew House - 442 King Street East;
- Mushroom House - 469 King Street East;
- 76 Elgin Street East;
- General Motors South Plant - 700-900 Park Road South; and,
- 78-82 King Street West.”

#### **5.10.2 Option 2: Designate**

Should the Economic and Development Services Committee wish for Council to designate the eight (8) properties as properties having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act in which case they would be added as designated properties to the City’s Register, and eight (8) supplemental Heritage Research Reports would be required to be obtained prior to designation, then the following recommendation should be adopted:

“That the Economic and Development Services Committee recommend to City Council:

1. That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the following properties as properties of cultural heritage value or interest under the Ontario Heritage Act:

- McLaughlin Hall – 1 Hospital Court;
- Traicus Buildings – 10, 12 and 14 Bond Street West;
- Pascoe House – 1935 Grandview Street North;
- Drew House – 442 King Street East;
- Mushroom House – 469 King Street East;
- 76 Elgin Street East;
- General Motors South Plant – 700-900 Park Road South; and,
- 78-82 King Street West.

2. That, pursuant to Report ED-22-214 dated November 23, 2022, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the properties referenced in Part 1 above as

properties of cultural heritage value or interest under the Ontario Heritage Act by undertaking actions such as the following:

- (a) Obtaining updated Heritage Research Reports to provide evidence that the subject properties specifically meet the requirements of the Ontario Heritage Act;
- (b) Preparing a Notice of Intention to Designate for the properties referenced in Part 1 above under the Ontario Heritage Act which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner;
- (c) Publishing the Notice in the Oshawa This Week newspaper;
- (d) Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
- (e) Preparing the necessary by-law which will generally include the Designation Statement and Description with input from Heritage Oshawa and the owner for subsequent consideration by Council.”

### **5.10.3 Option 3: Status Quo**

Should the Economic and Development Services Committee wish for Council to maintain the status quo, all remaining eight (8) properties would remain as ‘Class A’ and ‘Class B’ properties, respectively, on the City’s Inventory, then the following recommendation should be adopted:

“That the Economic and Development Services Committee recommend to City Council:

That, pursuant to Report ED-22-214 dated November 23, 2022, the following properties not be designated under the Ontario Heritage Act, but rather remain as ‘Class A’ and ‘Class B’ properties, respectively, on the Heritage Oshawa Inventory of City of Oshawa Heritage Properties:

- McLaughlin Hall – 1 Hospital Court;
- Traicus Buildings – 10, 12 and 14 Bond Street West;
- Pascoe House – 1935 Grandview Street North;
- Drew House – 442 King Street East;
- Mushroom House – 469 King Street East;
- 76 Elgin Street East;
- General Motors South Plant – 700-900 Park Road South; and,
- 78-82 King Street West.”

## **6.0 Financial Implications**

Sufficient funds are expected to be available in the Professional and Technical account of 2023 Heritage Oshawa Budget to accommodate a supplemental Heritage Research Report for 117 King Street East. The cost of this updated Heritage Research Report is anticipated to be \$6000.00 plus H.S.T.

In the event that Council chooses Option 1: Add to Register as Listed, Non-designated Properties under Section 5.10.1 of this Report, additional associated costs generally related to notice requirements, can be accommodated within the 2023 Departmental budget.

In the event that Council chooses Option 2: Designate under Section 5.10.2 of this Report, the additional associated costs related to the completion of eight (8) supplemental Heritage Research Reports for the remaining eight (8) properties is currently unfunded. The supplemental Heritage Research Reports are anticipated to cost approximately \$48,000 and would represent nearly four (4) years' worth of funding for Heritage Oshawa based upon historical trends for funding to Heritage Oshawa.

Funding implications for obtaining a Heritage Research Report for 357 Simcoe Street South will be reported on in a future report.

In the event that Council chooses Option 2 for the remaining eight (8) properties, Council will need to identify a revenue source or ensure the 2023 Professional and Technical account for Heritage Oshawa has the capacity to fund the procurement of updated supplemental Heritage Research Reports.

If 117 King Street East is designated under the Ontario Heritage Act and the eligibility criteria for the City's Heritage Property Tax Reduction Program are satisfied, the owner would be eligible for a reduction of 40% of the taxes paid annually to the City and school, boards. Finance Services has advised that 40% of the City and education portions of the taxes for 117 King Street East in 2022 amounts is approximately \$56,022.46 and \$59,371.84, respectively.

Note: the figure for 117 King Street East is for the entire property (including portions of the site that are not considered to be heritage attributes, such as the strip mall fronting King Street East) and further scoping with Municipal Property Assessment Corporation ("M.P.A.C.") is required to determine the value of a more refined portion of the site.

The property tax implications for designating 357 Simcoe Street South will be reported on in a future report. However, staff note that 357 Simcoe Street South is currently exempt by M.P.A.C. based on its current use.

Table 1 below shows the value of 40% reduction for the remaining eight (8) sites contemplated by Option 2.

**Table 1: Value of Heritage Property Tax Reduction Program by Address**

<b>Address</b>	<b>City Portion (40% of City Taxes)</b>	<b>School Board Portion (40% of Education Taxes)</b>
McLaughlin Hall - 1 Hospital Court	Exempt	Exempt
Traicus Buildings – 10, 12 and 14 Bond Street West	Multi-Residential and New Commercial \$3,834.50	Multi-Residential and New Commercial \$1,295.71

Address	City Portion (40% of City Taxes)	School Board Portion (40% of Education Taxes)
(not including 16 Bond Street West)		
Pascoe House – 1935 Grandview Street North	Residential \$955.20	Residential \$255.20
Drew House – 442 King Street East	Residential \$875.02	Residential \$233.78
Mushroom House – 469 King Street East	Residential \$1,033.08	Residential \$276.01
76 Elgin Street East	Residential \$863.57	Residential \$230.72
General Motors South Plant – 700-900 Park Road South	Large Industrial/Commercial/Office Building \$388,812.53	Large Industrial/Commercial/Office Building \$295,792.64
78-82 King Street West	Commercial \$2,125.71	Commercial \$2,252.80
Total	\$398,499.61	\$300,336.86

Note: The figures for 10, 12 and 14 Bond Street West and 700-900 Park Road South are for the entire property and further scoping with M.P.A.C. is required to determine the value of a more refined portion of each respective site. In addition, these heritage rebates have not been submitted to Taxation Services for consideration in the 2023 Operating budget.

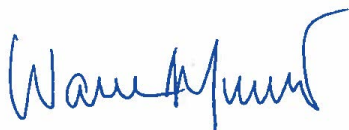
There are no costs associated with Option 3: Status Quo under Section 5.10.3 of this Report.

## 7.0 Relationship to the Oshawa Strategic Plan

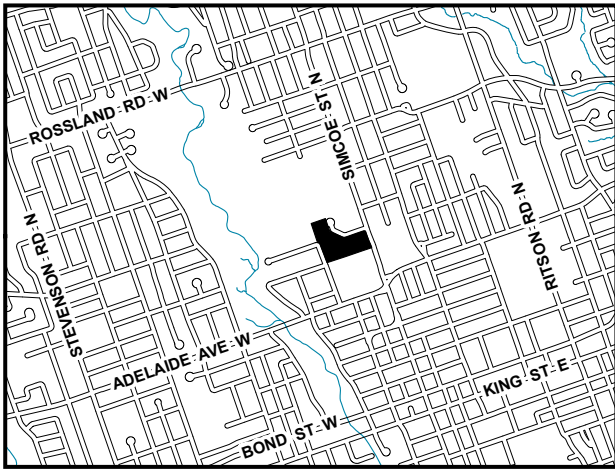
The recommendation in the Report advances the Cultural Vitality goal of the Oshawa Strategic Plan.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



Warren Munro, HBA, RPP, Commissioner,  
Economic and Development Services Department



