

To: Economic and Development Services Committee

From: Anthony Ambra, P.Eng., Commissioner,
Economic and Development Services Department

Report Number: ED-24-132

Date of Report: November 27, 2024

Date of Meeting: December 2, 2024

Subject: Second Update concerning Heritage Oshawa's
Recommendation to Designate 357 Simcoe Street South under
Part IV of the Ontario Heritage Act

Ward: Ward 5

File: 12-04-0456

1.0 Purpose

The purpose of this Report is to seek Council direction on whether or not to advance designation of the property located at 357 Simcoe Street South (the “Subject Site” – see Attachments 1 and 2) 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”).

On December 11, 2023, City Council considered Item ED-23-212 being an update concerning Heritage Oshawa’s recommendation to designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act, and directed staff to report back in the 4th quarter of 2024 once construction of a mixed-use building has been completed on the Subject Site.

On September 19, 2024, the property owner of the Subject Site (the “Refuge”) advised that they are nearing completion of their development and are in favour of designation of the Subject Site under Part IV of the Ontario Heritage Act.

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

Attachment 2 is an aerial photo of the Subject Site showing key site features.

Attachment 3 is a copy of a Heritage Research Report completed by Melissa Cole dated September 2008 concerning the Subject Site.

Attachment 4 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.

2.0 Recommendation

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

That, pursuant to Report ED-24-132 dated November 27, 2024, Economic and Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate the property located at 357 Simcoe Street South as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act by undertaking actions such as the following:

- Obtaining an updated Heritage Research Report to provide evidence that the property located at 357 Simcoe Street South specifically addresses the requirements of the Ontario Heritage Act;
- Preparing a Notice of Intention to Designate the property located at 357 Simcoe Street South under the Ontario Heritage Act which will generally include the Designation Statement and Description;
- Publishing the Notice in accordance with the Ontario Heritage Act;
- Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
- Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council.

3.0 Input From Other Sources

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

- Commissioner, Corporate and Finance Services Department
- City Solicitor

4.0 Analysis

4.1 Background

On April 28, 2022, Heritage Oshawa recommended that the Subject Site be designated under Part IV of the Ontario Heritage Act.

On May 9, 2022, the then-Development Services Committee referred the recommendation from Heritage Oshawa to staff for a report.

On July 26, 2022, City staff reached out to the Refuge in order to obtain their stance on the potential designation of their property under Part IV of the Ontario Heritage Act. The Refuge advised staff that they wanted to re-evaluate the Heritage Oshawa request at a later date once their site plan approval process had finalized.

On December 12, 2022, Council considered Report ED-22-214 dated November 23, 2022 and adopted a motion which read in part:

“2. That Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4th 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”.

On March 30, 2023, site plan approval was granted, and associated building permits were issued in August 2023 for the redevelopment of the Subject Site into a mixed-use building with apartment units and a youth outreach centre.

On November 11, 2023, the Executive Director of the Refuge indicated to staff that they were willing to consider the designation of the Subject Site after the construction phase has been completed.

On December 11, 2023, Council considered Report ED-23-212 dated November 27, 2023 and adopted the following motion:

“Therefore, be it resolved that pursuant to Item ED-23-212, Economic and Development Services staff be directed to report back to the Economic and Development Services Committee in the 4th quarter of 2024 on Heritage Oshawa’s request to designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act.”

On September 19, 2024, the Refuge advised that they are nearing completion of their development and are in favour of designation of the Subject Site under Part IV of the Ontario Heritage Act.

4.2 Site Characteristics

The following are the key characteristics of the Subject Site:

- **Oshawa Official Plan Designation:** The Subject Site is designated Residential and is located within the Downtown Main Central Area and the Central Oshawa Transportation Hub along a Regional Transit Spine (Simcoe Street South).
- **Zoning By-law 60-94:** The Subject Site is zoned R2/CIN/R6-B(12) (Residential/Community Institutional).
- **Current Use:** Institutional building undergoing construction to redevelop into a mixed-use building featuring 27 apartment units and a youth outreach centre.

