

To: Council in Committee of the Whole

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

Report Number: CNCL-23-47

Date of Report: April 26, 2023

Date of Meeting: May 1, 2023

Subject: Heritage Oshawa's Motion Related to Designation of
827 Gordon Street under Part IV of the Ontario Heritage Act

Ward: Ward 5

File: 12-04-0458-2021

1.0 Purpose

The purpose of this Report is to provide Council with options concerning the designation of 827 Gordon Street (the “Subject Property”), formerly Cedardale Public School, as a property 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”).

The Subject Property is owned by 2835731 Ontario Inc. (the “Owner”).

A Heritage Research Report was commissioned by the City on behalf of Heritage Oshawa for the Subject Property and on November 25, 2021, Development Services staff provided Heritage Oshawa with the finalized Heritage Research Report. Heritage Oshawa received the Heritage Research Report for information.

On February 24, 2022, Heritage Oshawa recommended to the Development Services Committee that the Subject Property not be designated under Part IV of the Ontario Heritage Act at that time.

On March 28, 2022, City Council considered Item DS-22-54 concerning Heritage Oshawa’s recommendation to not designate the Subject Property and referred the matter back to the Development Services Committee.

On April 11, 2022, the Development Services Committee considered Item DS-22-54 and referred the recommendation from Heritage Oshawa and several pieces of correspondence to staff for a report including consultation with the Owner.

As a result of recent conversations between Weston Consulting on behalf of the Owner and City staff, it was determined that this matter is time sensitive in nature and requires a

direction from Council as soon as possible. Accordingly, this matter has been advanced directly to Council in the Committee of the Whole.

Attachment 1 is a map showing the location of the Subject Property and the existing zoning in the area.

Attachment 2 to this Report is a copy of Correspondence DS-21-102, from AnnMarie Snider dated April 28, 2021.

Attachment 3 to this Report is a copy of Correspondence DS-21-103, from David Talbot dated May 1, 2021.

Attachment 4 to this Report is a copy of Correspondence DS-22-88, from several residents dated between April 8 and April 10, 2022.

Attachment 5 is a copy of the Heritage Research Report prepared for 827 Gordon Street dated August 2021. Owing to its length, this Report is not attached but is available at the following link: https://www.oshawa.ca/city-hall/resources/Heritage/Heritage-Research-Rpt_827-Gordon-Street.pdf.

Attachment 6 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 7 is a copy of correspondence dated April 27, 2022 from Weston Consulting, on behalf of the Owner, advising of their position on the potential designation of the Subject Property.

Attachment 8 is a copy of email correspondence dated April 24, 2023 from Weston Consulting, on behalf of the Owner, advising that their position on the potential designation of the Subject Property has remained unchanged and that they anticipate submitting a development application in the next few weeks.

2.0 Recommendation

It is recommended:

1. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be authorized to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a listed, non-designated property.
2. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be directed to advance Option 1 as set out in Section 5.10.1 of said Report to advance the designation of 827 Gordon Street under Part IV of the Ontario Heritage Act.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

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

- Commissioner, Corporate and Finance Services
- City Solicitor
- Heritage Oshawa
- 2835731 Ontario Inc., owner of 827 Gordon Street

4.1 Consultation with Property Owner

On April 11, 2022, the then Development Services Committee referred a recommendation from Heritage Oshawa and several pieces of correspondence to staff for a report on the potential designation of 827 Gordon Street, including direction to consult with the Owner (Item DS-22-54).

Staff subsequently contacted the Owner to obtain their position on the potential designation of the Subject Property under Part IV of the Ontario Heritage Act. Staff also provided information concerning the City's Heritage Property Tax Reduction Program.

On April 27, 2022, Weston Consulting ("Weston"), on behalf of the Owner, provided correspondence providing their client's position regarding the potential designation of the Subject Property (see Attachment 7). Weston advised that it is the position of the Owner that designation of the Subject Property was premature at that time, and requested that the discussion be deferred to a later stage in the planning process.

Notably, Weston advised that:

- Their client has retained a heritage architect to prepare a Heritage Impact Assessment ("H.I.A.") and make a recommendation regarding conservation of the cultural heritage value of the school on the Subject Property;
- It is their client's intention "to retain the existing Cedardale Public School and incorporate it into the final development;"
- "The noted heritage architect has also been directed to prepare a schematic design for the adaptive reuse of the school concurrently with the Heritage Impact Assessment;"
- It would be appropriate to await the results of the H.I.A., which would "determine the heritage value of the listed building and its heritage attributes and include the preparation of a Statement of Significance, and to discuss the school's potential designation at the conclusion of the planning applications process."

On April 24, 2023, City staff received an update via email from Weston, on behalf of the Owner, advising that their position on the potential designation of the Subject Property remains unchanged (see Attachment 8).

Weston also advised that they have obtained an H.I.A. and will be including it as part of their upcoming development application submission to the City within the next few weeks

(see Attachment 8). This latest correspondence from Weston is important to note given the recent changes to the Ontario Heritage Act as a result of the “More Homes Built Faster Act, 2022” under Bill 23, which are further discussed in Section 5.7.1 of this Report. As a result, City staff are seeking timely direction from City Council with respect to the potential heritage designation of the Subject Property.

5.0 Analysis

5.1 Site Characteristics

827 Gordon Street is located on the north side of Wolfe Street, east of Gordon Street, and contains a two-storey former school building as well as several surrounding parking and landscaped areas. Access to the Subject Property is from both Gordon Street and Wolfe Street.

The following are the key site characteristics of the Subject Property:

- **Oshawa Official Plan Designation:** The Subject Property is designated “Residential”.
- **Zoning By-law 60-94:** The Subject Property is zoned R1-C (Residential) and CIN (Community Use/Institutional).
- **Use:** The property at 827 Gordon Street is currently used as a music club and features the following:
 - The two-storey former Cedardale Public School building with a one-storey addition to the northeast;
 - Paved parking areas primarily to the south of the school building; and,
 - The former schoolyard primarily to the north of the school building.

5.2 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.

827 Gordon Street is identified in the Inventory as a Class A property.

5.3 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 Property is currently not listed in the City’s Register.

5.4 Background

5.4.1 Request for Designation

Staff received email correspondence from AnnMarie Snider (see Attachment 2) on April 28, 2021 requesting Heritage Oshawa to consider stopping the demolition of the Subject Property, among other related matters. Staff note that no demolition permits or development applications have been received for the Subject Property as of the date of this Report.

Staff received email correspondence from David Talbot (see Attachment 3) on May 1, 2021 advising they wished for the City to consider the designation of the Subject Property under the Ontario Heritage Act.

The above correspondence items were considered by the Development Services Committee on May 10, 2021 as Items DS-21-102 and DS-21-103. The Development Services Committee referred the correspondence to Heritage Oshawa.

Items DS-21-102 and DS-21-103 were provided to Heritage Oshawa at their May 27, 2021 meeting (appearing on the agenda as Items HTG-21-28 and HTG-21-29, respectively).

In response, Heritage Oshawa passed the following motion:

“That based on Correspondence HTG-21-28 from AnneMarie Snider (sic) and HTG-21-29 from David Talbot, Heritage Oshawa commission a heritage research report for Cedardale Public School, located at 827 Gordon Street, and that the commissioning of said report be prioritized above any other heritage research report requests by the Committee for 2021.”

5.4.2 August 2021 Heritage Research Report

Pursuant to the abovementioned motion of Heritage Oshawa on May 27, 2021, Melissa Cole, a local heritage consultant, was selected to prepare a Heritage Research Report for the Subject Property.