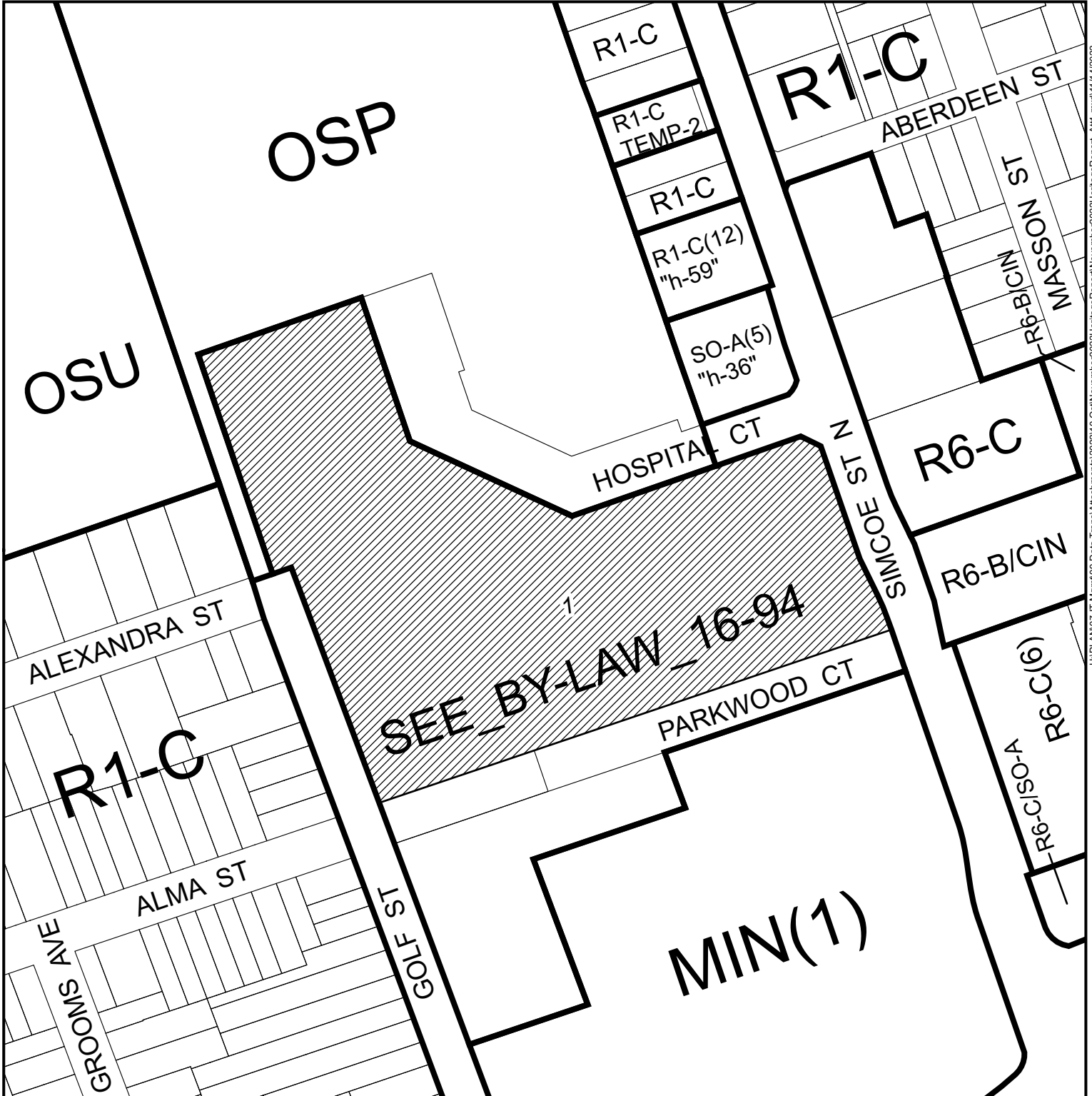
**Item: ED-22-214**  
**Attachment 1**

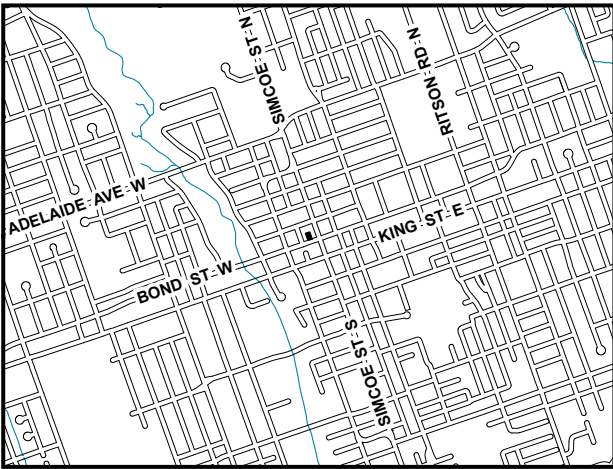
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Economic & Development Services

Subject: Heritage Oshawa's Recommendation to  
 Designate 10 Sites under the Ontario Heritage Act  
 Address: 1 Hospital Court  
 Ward: Wards 1, 4 and 5  
 File: 12-04