4.3 Historical Significance of 357 Simcoe Street South

The Heritage Research Report, as contained in Attachment 3 to this Report, provides a brief overview of the cultural heritage value or interest associated with the Subject Site, which includes among others, the following details:

- “Holy Cross Catholic School opened on the current site in 1938. Its first teachers included Sisters from the Order of St. Joseph, as well as lay staff. By the end of the Second World War there was an enrolment of approximately 900 students.”
- “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.”
- “The subject building is a 2 storey rectangular structure with a slightly projecting frontispiece entrance with a flat roof. It faces west onto Simcoe Street South. The west (main) façade achieves symmetry through the central placement of the main entrance and the balanced window groupings.”

4.4 Heritage Oshawa Inventory of City of Oshawa Heritage Properties

The Heritage Oshawa Inventory of City of Oshawa Heritage Properties (the “Inventory”) identifies properties of potential cultural heritage value or interest within the City of Oshawa. The Inventory consists of all properties identified by Heritage Oshawa 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.

The Subject Site is identified in the Inventory as a ‘Class A’ property.

4.5 The City of Oshawa Register of Properties of Cultural Heritage Value or Interest

The City of Oshawa Register of Properties of Cultural Heritage Value or Interest (the “Register”) is a list of properties that have been formally recognized by Council, pursuant to Part IV and Part V 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 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 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 Site is currently not listed in the City's Register.

4.6 Supplemental Heritage Research Report

In 2008, a Heritage Research Report for the Subject Site was prepared by Melissa Cole dated September 2008 (see Attachment 3).

Due to its age and subsequent changes made to the Ontario Heritage Act, the Heritage Research Report completed by Melissa Cole does not provide the requisite information in order to inform the designation by-law and Designation Statement and Description for the Subject Site. Therefore, in the event the recommendation to designate contained in Section 2.0 of this Report is adopted by Council, staff recommend that a supplemental Heritage Research Report be completed in order to provide the following requisite information:

- Evidence that the Subject Site 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; and,
 - 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 Site.

Staff estimate that a supplemental Heritage Research Report would cost between \$7,000 and \$9,000.

4.7 The Provincial Planning Statement

The Provincial Planning Statement (the "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 4.6 of the P.P.S. addresses Cultural Heritage and Archaeology and in particular states that (among other things):

- "Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved."

- “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless 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 the Subject Site since it is only identified by Heritage Oshawa as a ‘Class A’ property as opposed to being formally designated. However, it would apply if it was formally designated.

4.8 Heritage Designation Process

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 Site would be governed by Part IV, Section 29 of the Ontario Heritage Act for individual property designation.

Attachment 4 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:

- Alterations 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 4.

As described in Part IV, Section 29 of the Ontario Heritage Act, any individual may appeal the designation by-law to the Ontario Land Tribunal within thirty (30) days after the notice of by-law passing is issued. In the event of an appeal 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.

4.9 Property Standards By-law 1-2002 and 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.

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

"That 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."

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/PropertyStandardsBylaw1-2002.pdf>.

Under the amended Property Standards 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.

Currently, the Subject Site is not subject to the new standards given its informal status as a 'Class A' property. However, it would be subject to the new standards if it were formally designated.

4.10 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.

The Subject Site is tax exempt based on its current use. Therefore, the Subject Site would not be eligible for the Heritage Property Tax Reduction program.

4.11 Next Steps

As the Refuge has advised that they are in favour of designation of the Subject Site under Part IV of the Ontario Heritage Act, and the Heritage Research Report prepared by Melissa Cole indicates that the property has cultural heritage value or interest, staff recommend undertaking the following actions to advance designation:

- Obtaining an updated Heritage Research Report to provide evidence that the property located at 357 Simcoe Street South specifically addresses the requirements of the Ontario Heritage Act;
- Preparing a Notice of Intention to Designate the property located at 357 Simcoe Street South under the Ontario Heritage Act which will generally include the Designation Statement and Description;
- Publishing the Notice in accordance with the Ontario Heritage Act;
- Forwarding the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and,
- Preparing the necessary by-law which will generally include the Designation Statement and Description for subsequent consideration by Council.