The final Heritage Research Report, submitted by Melissa Cole and dated August 2021, supporting the designation can be found at the following link: https://www.oshawa.ca/city-hall/resources/Heritage/Heritage-Research-Rpt_827-Gordon-Street.pdf.

After analyzing the heritage attributes and historical background of the Subject Property, the Heritage Research Report concluded that the Subject Property merits designation under Part IV of the Ontario Heritage Act in light of the criteria outlined in Ontario Regulation 9/06. This regulation assists in determining if a property possesses cultural heritage interest or value, under the three categories of:

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

According to Ontario Regulation 9/06, a property that meets one or more of the three criteria has merit for designation. The Heritage Research Report identifies that the Subject Property meets all three criteria, as follows:

- “1(i) 827 Gordon Street has design and physical value because the building is representative of a 1920s school representative of Classic Revival architectural style.
- 2(ii) 827 Gordon Street has direct association with Gordon Daniel Conant, an early settler in the area, who provided the land where Cedar Dale School stands. The surrounding streets are named after members of the Conant family including Verna, Conant, Gordon.
- 3(i) 827 Gordon Street is historically linked to the City of Oshawa as it is representative of the community of Cedar Dale that now lies within the City of Oshawa. That is where the name of the school originates.
- 3(iii) 827 Gordon Street is a landmark and served as an educational institution for over 75 years serving the population in the southern end of the City of Oshawa.”

5.4.3 Heritage Oshawa Motion to the Development Services Committee

At the November 25, 2021 meeting of Heritage Oshawa, Development Services staff provided Heritage Oshawa with the finalized Heritage Research Report for the Subject

Property (Item: HTG-21-73). Heritage Oshawa considered the Heritage Research Report and passed the following motion:

“That Report HTG-21-73 concerning the Final Heritage Research Report for 827 Gordon Street be received for information.”

At the February 24, 2022 meeting of Heritage Oshawa, the Committee passed the following motion:

“That Heritage Oshawa recommend to the Development Services Committee:

Whereas at its meeting of May 10, 2021 the Development Services Committee referred Correspondence DS-21-102 from AnnMarie Snider and Correspondence DS-21-103 from David Talbot concerning 827 Gordon Street to Heritage Oshawa; and,

Whereas at its meeting of May 26 [sic], 2021, Heritage Oshawa considered Correspondence HTG-21-28 (DS-21-102) and HTG-21-29 (DS-21-103) and commissioned a research report for 827 Gordon Street; and,

Whereas at its meeting of November 25, 2021, Heritage Oshawa considered a research report for 827 Gordon Street and received the report for information;

Therefore, be it resolved:

1. That 827 Gordon Street not be designated (under Part IV of the Ontario Heritage Act) at this time; and,
2. That AnnMarie Snider and David Talbot be thanked for their correspondence and interest in heritage research and heritage designation.”

On March 28, 2022, City Council considered Item DS-22-54 concerning Heritage Oshawa’s recommendation to not designate the Subject Property and referred the matter back to the Development Services Committee.

On April 11, 2022, the Development Services Committee considered the recommendation from Heritage Oshawa as Item DS-22-54. The Development Services Committee also considered several other pieces of correspondence concerning Item DS-22-54 submitted by residents (see Attachment 4).

The collective items of correspondence under DS-22-88 were referred by the then Development Services Committee to DS-22-54. In response to Item DS-22-54, the Development Services Committee passed the following motion:

“That DS-22-54 be referred to staff for a report to include consultation with the property owner.”

5.5 Supplemental Heritage Research Report

The Heritage Research Report completed by Melissa Cole dated August 2021 does not provide the requisite information in order to fulsomely inform the designation by-law and Designation Statement and Description for the Subject Property. Therefore, in the event Council selects the Recommended Option under Section 5.10.1 of this Report to designate the Subject Property, staff recommend that a supplemental Heritage Research Report for the Subject Property be obtained.

This required information includes:

- Evidence that the Subject Property meets two 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 \$15,000.

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 conversed.”

This Section of the P.P.S. does not currently apply to the properties adjacent to the Subject Property since it is not currently a designated property. It would apply if it was 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 the Subject Property would be governed by Part IV, Section 29 of the Ontario Heritage Act for individual property designation.

Attachment 6 illustrates the process to designate a property under Section 29 (Part IV) of the Ontario Heritage Act.

Where a municipal 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 6.

5.7.1 Bill 23 Implications

In October 2022, the Provincial government introduced the "More Homes Built Faster Act, 2022" under Bill 23, which included amendments to the Ontario Heritage Act. These Bill 23 amendments came into effect on January 1, 2023.

The amendments relevant to the Subject Property and the contents of this Report are as follows:

1. An amendment limiting the duration for which a property may remain a "listed, non-designated property" on the City's Register to two (2) years. Additionally, in the event a property is removed from the Register, the property may not be reintroduced into the Register as a "listed, non-designated property" for a further five (5) years.
2. An amendment limiting the ability to issue a Notice of Intention to Designate a property in response to a prescribed event to only those properties already included on a Municipal Register as of the date of the prescribed event. It is staff's understanding from the Province that a "prescribed event" refers to an application for Plan of Subdivision, Official Plan Amendment, or Zoning By-law Amendment that has been deemed complete by the City. If triggered by a prescribed event, the City must issue a Notice of Intention to Designate within 90 days of said event, otherwise it is removed from the Register and cannot be reintroduced into the Register as a "listed, non-designated property" for five (5) years.

3. An amendment establishing that a property must meet two or more criteria under O. Reg. 9/06 in order to be designated under Part IV of the Ontario Heritage Act.

The effect of these amendments on the Subject Property is as follows:

- In the event Council chooses the Recommended Option under Section 5.10.1 of this Report to Designate the Subject Property or Option 3 under Section 5.10.3 of this Report to add the Subject Property to the City's Register as a "listed, non-designated property", the City must ultimately designate (under either option) or remove the property from the Register within two (2) years of doing so. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a "listed, non-designated property" for a further five (5) years. If a prescribed event occurs during the aforementioned two (2) year timeframe, the City will have 90 days from the date of the prescribed event to issue Notice of Intention to Designate, otherwise the Subject Property is removed from the Register and the City is unable to reintroduce the Subject Property into the Register as a "listed, non-designated property" for five (5) years; and,
- In the event Council chooses Option 2 under Section 5.10.2 of this Report to maintain the status quo, and the Subject Property continues to remain as a Class "A" property on the Heritage Oshawa Inventory, the City would be unable to issue a Notice of Intention to Designate the Subject Property in the event of a "prescribed event" (i.e., receipt of a development application). Until such time as the prescribed event concludes, the Subject Property could be at risk of alteration or demolition without any protection under the Ontario Heritage Act.

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”) is the enabling legislation that permits municipalities to establish property standards by-laws. The Building Code Act, 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 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, 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.

In 2022, the total City and education portions of the property taxes for the Subject Property will be \$9,004 and \$4,230, respectively. If the entirety of the Subject Property were granted the 40% reduction to the City and education portions of the property taxes, it would result in a reduction of approximately \$3,601 and \$1,692, respectively in the amount of property taxes paid annually to the City and School Boards by the Owner.

However, this value may be lower in consideration of the amount of potentially ineligible property surrounding the former school. In the event that the Owner applies for the Heritage Property Tax Reduction Program, staff will work with the Owner and the Municipal Property Assessment Corporation in order to determine the eligible rebate value. The 40% reduction will only apply to the building (or portion thereof) that is considered by staff to be eligible under the Heritage Property Tax Reduction Program. There is also potential for this value to increase in the event the tax assessment for the Subject Property is increased as a result of improvements to the property.