Subject Site

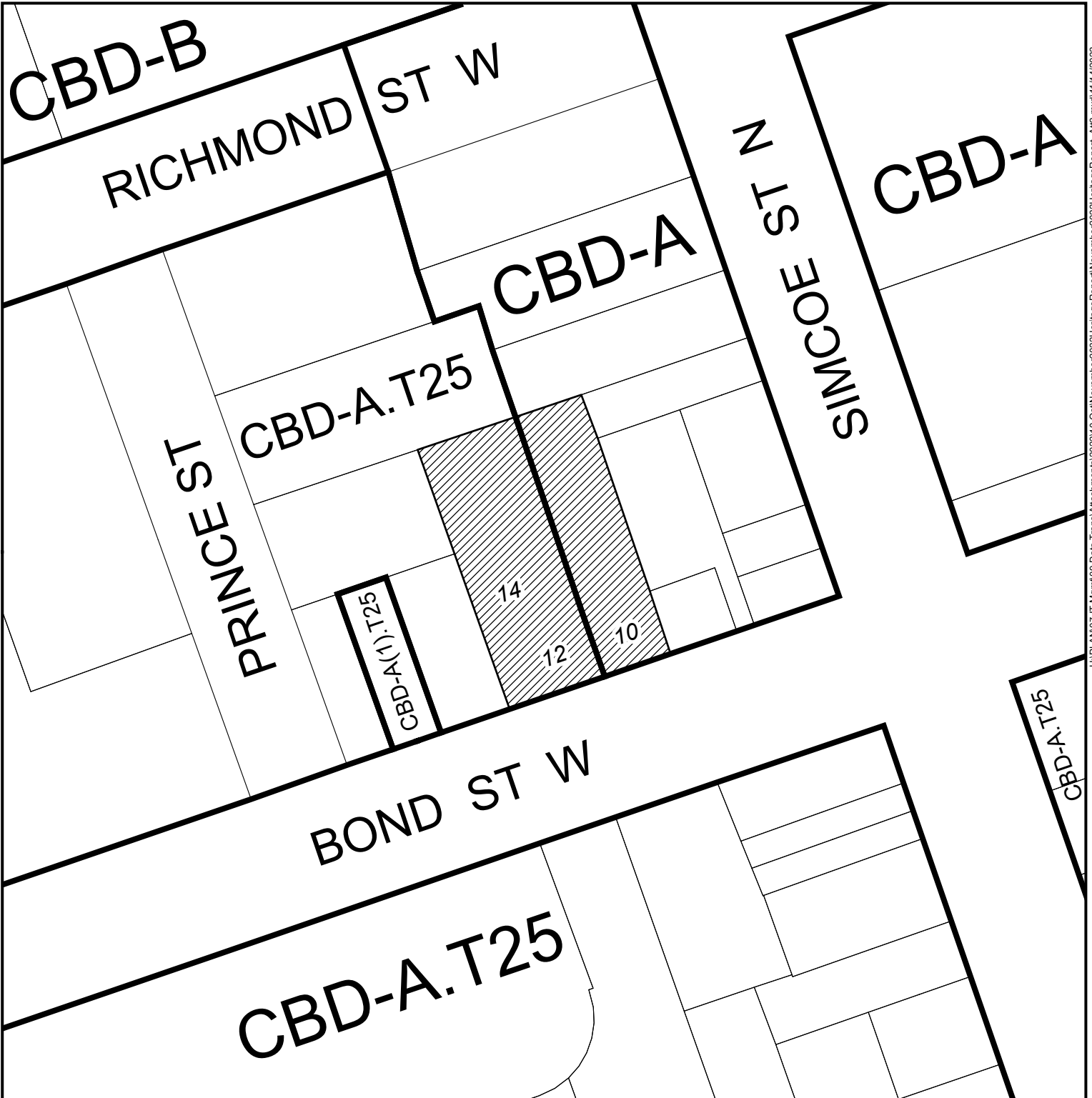




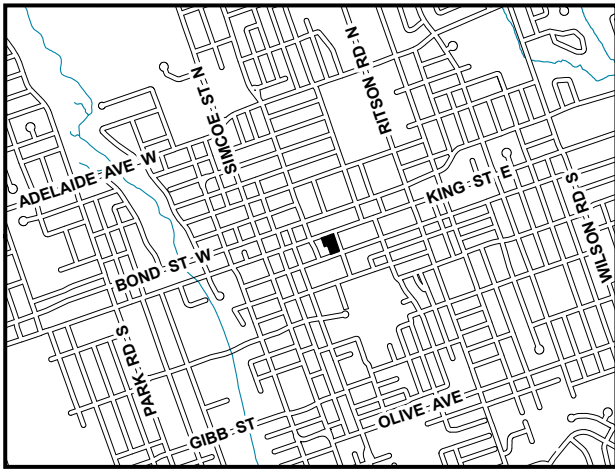
Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 10, 12, 14 Bond Street West  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site







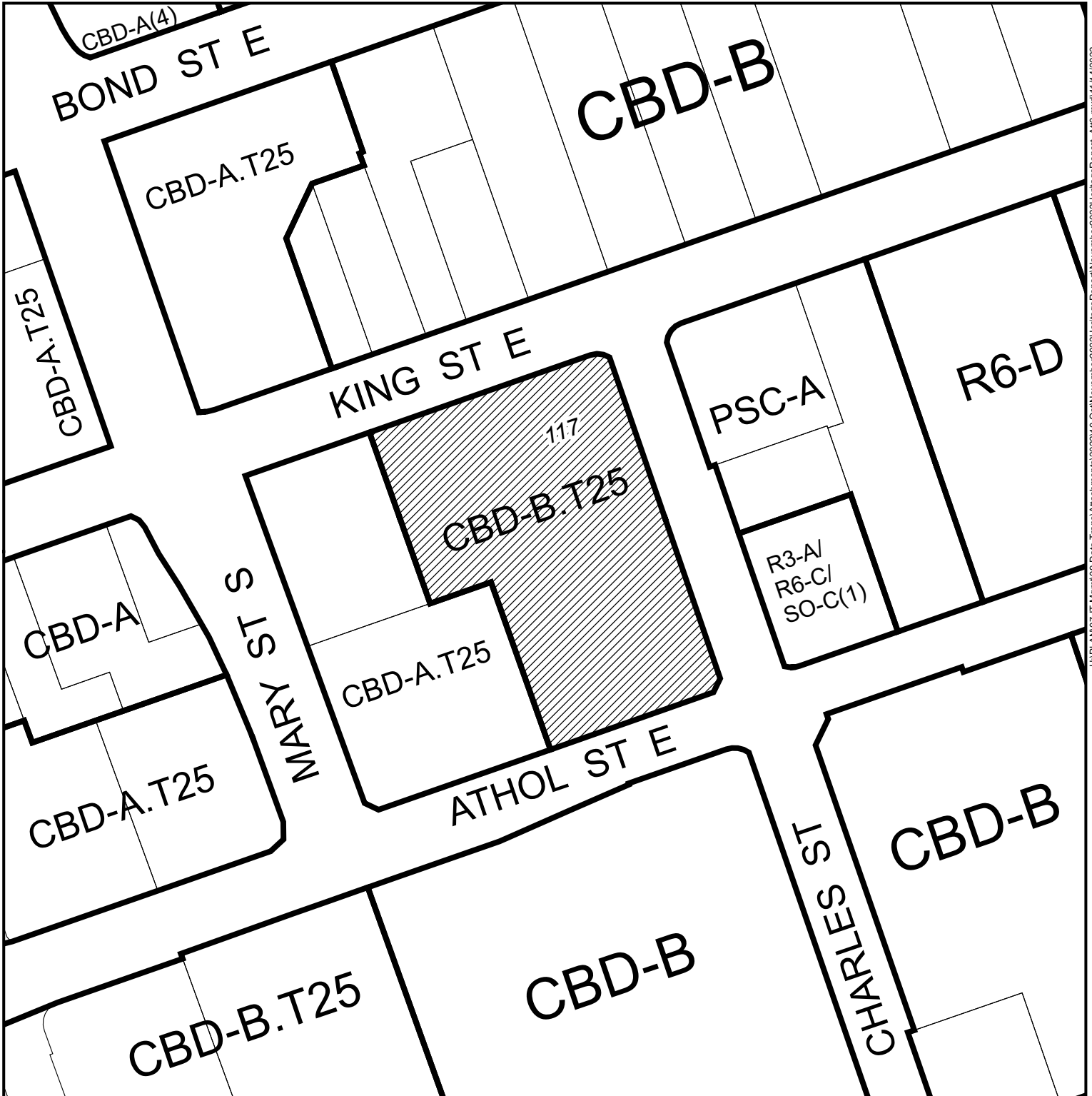
Item: ED-22-214  
Attachment 3

Economic & Development Services

Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 117 King Street East  
Ward: Wards 1, 4 and 5  
File: 12-04



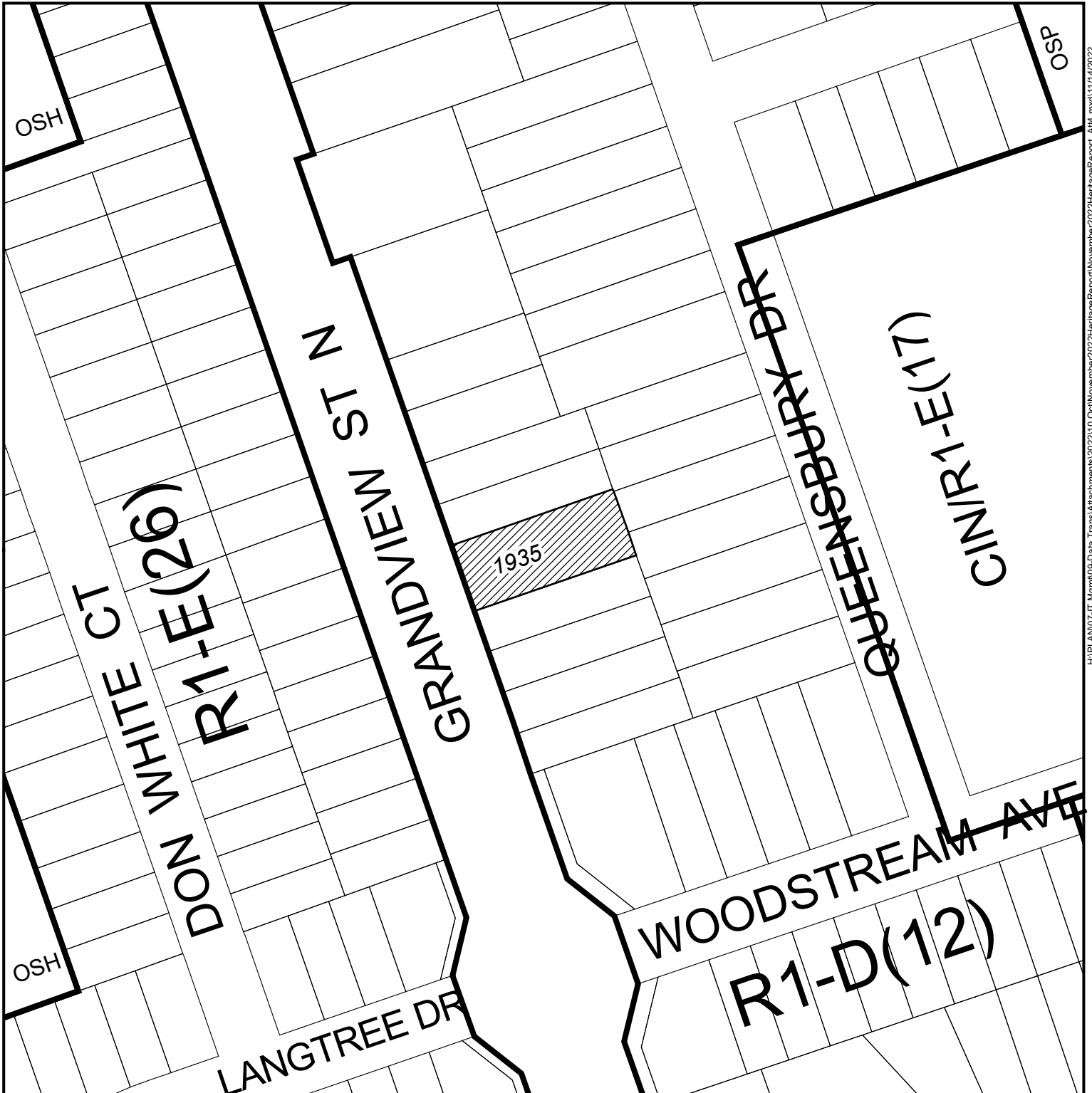
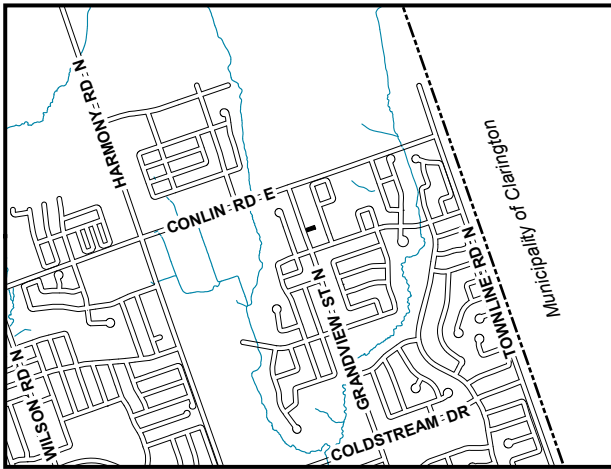
Subject Site