5.0 Financial Implications

The costs associated with the recommendation of this Report are primarily related to the completion of a supplemental Heritage Research Report for the Subject Site. Staff estimate that a supplemental Heritage Research Report would cost between \$7,000 and \$9,000.

Accordingly, staff anticipate sufficient funds to be available in the Professional and Technical account of the 2025 Heritage Oshawa Budget to accommodate the preparation of a supplemental Heritage Research Report for the Subject Site.

As noted in Section 4.10 of this Report, the Subject Site is tax exempt and therefore not eligible for the Heritage Property Tax Reduction program.

6.0 Relationship to the Oshawa Strategic Plan

This Report responds to the Oshawa Strategic Plan Priority Area:

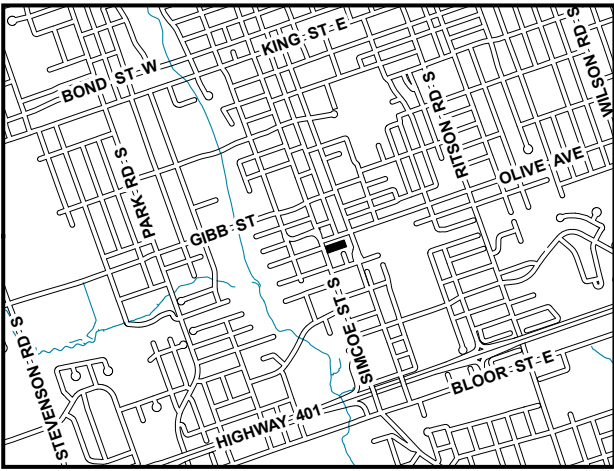
“Innovate: Vibrant Culture and Economy” with the goal to attract and promote a vibrant artistic and cultural economy.



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



Anthony Ambra, P.Eng., Commissioner,
Economic and Development Services Department