5.10 Options

The options that follow in this section provide certain options for a go-forward strategy for consideration by Council.

5.10.1 Recommended Option 1: Designation

Option 1, which is staff's Recommended Option, is to designate 827 Gordon Street as a property having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act, in which case it would be added as a designated property to the City's Register. A supplemental Heritage Research Report would need to be obtained prior to designation.

The following represents a go-forward strategy in order for staff to advance Option 1.

- As an initial first step, Economic and Development Services staff would immediately take appropriate action to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a "listed, non-designated property". This would ensure that in the event a "prescribed event" (development application) occurs during the completion of the supplemental Heritage Research Report or during the subsequent designation process (as outlined below), Council remains able to issue a Notice of Intention to Designate within the prescribed 90 day timeframe.
- Economic and Development Services staff would then obtain a supplemental Heritage Research Report to provide evidence that the Subject Property specifically addresses the requirements of the Ontario Heritage Act to be designated under Part IV of the same. As noted in Section 6.0 of this Report, funding to retain a consultant to prepare the supplemental Heritage Research Report for 827 Gordon Street can be paid for using the Planning Services Professional and Technical Services account.
- Upon completion of the supplemental Heritage Research Report, Economic and Development Services staff would advance the process established in the Ontario Heritage Act to designate 827 Gordon Street as a property of cultural heritage value or interest under the Ontario Heritage Act. This would involve undertaking actions such as the following:
 - (a) Preparing a Notice of Intention to Designate the property located at 827 Gordon Street under the Ontario Heritage Act which will generally include the Designation Statement and Description with input from the owner;
 - (b) Publishing the Notice in the Oshawa This Week newspaper;
 - (c) Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
 - (d) Preparing the necessary by-law which will generally include the Designation Statement and Description with input from the owner for subsequent consideration by Council.

In the event Council chooses this Option to designate 827 Gordon Street, the City must designate the property within two (2) years of its placement on the Register as a “listed, non-designated property”. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a “listed, non-designated property” for a further five (5) years. If triggered by a prescribed event during the two (2) year timeframe, the City must issue Notice of Intention to Designate within 90 days of said event, otherwise the Subject Property is removed from the Register and cannot be reintroduced into the Register as a “listed, non-designated property” for five (5) years.

Section 2 of this Report contains the appropriate language to authorize staff to advance Option 1.

5.10.2 Option 2: Status Quo

Should Council wish to maintain the status quo and have 827 Gordon Street remain as ‘Class A’ property on the Heritage Oshawa Inventory, then the following recommendation should be adopted:

“That, pursuant to Report CNCL-23-47 dated April 26, 2023, 827 Gordon Street not be designated under the Ontario Heritage Act but rather remain as a ‘Class A’ property on the Heritage Oshawa Inventory of City of Oshawa Heritage Properties.”

Staff note that in the event Council chooses this Option to keep 827 Gordon Street as a Class ‘A’ property on the Heritage Oshawa Inventory, the City would be unable to designate the property in the event of a “prescribed event” (i.e. receipt of complete development application). Staff note that Weston, acting on behalf of the Owner, has advised through email correspondence dated April 24, 2023 (see Attachment 8) that the Owner intends to submit a development application in the new few weeks.

5.10.3 Option 3: Add to Register as a Listed, Non-designated Property

Should Council wish to formally recognize 827 Gordon Street as having cultural value or interest pursuant to Section 27 under Part IV of the Ontario Heritage Act, in which case it would become a “listed, non-designated property” on the City’s Register, then the following recommendation should be adopted:

- “1. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be authorized to add 827 Gordon Street to the City of Oshawa Register of Properties of Cultural Heritage Value or Interest as a listed, non-designated property.
2. That, pursuant to Report CNCL-23-47 dated April 26, 2023, Economic and Development Services staff be directed to report back to the Economic and Development Services Committee concerning full designation of 827 Gordon Street within the legislated timeline in the event a prescribed event occurs.”

In the event Council chooses this Option to add 827 Gordon Street to the Register as a “listed, non-designated property”, the City must either designate or remove the property

from the Register within two (2) years. If in two (2) years Council does not designate the Subject Property, the City may not reintroduce the Subject Property into the Register as a “listed, non-designated property” for a further five (5) years. If a prescribed event occurs, the City must issue a Notice of Intention to Designate within 90 days of the said event, otherwise the Subject Property is removed from the Register and cannot be reintroduced into the Register as a “listed, non-designated property” for five (5) years.

Staff note that the above recommendation ensures that City staff possess sufficient time within a two (2) year period to advance potential designation of the Subject Property, including procuring a supplemental Heritage Research Report, in the event that a prescribed event occurs or in the event Council makes a subsequent decision to designate the Subject Property.

6.0 Financial Implications

In the event Council selects the Recommended Option under Section 5.10.1 of this Report to designate the Subject Property, the additional associated costs are related to the completion of a supplemental Heritage Research Report for the Subject Property. Staff estimate a supplemental Heritage Research Report to cost up to \$15,000. Staff note that the cost for heritage-related research is currently higher than average given the recent changes to the Ontario Heritage Act and resultant significant need for heritage research across Ontario.

Staff advise that, as a result of previously provided Council direction, the full allocation within the Professional and Technical account within Heritage Oshawa’s 2023 Budget has already been dedicated to the procurement of heritage research reports, including for Memorial Park, Robert McLaughlin Gallery, Harmony Public School, 117 King Street East, and Union Cemetery.

Accordingly, staff recommend that in the event it is required, the supplemental Heritage Research Report for 827 Gordon Street be paid for using the Planning Services Professional and Technical Services account.

Other costs under the Recommended Option are generally related to notice requirements, which can be accommodated within the appropriate Departmental budget.

In the event of any objection to the Notice of By-law Passing and referral to the Ontario Land Tribunal, the appropriate City staff, with the potential assistance of a heritage consultant, would need to participate in the hearing. These costs can be accommodated within the Departmental budget.

If the Subject Property 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 827 Gordon Street in 2023 amounts to approximately \$3,601 and \$1,692, respectively. However, as discussed in Section 5.9 of this Report, this value may be lower in

consideration of the areas of the Subject Property that are not eligible for the rebate, and is subject to change in the event tax assessment for the Subject Property increases as a result of improvements to the property.

In the event that the Owner applies for the Heritage Property Tax Reduction Program, staff will work with the Owner and the Municipal Property Assessment Corporation in order to determine the eligible rebate value. The 40% reduction will only apply to the building (or portion thereof) that is considered by staff to be eligible under the Heritage Property Tax Reduction Program.

There are no costs related to Option 2 under Section 5.10.2 of this Report, which is to maintain the status quo.

There are minimal costs related to Option 3 under Section 5.10.3 of this Report, which is to add the Subject Property to the City's Register as a "listed, non-designated property". These costs generally relate to notice requirements, which can be accommodated within the appropriate Departmental budget.

7.0 Relationship to the Oshawa Strategic Plan

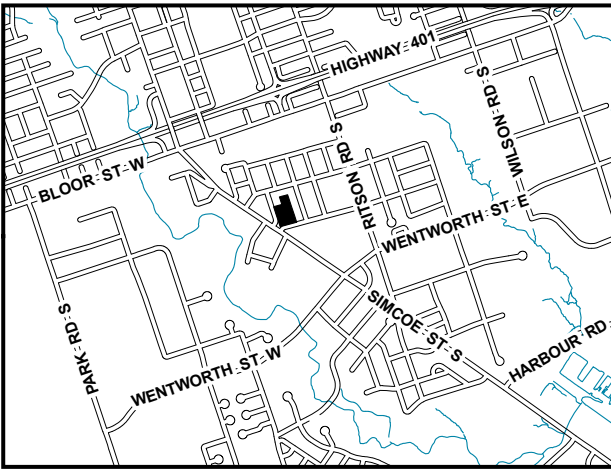
The recommendation in this Report advances the Cultural Vitality goal of the Oshawa Strategic Plan.