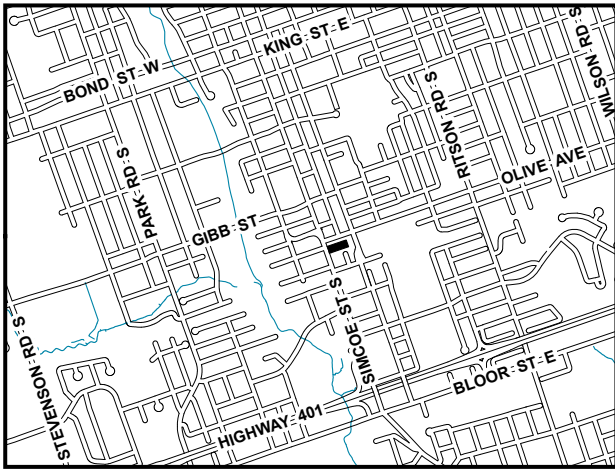


Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 1935 Grandview Street North  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site 

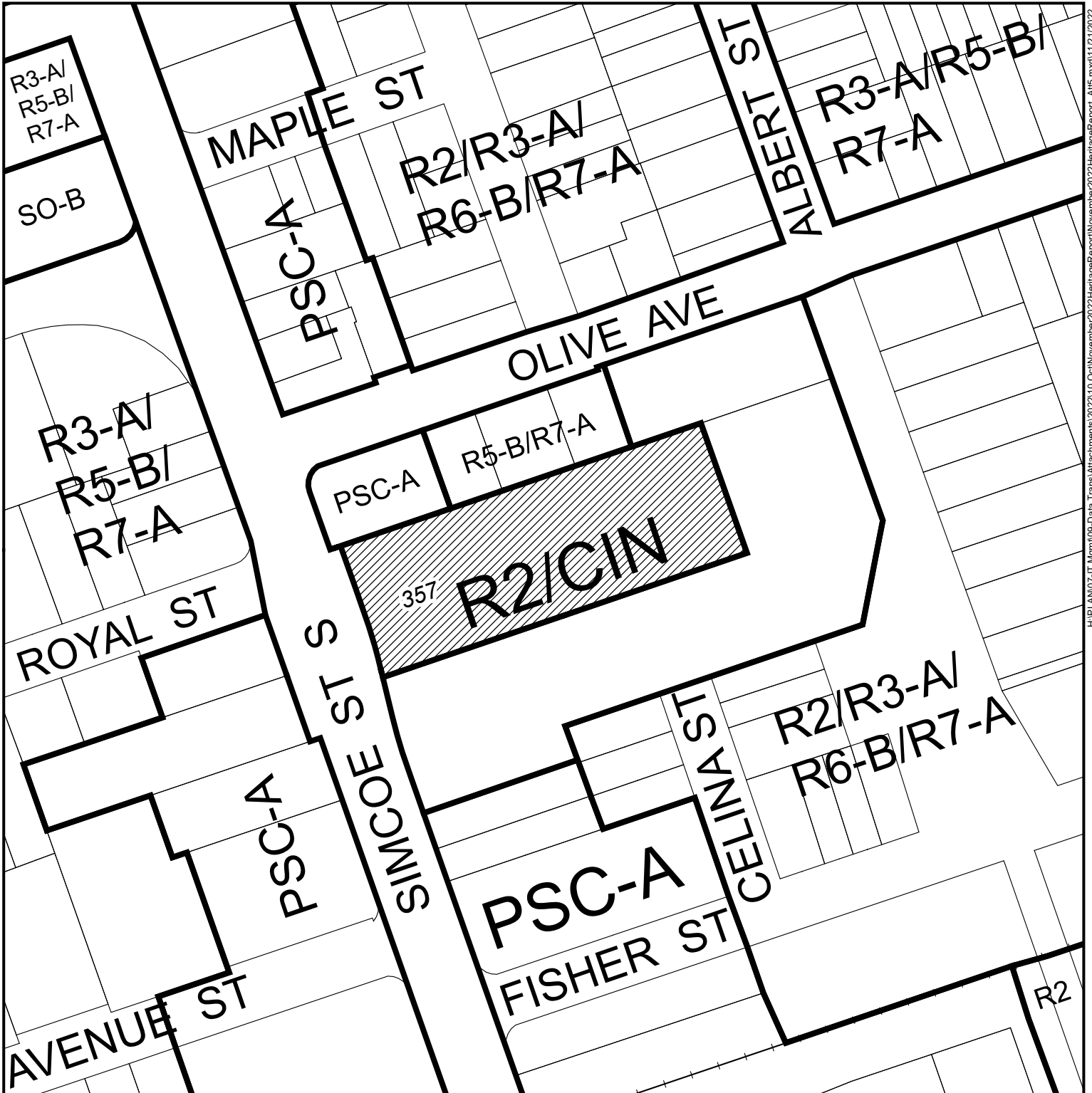


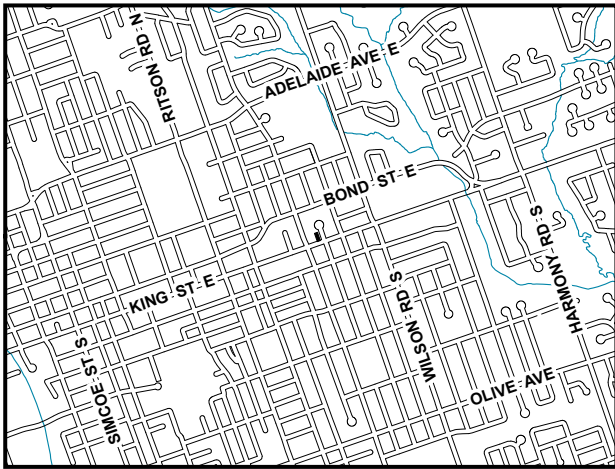


Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 357 Simcoe Street South  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site