Item: ED-24-132
Attachment 1

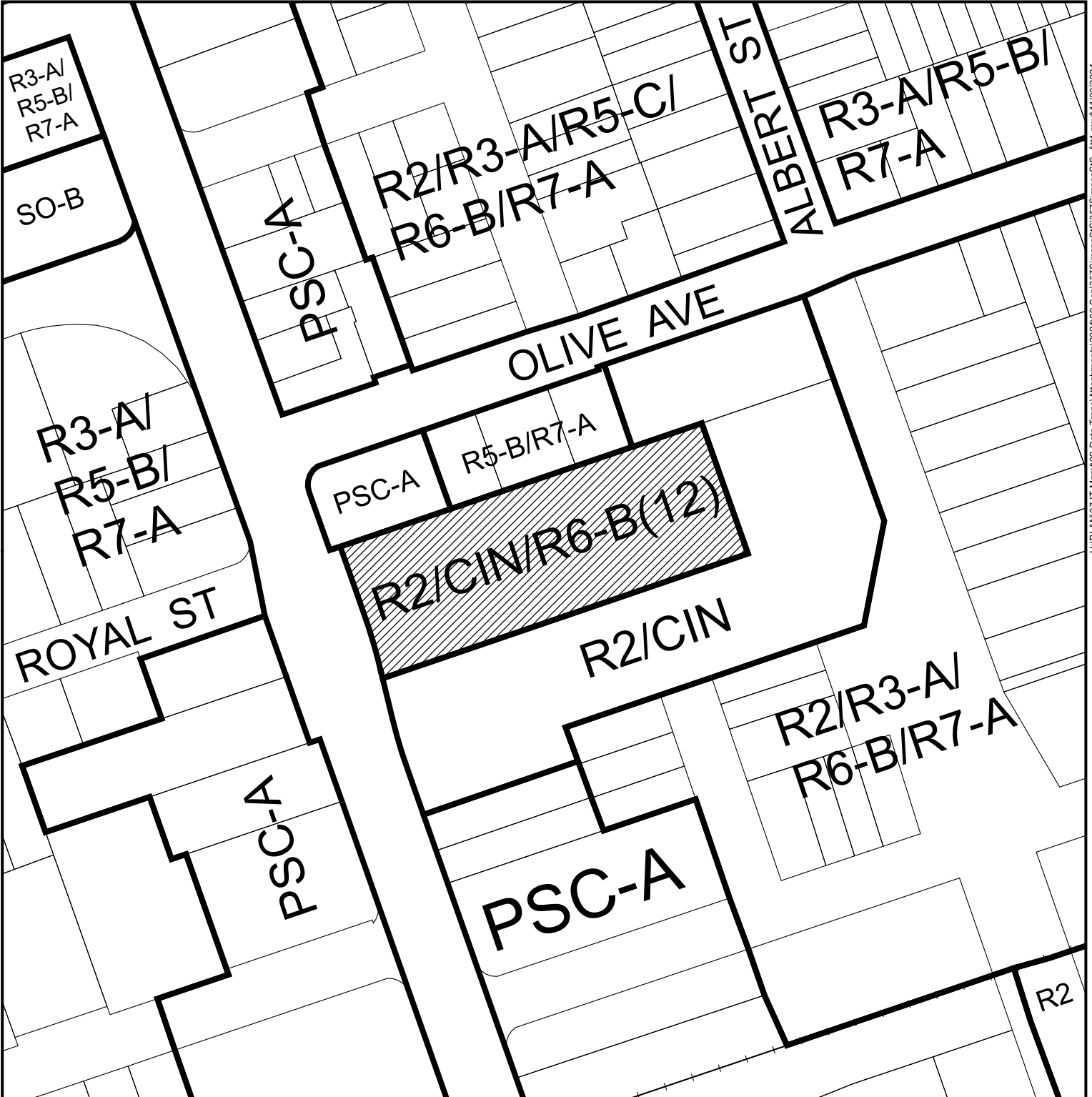
Economic and Development Services

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Subject Site




Subject: Second Update concerning Heritage Oshawa's Recommendation to Designate 357 Simcoe Street South under Part IV of the Ontario Heritage Act

Item: ED-24-132
Attachment 2

Ward: Ward 5
File: 12-04-0456



 Subject Site

City of Oshawa
Economic and Development Services 



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**Holy Cross Catholic School
Simcoe Street South**

City of Oshawa

Prepared For: Heritage Oshawa
By: Melissa Cole

September 2008

HOLY CROSS CATHOLIC SCHOOL
357 SIMCOE STREET SOUTH, OSHAWA, ON

I. LOCATION

The subject property is located on the west part of Lot 10, Concession 1, originally part of East Whitby Township, now within the City of Oshawa. The structure at 357 Simcoe Street South is on the east side of Simcoe Street South, south of Olive Avenue in Oshawa..

II. SCHOOL HISTORY

During the 1920's Oshawa experienced an economic boom and growth in population due to the success of the McLaughlin automobile manufacturing business. Instead of attempting to add onto St. Gregory's school, which was the first separate school to open in the city of Oshawa, it was decided to establish another separate school in the south end of the city. At that time, the home of Mr. and Mrs. F. W. Cowan, on Simcoe Street South was available, as the Cowans had moved to Toronto. This home and its spacious grounds were purchased and the residence was remodeled to provide classrooms for what became known as Holy Cross Separate School. This new school relieved the pressure on St. Gregory's school and served the needs of the community for many years.

During the post-war era, Oshawa's population grew and the schools became overcrowded therefore an addition was required. The addition, providing more classrooms, was built onto the front of the first school the old Cowan Mansion facing Simcoe Street. Father P. Coffey was the priest in charge of the Holy Cross parish at this time and it has been said that "he worked very hard to provide the best educational facilities for his students". Father P. Coffey was a valuable member of the Oshawa board of education on all matters pertaining to the secondary schools.