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



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



**Item: CNCL-23-47
Attachment 1**

Economic and Development Services

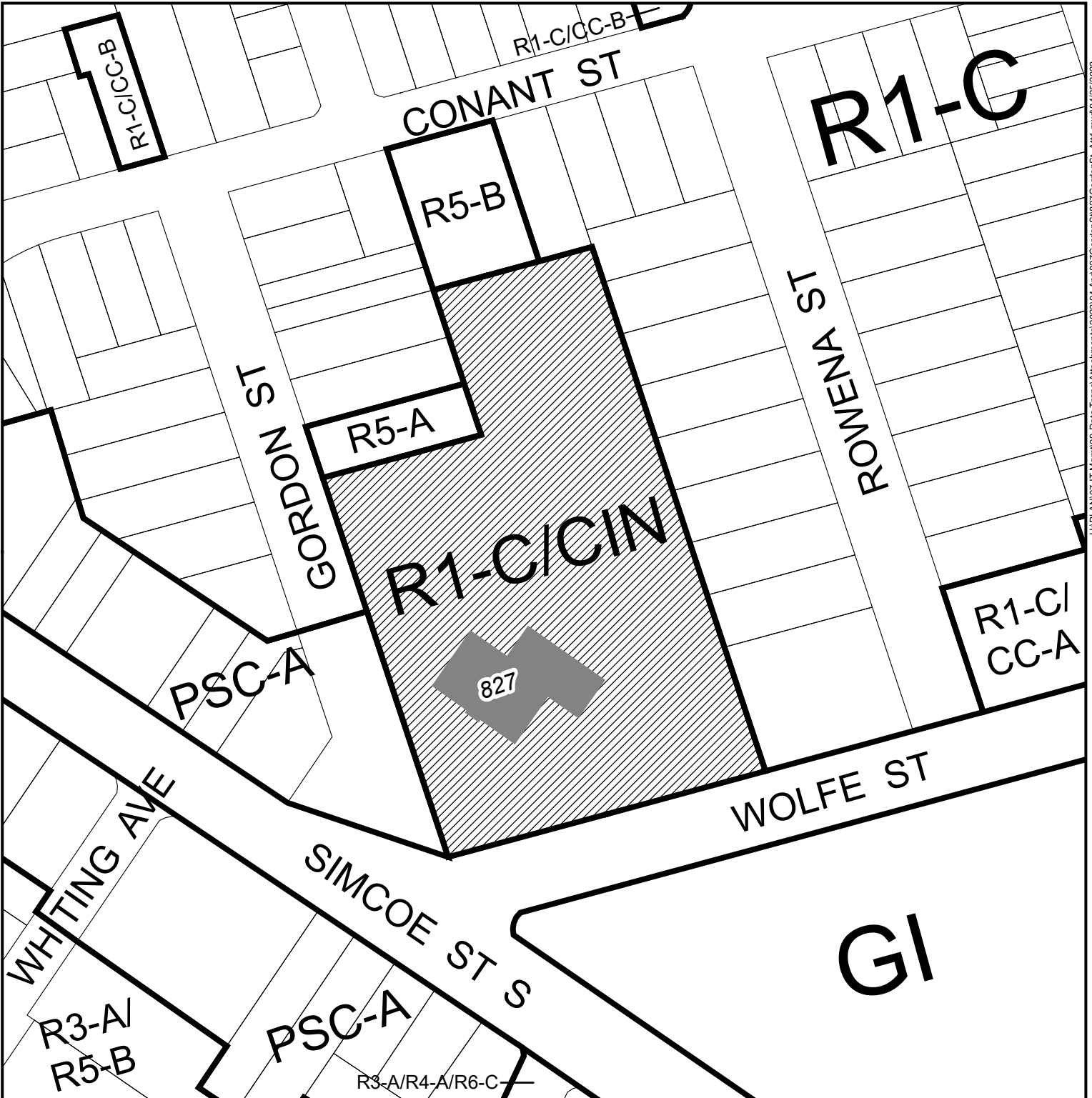
Subject: Heritage Oshawa's Motion Related to Designation of 827 Gordon Street under Part IV of the Ontario Heritage Act

Ward: Ward 5

File: 12-04-0458-2021



Subject Site



From: AnnMarie Snider [M.F.I.P.A. Sec 14 (1)]
Sent: Wednesday, April 28, 2021 5:34 PM
To: Heritage@oshawa.ca
Subject: Cedardale P.S/ Rehearsal Factory

04/28/2021

To: Whom it May Concern

Hello, my name is AnnMarie Snider. I am a South Oshawa resident. I am writing this letter in hopes of accumulating some attention to Oshawa council and to Heritage Oshawa, Municipal Heritage Committee regarding the involvement of the sale of former Cedardale Public School by its' current owners The Rehearsal Factory.

Cedardale is listed as a "Class A " heritage site in the Oshawa Inventory of Heritage Properties which I have obtained from "Heritage Oshawa" Facebook group. I am deeply concerned for the loss of this site, should it be purchased by development companies particularly aiming to tear down old school properties to make way for newer structures. This has already happened with Gertrude Colpus (570 Shakespeare Ave.) and Glenholme School (located on 240 Simcoe St. S) in Oshawa. Heritage properties are so important and their futures should be conserved to the best of their abilities. Both school properties listed above were purchased by the same development company. This warrants reason for concern that Cedardale could be next. The City of Oshawa has seen a recent upturn of Historical / Heritage buildings being either being put up for sale by development, or requested to be demolished by current owners. (e.g., The Mclaughlin house on 195 Simcoe St. N, or the old camp Samac, also located on 275 Conlin Rd. E) I speak on behalf of the many residents particularly of the Cedardale Community whom have already responded to the posts regarding the sale of Cedardale on social media and on my petition (Social media groups include vintage Oshawa, South Oshawa Community group- which is moderated by Councillor Brian Nicholson) that I have started on [change.org](https://www.change.org). Please view my petition here:

https://www.change.org/p/oshawa-city-council-save-cederdale-public-school?recruiter=38542176&utm_source=share_petition&utm_medium=facebook&utm_campaign=share_petition&utm

Cedardale P.S was well loved and still very much so cherished by former students and teachers alike-some of whom I have already spoken to. My daughter (10) actually attended Bobby Orr Public School which was built after the Cedardale/Conant merge many years ago. It is also the home of a few remaining former Cedardale teachers, and parents whom were former students. The ones I have spoken to always speak fondly about their memories in Cedardale P.S. I encourage committee members in charge of making the decisions regarding the future of Oshawa's' historical/heritage sites to visit the Facebook page where they will find many of these former staff and students along with their memories posted from the former school.

<https://www.facebook.com/groups/2262266183>

Please consider the proposal to ensure future purchasers of Cedardale P.S (The Rehearsal Factory) to save and donate some particular relics which are still visible on the wall of the old old school. These items should be relocated to the Oshawa Museum, should the school be demolished:

1. A plaque donated in the memory of Isabella Swanson-Principal and Teacher 1907-1920
2. A local Cedardale Community map which includes a few recognizable Cedardale buildings which can still be recognized today.
3. A plaque in the memory of Mrs. Frank Robson-14-year president of Cedardale home and Council Association.