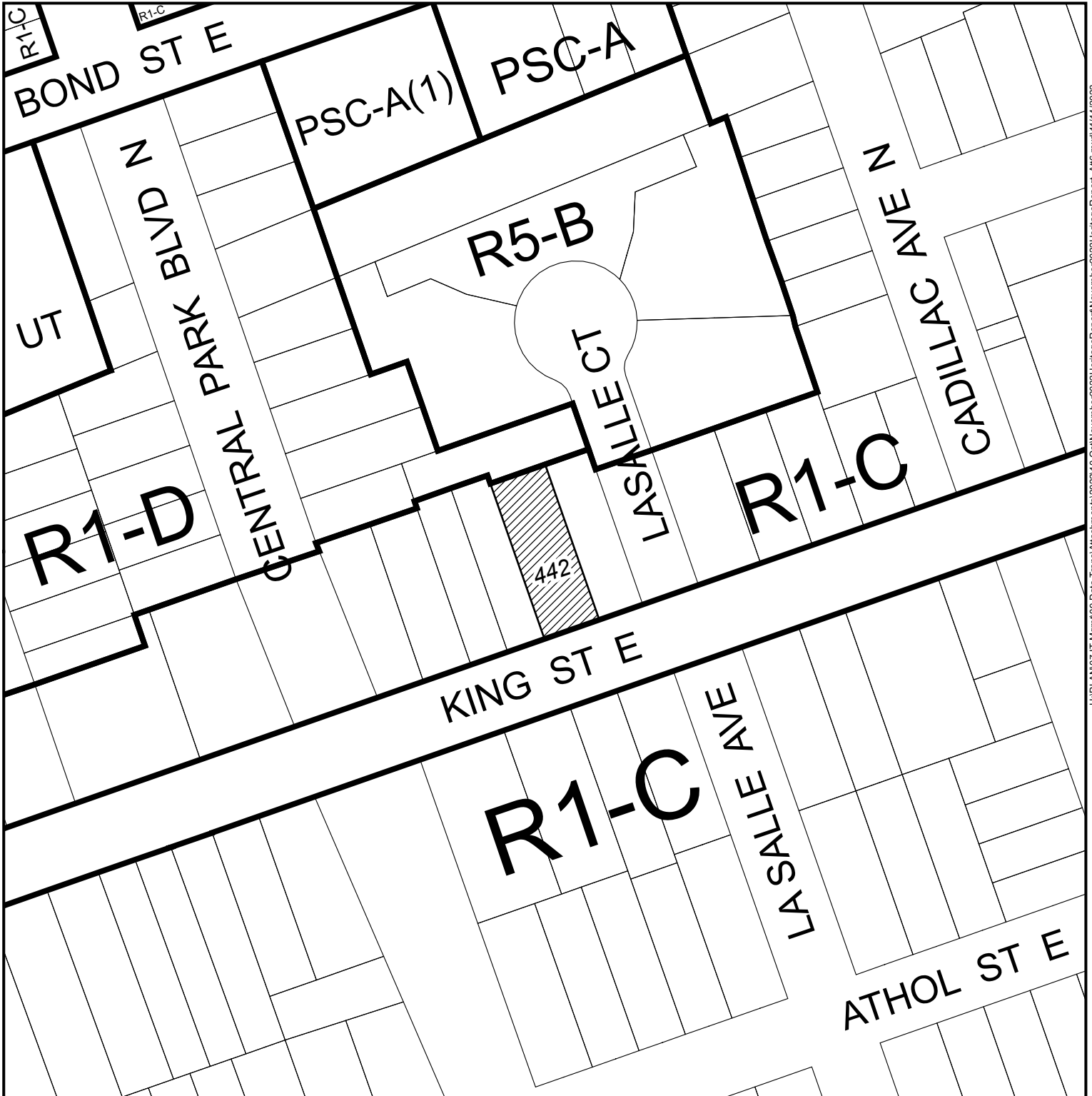
Item: ED-22-214  
Attachment 6

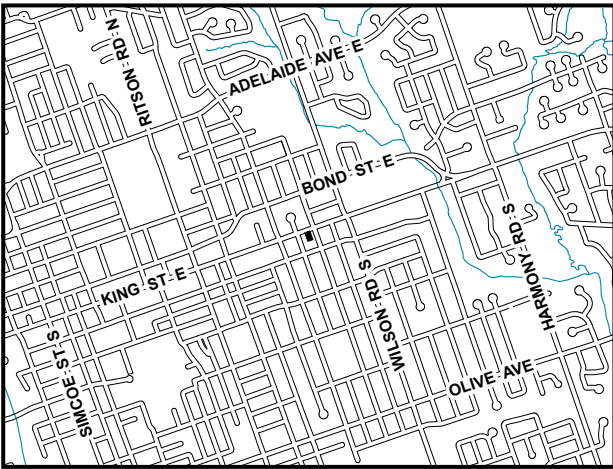
Economic & Development Services

Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 442 King Street East  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site 