City Councillor Brian Nicholson, has already reached out to council on this matter, and has in fact been very supportive of the concern involving the future of this structure. Having been made aware of certain structural issues which were already of concern when Cedardale school was initially decommissioned as a school, we are still optimistic that at very least, the shell of this well-known South Oshawa Heritage site has the potential to be saved and perhaps even renovated as residential units which has been done here before in Oshawa. In addition to this, one may consider the Original Cedardale One room schoolhouse still sits (along with a plaque and Heritage designation) as Cedardale United Church- Further validating the historical significance of the school.

I thank you for your time in reading this letter and consideration for all written within it. I would like to request further correspondence regarding the development committee agenda. Please reach out to me at the email address here:

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

Or call me @ M.F.I.P.A. Sec 14 (1)

Thanks again,

AnnMarie J. Snider

From: David Talbot **M.F.I.P.P.A. Sec 14 (1)****Sent:** Saturday, May 1, 2021 7:00 PM**To:** clerks <clerks@oshawa.ca>**Subject:** Request**Item: CNCL-23-47****Attachment 3**

To whom it may concern,

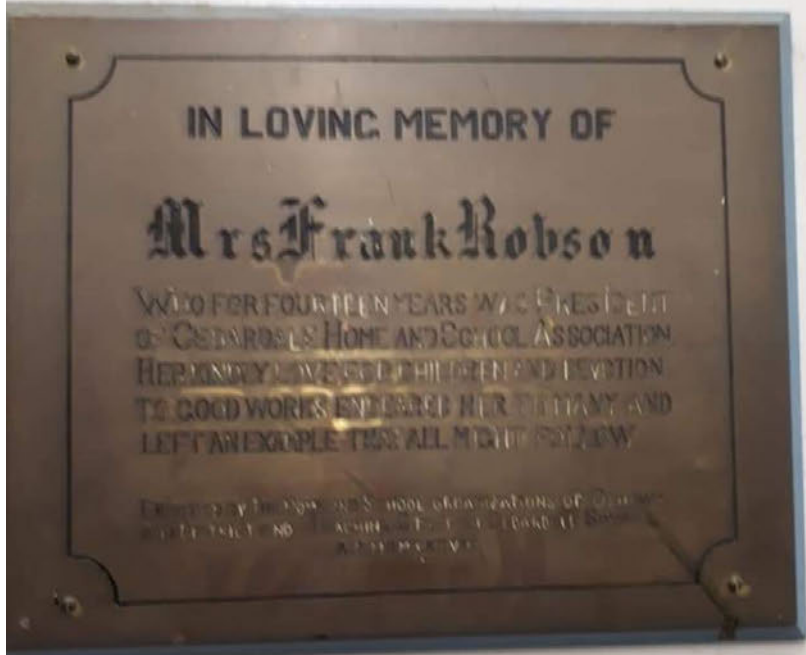
Hello, my name is David Talbot. I was born at Oshawa General Hospital in 1991 and have lived in Oshawa my entire life. I grew up in the community of Cedardale, one of the oldest neighborhoods. I went to Cedardale Public School from Kindergarten to Grade 5 and then on to Bobby Orr Public School. The school in which Cedardale P.S. and Conant P.S. closed and combined in to. I am writing a request to have the building and property of Cedardale School be looked into being a heritage property. It is currently the Rehearsal Factory and is up for sale. There are still important plaques and things on the wall that the Oshawa Museum should at least take a look at adding to their collection. The community of Cedardale has changed over the years but it doesn't change the fact that it is older than Oshawa declaring itself a city. I am the administrator of the Cedardale Public School Facebook group. I have also signed a petition going around in hopes for the building to be kept and not demolished like so many other unfortunate historical buildings. I am hoping for this matter to be added to the next Development Services Committee Agenda. I have attached a few pictures of plaques that were still on the walls in the School the last time I entered. Hopefully this Oshawa landmark can be saved in some form or fashion. You can email me back to this email

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

or phone me at

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

Thank you for your time.



Like

Comment



8:09

51%



Like

Comment



8:09

51%



2

Like

Comment



DS-22-88

From: AnnMarie Snider <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 11:38 PM

To: clerks <clerks@oshawa.ca>; Connor Leherbauer <CLeherbauer@oshawa.ca>

Subject: ATTEN: Development Services Committee

Please Share with Development Services Committee at today's meeting.

Link to petition:

<https://chnq.it/SBX4jPYG>

To: Whom it May Concern

Attached to this email is a list of nearly 250 PEOPLE who have signed my petition which I created to get Cedardale public school its designation, along with the link to the petition to review. I also am sharing with you a poll in-which councillor Brian Nicholson had created, with over 6 HUNDRED people who polled to SAVE CEDARDALE P.S and give it designation.

Why did Heritage Oshawa agree to give the green light for Cedardales' Heritage Research report to be conducted with PRIORITY above all other items, back in the spring of 2021 when it was first brought to light by myself and David Talbot? There must have been some merit to this designation request, so why ultimately simply "received for information" and shelved after the work for this was put in?

I am requesting the Development Services committee think about this question today during their meeting AND ANSWER IT. This is an answer I believe all of the people listed above in the petition, and in Brian Nicholson's poll - whom support this item being designated, deserve to have the answer to.

Thank You

-AnnMarie Snider

DS-22-88

April 10, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee

Fr: J.A. Clark and former Heritage Oshawa Members

Re: DS-22-54

Dear Members of the DSC:

As dedicated former Members of Heritage Oshawa who continue to support the preservation of our community's irreplaceable built heritage, we are writing to express our confusion and concern around the request for designation of Cedardale Public School. We are particularly alarmed at this latest evidence of the continuing erosion of Heritage Oshawa's responsibilities to the citizens of Oshawa.

In our tenure on Heritage Oshawa, if a property was brought to the attention of the Committee as being potentially of heritage significance, especially if it was identified by members of the public, as in the case of Cedardale School, we were delighted. We would immediately commission a heritage research report on the property to ascertain its heritage value and determine whether it meets the criteria per the Ontario Heritage Act.

We are mystified, therefore, at the apparent decision of the Committee at their Nov. 25th meeting to follow the Staff recommendation to "receive for information" instead of implementing the usual process of commenting on the research report (or not) and moving the Committee's recommendation to designate the property. Normally the suggested "receive for information" motion is made only in order to put the item before the Committee for discussion. There was not even much discussion on this item, as I recall, and certainly no explanation.

Those of us listening were shocked and disappointed, especially on behalf of the citizens who had submitted the original request, and the many other neighbours and former staff and students who had signed the Change.org petition in support.

We are therefore in agreement with, and would like to express our gratitude to, Councillor Nicholson for bringing this situation to the attention of Council at the Mar. 28th meeting.

Just as it is important to provide the reasons FOR designation, we feel it is incumbent on Committees and Council to live up to their stated strategic goals of being accountable and transparent in their decision-making, and to explain therefore, why a property that has been confirmed as having significant heritage value by a heritage consultant in a report that was PAID FOR WITH TAXPAYER DOLLARS is for some undefined reason then declared ineligible.

Perhaps this reason could be unearthed and shared at your meeting on Monday. We believe that the citizens of Oshawa who depend upon the informed decisions of their Municipal Heritage Committee in protecting our shared heritage resources deserve no less.

DS-22-88

Thank you,

Alicia Bertrand, Former Heritage Oshawa Chair

Laura Thursby, Former Heritage Oshawa Chair

Jo-Ann Hayden, Former Heritage Oshawa Member

Jacque Villeneuve, Former Heritage Oshawa Member

Ann Dulhanty, Former Chair, Heritage Oshawa Inventory and Designation Working Group

Marg Wilkinson, Former Chair, Heritage Oshawa Inventory Working Group and Designation Working Group

Jane Clark, Former Chair, Heritage Oshawa Outreach and Education Working Group

DS-22-88

From: Greg J <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 10:09 PM

To: clerks <clerks@oshawa.ca>

Subject: Designation - Cedardale Public School

Hello Clerks,

I am writing to express my support to designate Cedardale School.

Cedardale has a rich and important heritage worth preserving for future generations. Cedardale, which only joined Oshawa in the 1920's, played an important role in making Oshawa the City it has become. As we approach Oshawa's Centennial, we should be seeking to save or incorporate these historical properties into future development. The preservation of Cedardale School is a way to protect our city's interwoven historical fabric for future generations.

I am asking for this designation request to be placed on the agenda at the next Development Services Meeting Agenda.

"A concerted effort to preserve our heritage is a vital link to our cultural, educational, aesthetic, inspirational, and economic legacies" (Steve Berry)

Kind Regards

Greg Johnston

DS-22-88

April 8, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee, Members of Heritage Oshawa Advisory Committee

Re: DS-22-54

Dear City Committee Members;

I am writing to express my dismay in the action that has been taken regarding Cedardale Public School's future. By choosing not to protect this historic Class A structure, you are actively harming its future and legacy. Not only is this building worthy of designation by way of its contextual, historical, and architectural value, but it also has the support of the community behind said designation. I can see no logical reason to forgo granting a heritage designation to Cedardale Public School, unless there is some developer standing by that the city is catering to.

Whatever the reason is, I urge you to reconsider.

Historic properties are worthy of preservation. Especially properties such as Cedardale, which has played such a vital role in Oshawa's history. It is simply insufficient to commemorate a building in lieu of retaining the structure. This structure must be preserved and designated- it is in all of our best interests, as Oshawa residents and especially those who value heritage.

Sincerely,

Jacque Villeneuve, former Heritage Oshawa Member.

DS-22-88

From: AnnMarie Snider <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 12:36 AM

To: clerks <clerks@oshawa.ca>

Subject: *URGENT*Attention: Development Services Committee Members

To: Whom it May Concern

I am writing this letter in regards to particular interest and concern over the recent activity involving "Cedardale school" which was an item on the agenda for Heritage Oshawa Committee in recent months.

As some of you may remember, I was one of the citizens, along with David Talbot who wrote to the Development Services committee early last summer, who requested that the Former Cedardale school be considered for Heritage designation. It was at the time, for sale by the owner. My primary concern was that it would be purchased by developers and demolished, a fate that has befallen many former Public Schools in the city of Oshawa.

The former Cedardale Public School is an extremely important and valued part of the Cedardale community's history within Oshawa. In fact, its predecessor- The original one-room schoolhouse (which is located practically across the street, and is now the "Cedardale United Church ") is already a designated heritage site. The importance of preserving the former school has been validated by more than 100 people who signed the petition I assembled on change.org many months back. It was also recognized as such by the research report which was commissioned and paid for by the city of Oshawa with tax payer dollars.

Nowhere in any of the meeting minutes post-November of 2021, has there ever been any discussion regarding the reasoning for no longer pursuing the designation of this property (or discussion AT ALL) regarding this property, including in the minutes of the November Heritage Oshawa meeting where this was apparently decided. It appears to have simply been dropped off the radar of Development Services and this is UNACCEPTABLE.

In conclusion, I am requesting that the item of Cedardale Public School (now Melody Rehearsal) be reconsidered by the Development Services Committee in its upcoming meeting and ultimately by Oshawa City Council. Furthermore, I ask that the item no longer be only "received for information" but instead be brought back onto the agenda for reconsideration of its designation given the blatantly obvious desire for preservation by many Cedardale residents.

Thank You,

AnnMarie J. Snider

DS-22-88

From: Sharyl-Anne Visniar <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 9:19 AM

To: clerks <clerks@oshawa.ca>

Subject: Regarding the designation of Cedardale school as a historical site

Hello,

My name is Sharyl Visniar, I am a previous student (grades K to 8) of Cedardale school in the 1990s and still live very close by the old school, I think it's an absolute shame that the building was sold and is now pending the review of the historical site report on its potential destruction. I was a student when they had the 75th anniversary (1994 I believe) and thought it was amazing to see so many people in my neighbourhood then who were students or staff come through the school, share stories from their time at Cedardale, etc.

Cedardale school and Cedardale church go hand in hand and I know the Church has historical designation, why can't the school have the same?

Ideally I would love to see Cedardale turned into affordable Senior housing like they did with South Simcoe PS on Simcoe St and Front St.

The south end of Oshawa needs a facelift however I do not think tearing down an over 100 yr old building and the history that goes along with it is the way to go. My daughter goes to Bobby Orr where there are people who taught at Cedardale are still teaching now which warms my heart.

Please save my neighbourhood and its historical significance from destruction and greed. Please do the right thing and save Cedardale!

Thanks

Sharyl Visniar

DS-22-88

From: NANCY EDWARDS <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 9:41 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale public school

My name is nancy edwards, i am a life long oshawa resident and my whole family 7 kids went to cedardale public school. I would hate to see this historical school torn down. I am in support of saving the school

Thanks

Nancy edwards

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

DS-22-88

From: Gary Swinson <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 10:55 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale School

Hi I am writing this in regards to save the school.

All the ground work has been done to preserve this property and too many of the old properties have vanished.

My name is Gary Swinson and I'd like to have this shared with Development Services Committee.

There are so many memories that come back whenever I pass by the old School.

Please help to preserve this site.

Thank You

DS-22-88

From: Chris LaRocque <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 12:11 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedar Dale public school

Hello,

Myself, and many other people support designating the former Cedardale Public School as a heritage site. With its proximity to the old Cedardale church, it is a great little representation of the hamlet.

It is good seeing things like the post office facade being saved and also the old bell switching building at Mary/Bond. Perhaps something like this could be considered.

Please save this great old site.

I would greatly appreciate it if this email could be shared at the Developmental Services committee meeting on Monday.

Thank you for your time

Sincerely,

Chris LaRocque

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

Oshawa, Ontario

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

DS-22-88

From: E. Cannons-Hurley <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 3:21 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale Historical Site

Hello, I would like to see Cedardale PS as a historical site. I attended from Kindergarten to grade 5 when I moved out of the area in 1996. I remember the many teachers and the principal. I remember the yard, track and field, the small ass gym, the many stairs to the bathroom, etc etc etc. It needs to be a historical site. Though people have left the area, we all remember our time there!

Sincerely

Elizabeth Hurley

DS-22-88

From: Shawna K <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 8:13 PM

To: clerks <clerks@oshawa.ca>

Subject: Preservation of Cedardale School

Hello

My name is Shawna Kirby and I have been a resident of Oshawa since 1978. I attended Cedardale School in grade one. About four years ago I went back to look inside and it was already altered so much that it lost a lot of what made it stunning. The only memory not disturbed was the entries and land surrounding it. Is it possible to save the picture in the front entrance? It's a memorial picture of the teacher that committed suicide in the school I believe in 1928??

Regardless of how much it's already changed I support the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Service committee meeting.

Everything south of Bloor was originally Cedar Dale. The church and the school are the main visible land marks before Oshawa joined with Cedar Dale. Please keep some thing beautiful as we just seem to be getting more dumpy and trashy year after year.

Sincerely

Shawna Kirby

DS-22-88

From: Beatrice Northcott <M.F.I.P.P.A Sec. 14(1)>

Sent: Saturday, April 9, 2022 8:29 PM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale school

Hello,

My name is Beatrice Northcott

I am writing this email in my support of the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Services committee meeting.

Cedardale should be designated because it is something to save. Schools like this looked important, structured and permanent like the education they were providing.