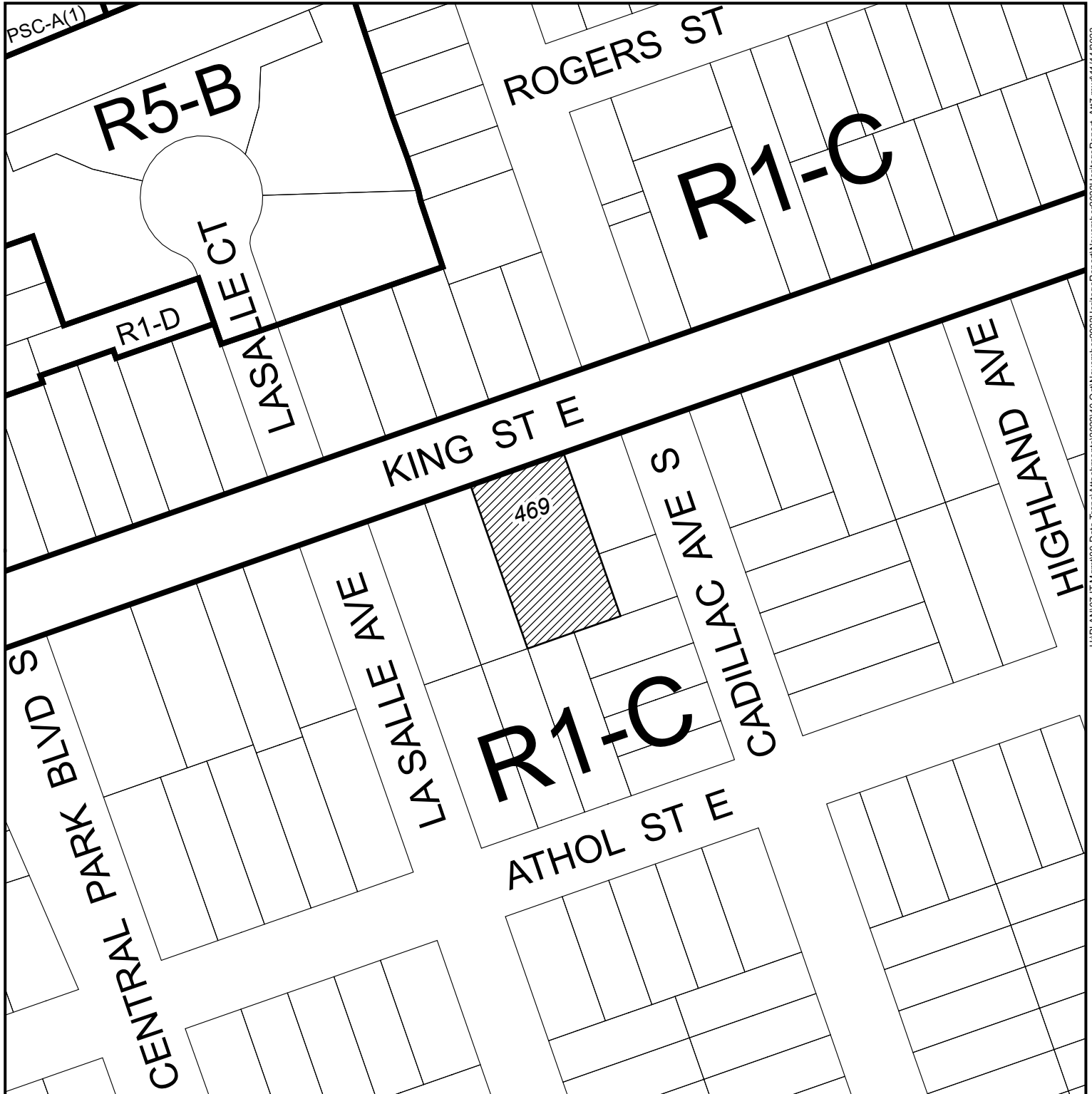




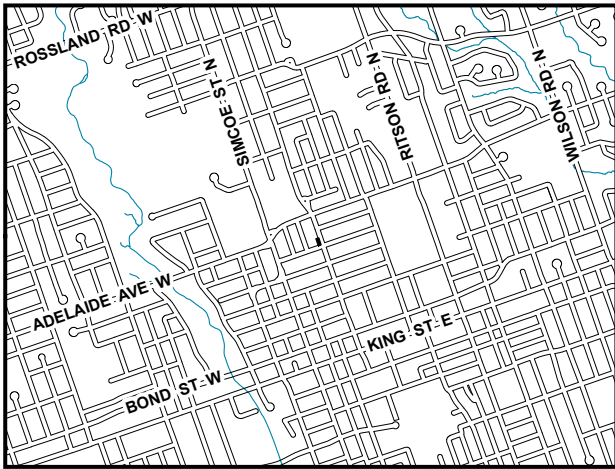
Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 469 King Street East  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site 







Item: ED-22-214  
Attachment 8

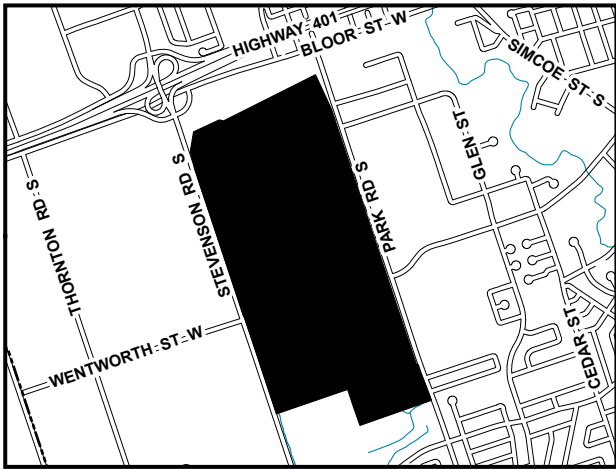
Economic & Development Services

Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 76 Elgin Street East  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site





Item: ED-22-214  
Attachment 9

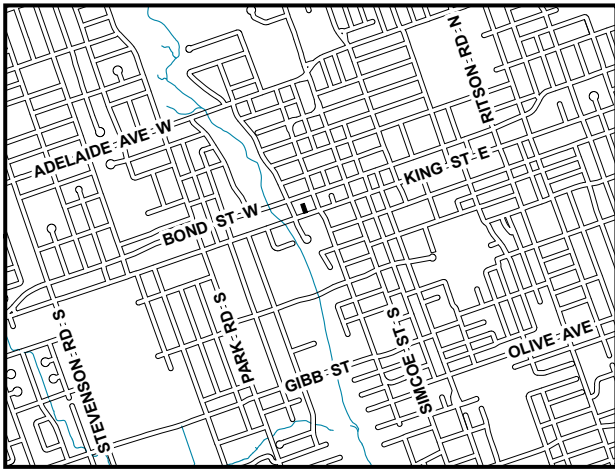
Economic & Development Services

Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 700-900 Park Road South  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site

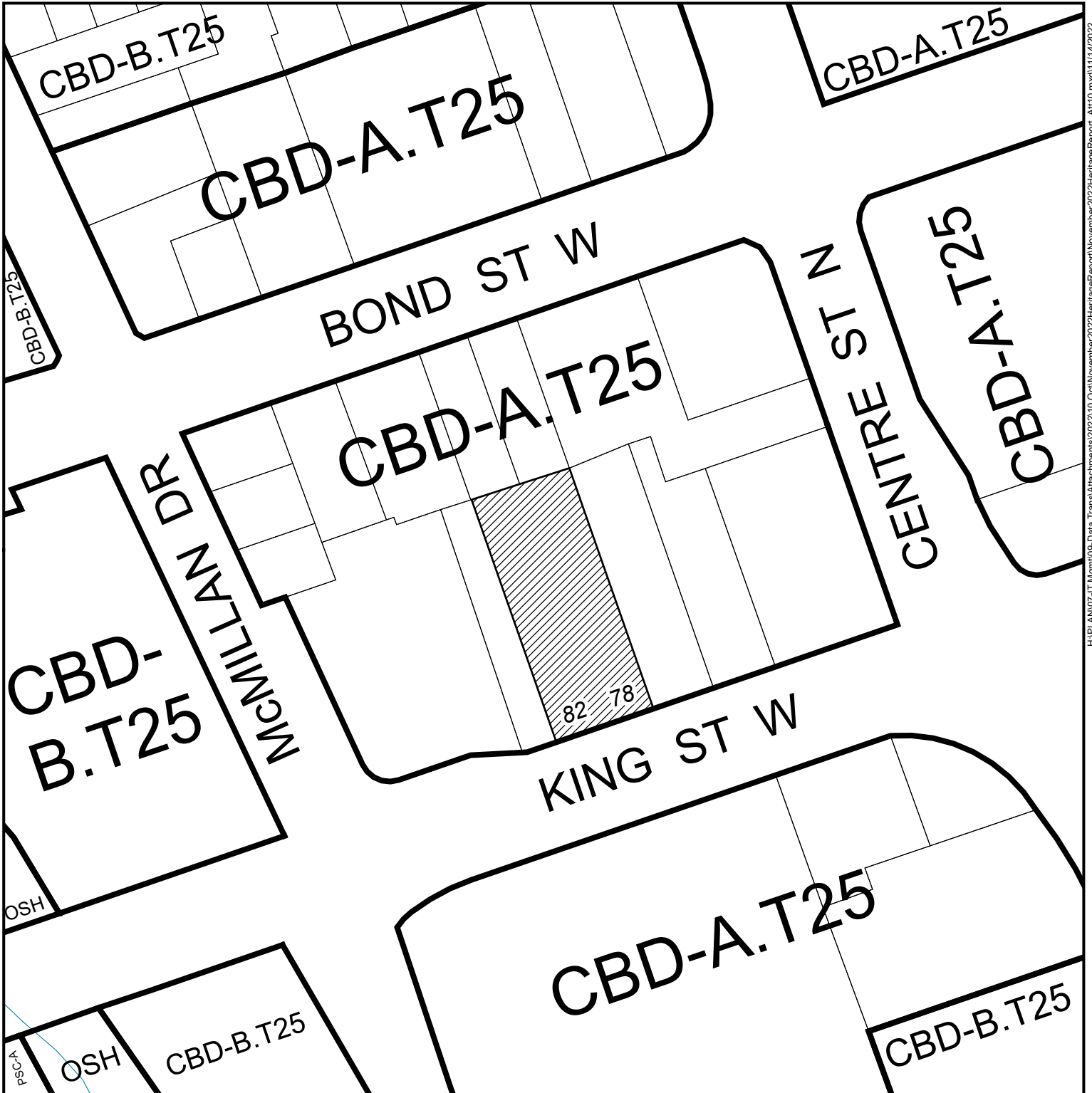




Subject: Heritage Oshawa's Recommendation to  
Designate 10 Sites under the Ontario Heritage Act  
Address: 78-82 King Street West  
Ward: Wards 1, 4 and 5  
File: 12-04



Subject Site





Title: Flow Chart Prepared by the Provincial Government Illustrating the Process to Designate a Property Under Section 29, Part IV of the Ontario Heritage Act