It is important to me because my Mother-in-law and Father-in-law attended the school.

Thank you

Beatrice Northcott

DS-22-88

From: Tracy Scott-Lopers <M.F.I.P.P.A Sec. 14(1)>

Sent: Sunday, April 10, 2022 8:56 AM

To: clerks <clerks@oshawa.ca>

Subject: Cedardale

Hello,

My name is Tracy Scott-Lopers.

I am writing this email in my support of the designation of Cedardale Public School and am asking that it be put back on the agenda for review at the next Development Services committee meeting.

Cedardale should be designated as it represents a community.

It is important to me because my journey with Cedardale began in 1975 and continued until 2003. As a former student and staff member of its twinned school Conant it has had a huge impact on my life and many others within the community.

Thank You,

Tracy Scott-Lopers

DS-22-88

April 8, 2022

To: clerks@oshawa.ca, Members of the Development Services Committee, Members of Heritage Oshawa Advisory Committee, rkerr@oshawa.ca jhurst@oshawa.ca - former council liaisons on Heritage Oshawa
Fr: Margaret Wilkinson
Re: DS-22-54

Dear Members of City Committees;

I have joined other former members of The Heritage Oshawa Advisory Committee to question the decision of the current committee re designation of Cedardale School.

I spent 7 years volunteering on the Heritage Oshawa Committee and its working groups to encourage, promote and celebrate Oshawa's Heritage. May I assume the current committee continues to have the same goals?

Too often when decisions are made there is no room, on the record, for an explanation for the decision. **I would like to know why the members of the Heritage Oshawa Committee came to this decision regarding Not moving forward to designate the former Cedardale School property.**

I commend Councillor Nicholson for asking the same question. In his stalwart and visible support of the residents in his ward, he has asked a simple question.

Perhaps, like me, he is also thinking of the wonderful Cedardale community which enabled Oshawa to form a community with a city stature in 1924. Now one of its most visible properties is being dismissed as not worthy of remembrance by civic designation.

I look forward to your reply.

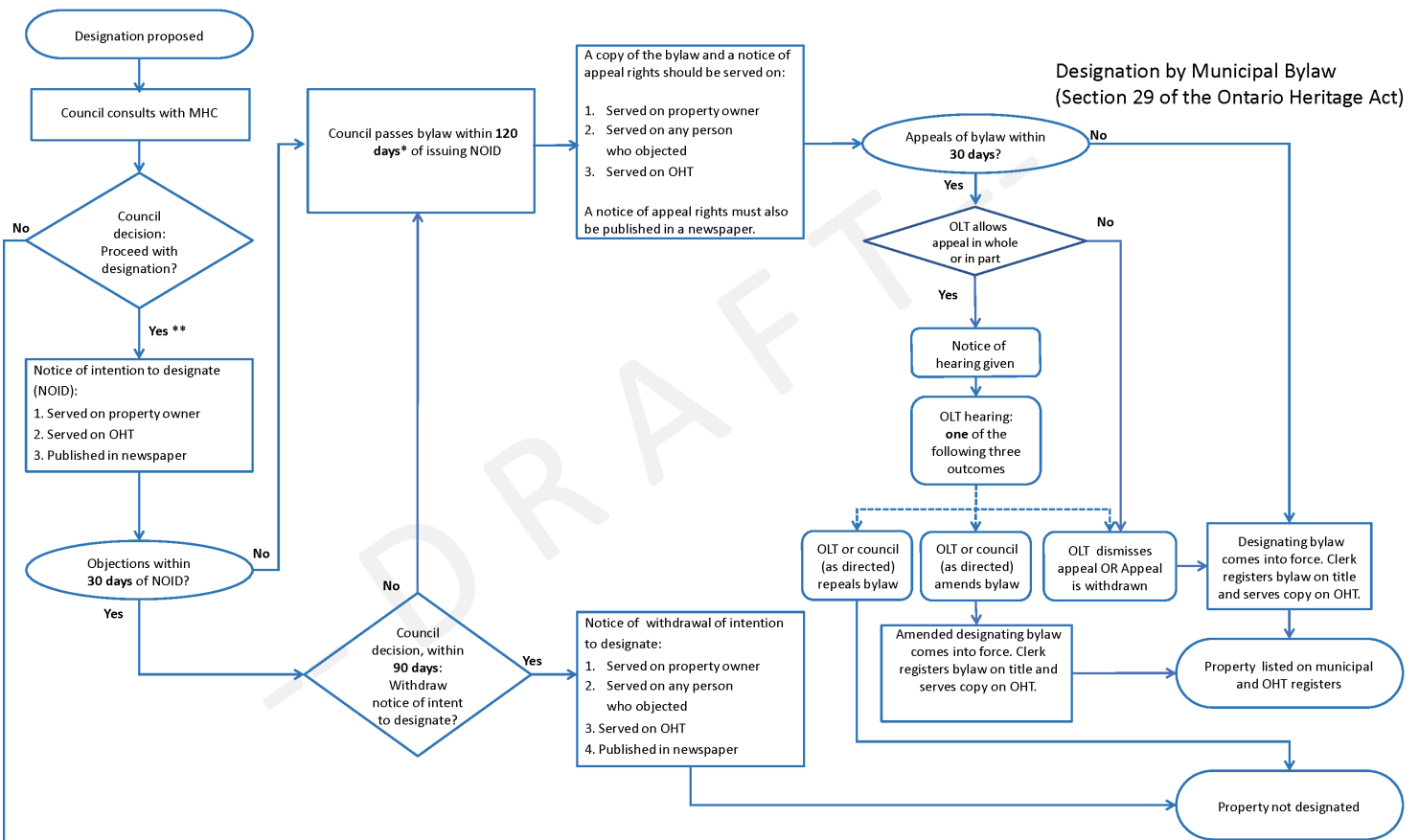
Margaret Wilkinson
<M.F.I.P.P.A Sec. 14(1)>

Title: 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

Subject: Heritage Oshawa's Motion Related to Designation of 827 Gordon Street under Part IV of the Ontario Heritage Act

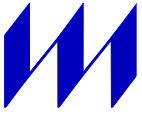
Ward: Ward 5

File: 12-04-0458-2021



*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.



**WESTON
CONSULTING**

planning + urban design

**Item: CNCL-23-47
Attachment 7**

City of Oshawa
Planning and Development Department
50 Centre Street South
Oshawa, ON L1H 3Z7

April 27, 2022
File 10481

**Attn: Connor Leherbauer, Planner B
Planning and Development Department**

Dear Mr. Leherbauer,

**Re: Development Services Committee of Council – Heritage Designation
827 Gordon Street
Oshawa, ON
2835731 Ontario Inc.**

Weston Consulting is the planning consultant for 2835731 Ontario Inc., the registered owner of the property municipally addressed as 827 Gordon Street in the City of Oshawa (herein referred to as the 'Subject Property'). Weston Consulting has been engaged to assist the owner in the preparation and submission of development applications pertaining to the Subject Property. The purpose of this letter is to outline our client's position regarding the potential designation of the Subject Property under Part IV of the *Ontario Heritage Act*.

In summary, it is our position that designation of the Subject Property is premature at this time, and it is requested that this discussion be deferred to a later stage in of the planning process.

Description of Subject Property

The Subject Property has an approximate lot area of 12,050 square metres (1.2 ha) and lot frontages of 11.08 metres along Gordon Street and 91.3 metres along Wolfe Street. The Subject Property is located east of Gordon Street, north of Wolfe Street and abutting Simcoe Street South, adjacent to existing residential, commercial, and industrial uses. Residential lots abut the property to the north and east, and various commercial and residential properties are located to the west of the property. A number of apartment buildings are located within the area, including one directly abutting the northern lot line of the Subject Property. An industrial building is located in the area to the south.

The Subject Property is legally described as follows:

BLK A PL 198 EAST WHITBY; LT C27SHEET 28 PL 335 EAST WHITBY; OSHAWA

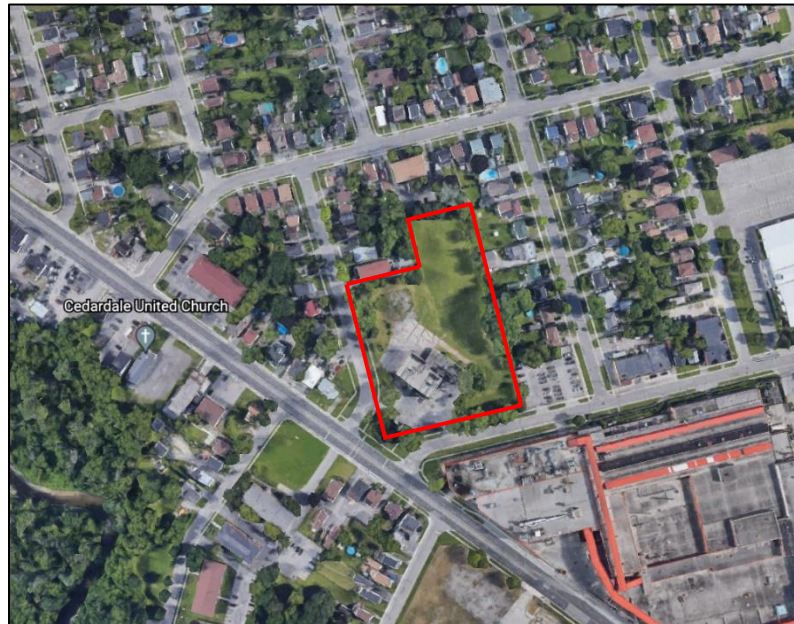


Figure 1 – Air Photo of the Subject Lands

Policy Context

City of Oshawa Official Plan

The City of Oshawa Official Plan designates the site as *Residential*. Lands designated as *Residential* are to be predominately used for residential dwellings. The Subject Property is located within the *Community Improvement Area Sub-Area I*, which is described as in need of various improvements regarding land use conflicts, building rehabilitations, and deficient infrastructure.

City of Oshawa Zoning By-law 60-94

The City of Oshawa Zoning By-law 60-94 zones the subject property as *Residential/Community Institutional Zones (R1-C/CIN)* which permits single detached dwellings, assembly hall, children's shelter, church, and other uses.

Heritage Designation

An existing two storey structure on the Subject Property (Cedardale Public School) is listed as a *Class A Heritage Building* within the City's heritage inventory.

Potential Heritage Designation on Subject Property

It is our understanding that City Staff were directed by the Development Services Committee of Council to prepare and advance a staff report concerning the designation of the Subject Property under Part IV of the *Ontario Heritage Act*. The noted report is anticipated to be advanced to the May 9th Committee meeting.

On behalf of our client, Weston had facilitated a Pre-Application Consultation (PAC) Meeting with Planning Staff and received a PAC Checklist dated February 7, 2022 outlining the submission requirements for a townhouse development proposal on the Subject Property, which includes a Heritage Impact Assessment. Our client has retained a heritage architect to prepare the HIA and make a recommendation regarding conservation of the cultural heritage values of the school.

We would like to clarify that it is our client's intention to retain the existing Cedardale Public School and incorporate it into the final development. The noted heritage architect has also been directed to prepare a schematic design for the adaptive reuse of the school concurrently with the Heritage Impact Assessment. Accordingly, it would be appropriate to await the results of the HIA, which would determine the heritage value of the listed building and its heritage attributes and include the preparation of a Statement of Significance, and to discuss the school's potential designation at the conclusion of the planning applications process.

We request to be notified of any further studies, revisions, approvals and/or notices applicable to the heritage designation process and reserve the right to provide further comments as more information becomes available. Should you have questions or require anything further, please do not hesitate to contact the undersigned (ext. 236) or Steven Pham (ext. 312).

Yours truly,

Weston Consulting

Per:



Kevin Bechard, BES, M.Sc., RPP
Senior Associate

c. Herbert Chen, 2835731 Ontario Inc.
Dima Cook, EVOQ Architecture Inc.

Connor Leherbauer

Subject: FW: heritage designation of 827 Gordon Street - response required

From: James Todd <jtodd@westonconsulting.com>

Sent: Monday, April 24, 2023 2:22 PM

To: Connor Leherbauer <Cleherbauer@oshawa.ca>

Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evoqarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

You don't often get email from jtodd@westonconsulting.com. [Learn why this is important](#)

Hi Connor,

We are aiming to have the submission in to the City within the next few weeks.

Thank you,

JAMES TODD
PLANNER

VAUGHAN 905.738.8080 x345
TORONTO 416.640.9917 x345
WESTONCONSULTING.COM



From: Connor Leherbauer <Cleherbauer@oshawa.ca>

Sent: Monday, April 24, 2023 2:13 PM

To: James Todd <jtodd@westonconsulting.com>

Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evoqarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>

Subject: RE: heritage designation of 827 Gordon Street - response required

Hi James,

Thank you, I appreciate the prompt response.

Are you able to advise at this time as to when you anticipate the development application would be submitted to the City?

Best regards,



Connor Leherbauer, Senior Planner | City of Oshawa
905-436-3311 ext. 2402 | 1-800-667-4292
CLEherbauer@oshawa.ca | www.oshawa.ca
"Dedicated to serving our community."



From: James Todd <jtodd@westonconsulting.com>
Sent: Monday, April 24, 2023 1:57 PM
To: Connor Leherbauer <CLEherbauer@oshawa.ca>
Cc: Kayly Robbins <krobbins@westonconsulting.com>; Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'herbert chen' <mldchca@126.com>; Dima Cook <dcook@evogarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>
Subject: RE: heritage designation of 827 Gordon Street - response required

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Good afternoon Connor,

I can confirm that our opinion remains unchanged. The Heritage Impact Assessment is complete, and will be included as part of our upcoming submission to the City.

Please let me know if you have any additional questions.

Thank you,

JAMES TODD
PLANNER

VAUGHAN 905.738.8080 x345
TORONTO 416.640.9917 x345
WESTONCONSULTING.COM



From: Connor Leherbauer <CLEherbauer@oshawa.ca>
Sent: April 21, 2023 3:04 PM
To: Steven Pham <spham@westonconsulting.com>
Cc: Meaghan Harrington <MHarrington@oshawa.ca>; Warren Munro <WMunro@oshawa.ca>; 'Kevin Bechard' <kbechard@westonconsulting.com>; 'Anthony Jia' <anthony_jia@yahoo.com>; 'herbert chen' <mldchca@126.com>; 'Dima Cook' <dcook@evogarchitecture.com>; Tom Goodeve <TGoodeve@oshawa.ca>
Subject: RE: heritage designation of 827 Gordon Street - response required

Hi Steven,

Hope you are doing well.

Given the time that has passed, would you be able to confirm for me whether the positions outlined in your correspondence dated April 27, 2022 with respect to 827 Gordon Street remained unchanged? As well, would you be

able to provide me with an update concerning the completion of the Heritage Impact Assessment described within your correspondence?

I would appreciate a response by no later than next Wednesday, April 26, end of day.

Thank you Steven.

Best regards,



Connor Leherbauer, Senior Planner | City of Oshawa

905-436-3311 ext. 2402 | 1-800-667-4292

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