Item: ED-22-214

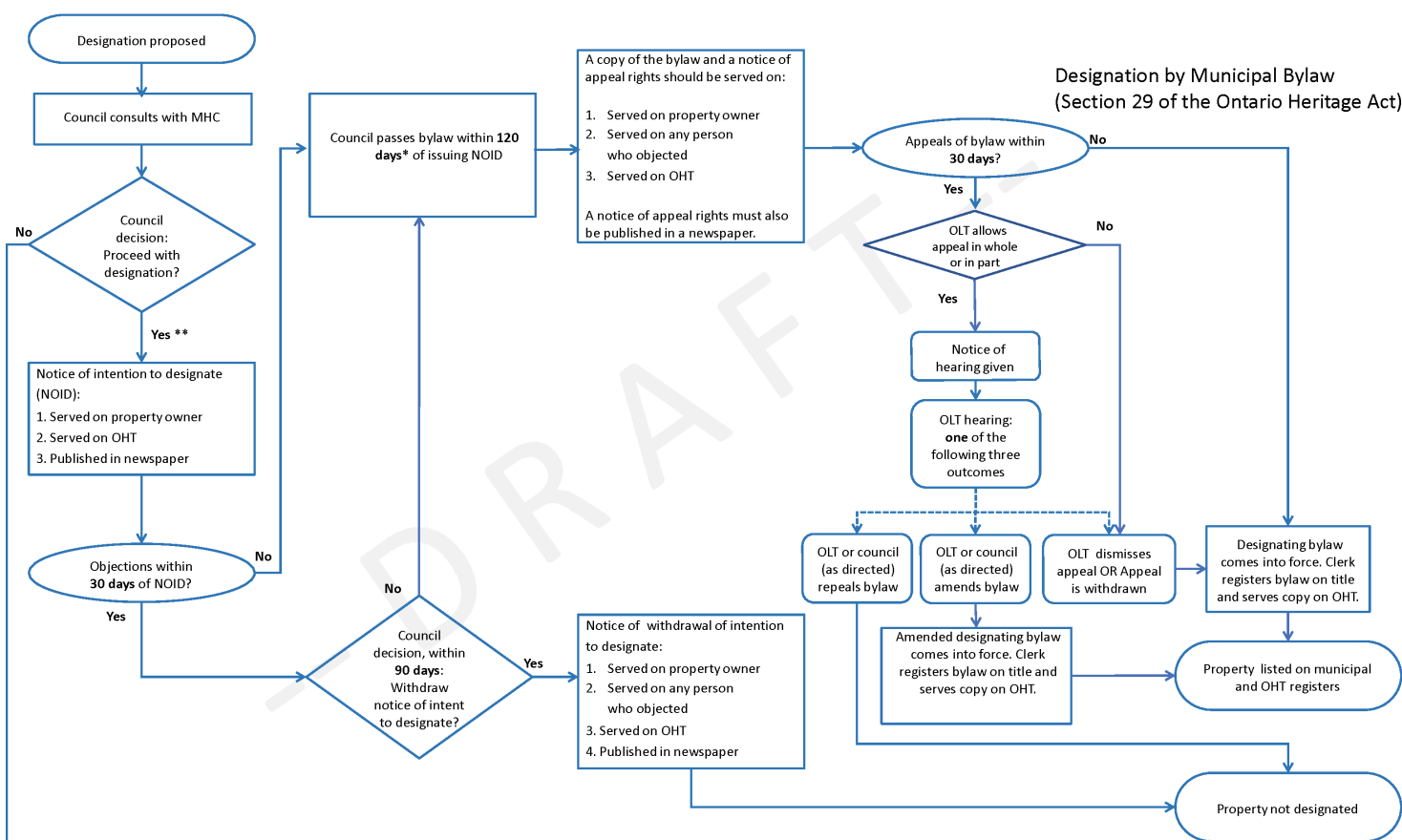
Attachment 21

Subject: Heritage Oshawa's Recommendation to Designate 10 Sites under the Ontario Heritage Act

Ward: Wards 1, 4 and 5

File: 12-04

City of Oshawa  
Economic & Development Services



\*If council fails to meet these timelines, the NOID will be deemed withdrawn, and council must issue a notice of withdrawal. For exceptions to the 120-day timelines, please consult the guidance text.

\*\* Council has a limited 90 day period to give its notice of intention to designate a property when the property is subject to an official plan amendment, a zoning bylaw amendment, or plan of subdivision.

**Item: ED-22-214**  
**Attachment 22**

August 25, 2022

Connor Leherbauer  
Planner B, Policy  
Development Services Department  
City of Oshawa  
50 Centre Street South  
Oshawa, ON L1H 3Z7

**Re: Response to Notice of Heritage Oshawa Support for Heritage Designation  
Oshawa Clinic Building  
117 King Street East**

*Atria Development* ('Atria') is pleased to respond to the letter dated July 27, 2022, regarding *Notice of Heritage Oshawa Support for Heritage Designation* for the Oshawa Clinic Building located at 117 King Street East (herein referred to as the 'subject lands'). As you may be aware, it is our intention to redevelop the subject lands into a high-density residential community, including a new state-of-the-art medical clinic, at-grade retail, and a potential post-secondary institutional component.

We acquired the subject lands in 2021 as part of our continuing investment in the future of Downtown Oshawa. We are the developer and builder of the existing residential condominium at 44 Bond Street West, the rental residential tower at 100 Bond Street East, and residential tower at 80 Bond Street East. Atria is also currently in the process of planning future developments located at 73 Richmond Street, 51 Simcoe Street South, and 35 Division Street. In short, we have constructed more than 750 residential units and maintain a development pipeline of approximately 6,500 units across Southern Ontario, with over 1,000 units planned in Downtown Oshawa.

We note that Municipal Heritage Committee ('Heritage Oshawa') passed a motion on April 28, 2022, recommending that Development Services Committee ('Committee') support the designation of the subject lands under part IV of the Ontario Heritage Act as a property of cultural heritage value or interest.

Further to Committees' May 9, 2022 direction to staff for a report, and to consult with Atria to obtain our stance on the designation, we have reviewed the November 2021 *Research Report* prepared by Melissa Cole and are in general agreement with the rationale and findings supporting a heritage designation for the original (circa 1948) building. We recognize that this prominent classical structure anchors the corner at Charles Street and King Street and, as such, are prepared to work with Heritage Oshawa during the redevelopment process.

While valuable from a contextual perspective, we wish to state our clear opposition to retaining the balance of the buildings constructed thereafter, including the 1971 eight-storey tower, the 1961 two-storey addition and the 1987 three-storey west wing, as in our opinion they do not warrant a heritage designation. From a redevelopment perspective, these buildings, while functional during their day, are inefficient and do not meet the current building code or accessibility requirements, make on-site parking a challenge, and complicating the site overall. In turn, this eliminates the ability for the introduction of

residential uses, streetscape enhancement and an overall high-quality urban development.

We would be pleased to meet with Heritage Oshawa, City Council, or applicable City Staff to discuss this further, as well as our proposed plans for the subject lands.

I trust that the foregoing is in order. Please contact the undersigned if you have any questions or require further information. Thank you.

Yours truly,

**Atria Development c/o 2856355 Ontario Corp.**

A handwritten signature in black ink, appearing to be 'Hans Jain', written over a horizontal line.

Hans Jain  
President



August 18, 2020

Mr. Connor Leherbauer  
Development Services Department  
Planning Services  
The Corporation of the City of Oshawa  
50 Centre St. S.  
Oshawa, ON L1H 3Z7

RE: Notice of Heritage Oshawa Support for Heritage Designation  
357 Simcoe St. S.

Sent via email to: cleherbauer@oshawa.ca

Dear Connor,

Thank you for the letter dated July 26th indicating the support from Heritage Oshawa to have 357 Simcoe St. S. designated as a Heritage site.

The Refuge is interested in considering this recommendation but would like more time to consider the options and how this might have an impact on the current development of the building.

As such, we are asking for some more time to make our decision to be in favour or in opposition to the designation of the property and respond in the spring of 2023.

Sincerely,



Clarence Keesman  
Executive Director  
The Refuge



**Lakeridge  
Health**

August 22, 2022

Mr. Connor Leherbauer,  
Planner B, Policy, City of Oshawa  
50 Centre St S, Oshawa, ON L1H 3Z7

Sent via email to: [cleherbauer@oshawa.ca](mailto:cleherbauer@oshawa.ca)

Re: File 12-04-0253-2022 Heritage Designation 1 Hospital Court

Dear Mr. Leherbauer,

With respect to the Municipal Heritage Committee of the Corporation of the City of Oshawa, Motion of April 28, 2022, recommending that the Development Service Committee support the designation of 1 Hospital Court under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, Lakeridge Health is in opposition to this recommendation.

Our objection is primarily based upon the future development restrictions that such designation applies to this part of the overall Lakeridge Health Oshawa Hospital site. As the City is aware, this site is very limited in terms of potential land to facilitate any future expansion of the Hospital. The land upon which the Hospital resides, at 1 Hospital Court, represents an important future expansion option that must be kept intact in the event this critical health-care facility requires such expansion in the future.

We would be happy to discuss with the City of Oshawa how we can together work to recognize the historical activities that occurred at 1 Hospital Court while preserving the potential need for future development of this part of the Lakeridge Health Oshawa Hospital property.

If you have further questions and/or require further information or clarification, please contact me at 647-641-2704 or by email at [mmurphy@lh.ca](mailto:mmurphy@lh.ca).

Sincerely,

Mark Murphy (Aug 22, 2022 13:00 EDT)

Mark Murphy  
Sr. Director, Capital Planning & Development

- c. Matthew Cannon, Director, Facilities Operations & Business Development  
B. Carroll, Partner, Borden Ladner Gervais LLP

Kept Properties Ltd.

765 6<sup>th</sup> Line

Newtonville, Ont

LOA 1J0

August 1, 2022

Attention: Connor Leherbauer

Dear Sir:

Re: Heritage Designation for 10 to 14 Bond St W. Your letter dated July 26,

Please be advised that we disagree with this heritage designation. This building has been in our family since 1985. In the past twenty years, we have restored and developed this property to its current state.

As this research document was done in 2007, it is quite out of date and may reflect prior ownership and history, but the current state of the building is certainly not reflected in the pictures you have included.

While we have currently no plans to develop this property further, a heritage designation would certainly impede any future development for our ourselves or any future owner and would therefore greatly affect the value of our property.

We do not agree that the city should be able to affect the value of our property in this manner.

Regards,



Peter Traicus

President

Kept Properties Ltd.

905 434 9660

**Harrison Whilsmith**

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**Subject:** 1935 Grandview St N Oshawa

**From:** Latoya Anderson [REDACTED]  
**Sent:** August 13, 2022 1:43 AM  
**To:** [Heritage@oshawa.ca](mailto:Heritage@oshawa.ca) <[Heritage@oshawa.ca](mailto:Heritage@oshawa.ca)>  
**Subject:** 1935 Grandview St N Oshawa

Good morning,

My name is Latoya Anderson and I am the owner of 1935 Grandview St N Oshawa. We received your letter for the designation of the heritage home and I am writing to notify you that we are in opposition of making our home heritage status.

This home is something we worked very hard for and is our residential home that we hope to one day raise our children in.

You can contact me at [REDACTED] for any further conversations that are required.

Thank you kindly,

Latoya Anderson

[REDACTED]



From: [Carol-Ann Walker](#)  
To: [Harrison Whilsmith](#)  
Subject: Heritage Committee Proposal Re: 442 King Street East, Oshawa  
Date: Friday, November 4, 2022 1:56:29 PM

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[You don't often get email from M.F.I.P.P.A. Sec. 14(1). Learn why this is important at  
M.F.I.P.P.A. Sec. 14(1)]

Hello and good day to all.

My name is Carol-Ann Walker. My Husband, Clifford Walker and myself are the current home owners of 442 King Street, Oshawa. We took possession of the said property on December 13, 2013. We received a letter in the mail around October 17, 2022 advising that the Municipal Heritage Committee of the Corporation of the City of Oshawa also known as Heritage Oshawa has passed a motion recommending that the Committee supports the designation of our home under Part IV of the Ontario Heritage Act as a property of Cultural Heritage value or interest.

My Husband, Clifford and myself understand the importance of preserving our Cities Cultural History and Deeming certain properties is a way of doing so. We understand that if we were to agree we would receive a plaque for the property and that we would receive a 40% reduction in City Property Taxes and School Board Taxes. This we must admit is definitely an appealing benefit. Our only concern would be that in the future (definitely far future) if we were to list the house for sale, that the property being deemed Heritage would possibly deter potential buyers from purchasing the property. What happens then?

It is also our understanding that deeming the property as a Heritage Home that we are restricted from changing the outside of the home which, is something we would never do. We also understand that being deemed Heritage doesn't dictate what we can do on the inside. For example we can paint the walls any colour of our choice. Put in hardwood floors etc.

We have actually fixed many issues. The previous owners didn't advise us of nor could they been seen by a house inspection which we did have done prior to purchase. They didn't do the best work DIY work. Unfortunately for us, even though we had a reputable and proper home inspection completed, some of the hidden damages couldn't be seen and when they did become known to us, it cost us just under M.F.I.P.P.A. Sec. 14(1) to correct.

As I said above, we aren't necessarily opposed but, our biggest concern and question that we need answered first is how will being deemed Heritage affect the sale of the property in later years if we chose to sell and what options are there for us then?

M.F.I.P.P.A. Sec. 14(1). If anyone from the Heritage Committee or anyone else wishes to speak with me I can be reached on my cell phone at M.F.I.P.P.A. Sec. 14(1).

We look forward to hearing back with regards to this matter.

Kindest regards.

Carol-Ann Walker

M.F.I.P.P.A. Sec. 14(1)



**From:** [Bell Mail](#)  
**To:** [Harrison Whilsmith](#)  
**Subject:** 469 King St E -Heritage Designation  
**Date:** Wednesday, October 19, 2022 10:58:04 AM

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Hi Harrison,  
after reading the letter received by the city of Oshawa and discussing the matter with my wife, we have decided we are not in favour of the heritage designation. We feel that there is no help needed from the city in preserving our homes unique features. Furthermore, you can rest assured that there will never be any changes made to the home to change it's look.

In closing, we would like to thank the city for the consideration.

Enzo Germanese, Angelica Germanese  
Home owners at 469, King St, East  
Sent from my iPhone

**From:** [Elisabeth Newson](#)  
**To:** [Heritage@oshawa.ca](mailto:Heritage@oshawa.ca)  
**Subject:** 76 Elgin St. E  
**Date:** Wednesday, November 9, 2022 1:10:35 PM

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Some people who received this message don't often get email from [REDACTED]

**M.F.I.P.P.A. Sec. 14(1)**

Dear Harrison Whilsmith or Meaghan Harrington

Thank you so much for your heritage report, I loved reading all about the history of my home. At this time my husband and I are in opposition the designation of our home but I thank you for working to protect Oshawa's history.

Elisabeth Hoogsteen

**From:** [Douglas Yates](#)  
**To:** [Meaghan Harrington](#)  
**Cc:** [Warren Munro](#); [Harrison Whilsmith](#)  
**Subject:** RE: Notice of Heritage Oshawa Support for Heritage Designation - 700-900 Park Road South  
**Date:** Wednesday, October 26, 2022 10:51:13 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

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Hi Meaghan,

As mentioned during our call, I did not receive the notice from Harrison, -so thank you for sending. After internal review with GM leadership, GM confirms that we are in opposition to the designation of 700-900 Park Road South under the Ontario Heritage Act.

Could you please describe next steps.

Best regards,

Doug

Doug Yates

Director Environment and Energy

General Motors Canada | 905-441-1392

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**TO:** Development Services Department – Planning Services

**FROM:** Diversified Management Ltd.  
*M. Collis Building,  
78 King Street West,  
Oshawa, L1H 1A6*

**DATE:** October 19, 2022

**RE:** Heritage Designation Response (78-82 King Street West)

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To Whom It May Concern:

We appreciate the consideration in recommending that my building, M. Collis, be designated as a property of cultural heritage or interest. However, after much deliberation and examination, we would like to respectfully decline the recommendation. We are in *opposition* to the designation of 78-82 King Street West under the Ontario Heritage Act. We do not wish to be classified as a heritage building or site of value or interest.

Thank you for your time and consideration in the matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'George Lattouf', with a stylized flourish at the end.

Diversified Management Ltd.  
George Lattouf