III. GROWTH AND CHANGE

Holy Cross Catholic School opened on the current site in 1938. Its first teacher's included Sisters from the order of St. Joseph, as well as lay staff. By the end of the Second World War there was an enrolment of approximately 900 students. As other schools were founded, such as St. Gertrude's and St. Christopher's (both are no longer used as an elementary catholic school), the total enrolment decreased to under 200 in 1994. A French Immersion section was added to the school in 1990, which increased its total enrolment to 300. To accommodate the original high enrolment, annexes were added in 1955 and 1963. The records indicate that in 1956 822 students were managed by 19 female teachers and 1 principal, who was also her own secretary. In 1972 the Sisters of St. Joseph withdrew their involvement in the school. In 1973, due to the persistence of the Principal at the time and concerned parents, a library and gymnasium were built to link one of the annexes to the main building.

Since the 1970's until the spring of 2008, Holy Cross Catholic School has since been home to Board Meetings, Superintendents of Education and Consultants offices, a Heritage Language base, two beginning high schools and finally the Board Maintenance Department.

IV. DECLINE

Due to a decline in enrolment, the Durham Catholic School Board was faced with the decision to close numerous Catholic Schools in the Oshawa area. Holy Cross was one of the schools and its doors were closed in the spring of 2008.

V. ARCHITECTURE

Date of Construction and Style

By the twentieth century, the learning environment needs of students and teachers had been researched and presented in standardized formulas for design and construction. Published plan books, such as *Modern Schoolhouses*, offered sample floor plans, architectural designs and technical notes for new construction. These plans could be adapted to the size requirement, budget and site available. Holy Cross may have been constructed with the use of these plans.

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 Catholic School was built in approximately 1938 on its present site. The original school was located in the home of Mr. and Mrs. F. W. Cowan that had been purchased from them to be used as school. The property underwent various changes due to the increasing enrolment. In the late 1930's eight rooms were built on the back of the Cowan residence. The residence itself was eventually torn down and eight more rooms were constructed on the same site. Overtime several more classrooms were added to the main structure of the building (the west 2-storey portion).

After the Second World War, the population of South Oshawa was increasing, which was due to the settling of immigrants from Poland and Ukraine in the south end of the city.ⁱ To accommodate the growing population annexes were added in 1955 and 1963. In 1973 a library and gymnasium were built which linked one of the annexes to the main school building.

Form

The subject building is a 2 storey rectangular structure with a slightly projecting frontispiece entrance and a flat roof. It faces west onto Simcoe Street South. The west (main) façade achieves symmetry through the central placement of the main entrance and the balanced window groupings. The east, north and south facades lack the window openings and decoration of the west wall.

Masonry

This is a red brick structure with smooth concrete detailing. The window openings are placed in groupings of three over three windows and each window has a smooth concrete simple detailed frame. Smooth vertical concrete bands run parallel to the window openings and this banding adds to the symmetry of the west façade.

Foundation

The foundation is concrete with red brick veneer.

Window Openings

The building features large flat multipaned windows throughout. Triple groupings of window openings are arranged in a symmetrical pattern along the west façade (front of the building). The hung sashes are nine panes over three. All openings have lugsills made of concrete.

Each set of three windows is separated from the next set by a cement vertical course which creates a frame around each triple grouping of windows on the upper and lower level.

Entrance

The main entrance has a simply decorated frontispiece that is accessed by a dual staircase to the main level doorway. Over the doorway is a multipaned, oversized flat transom window. The entrance doors and transom are recessed within a simple smooth concrete door surround. On the door surround located above the

entranceway is a symbol called a Chi Roo.ⁱⁱ Above the door surround is a simple concrete band with a dentil course running along the bottom of the band.

On the upper level is a multipaned flat window. Between the window opening and the door surround is a metal fence like decoration with a symbol in the centre. This is the same symbol that is located on the front entrance porch railing. The raised parapet of the entrance frontispiece features a simply carved cross which rises above the roof level. The school name “Holy Cross” is engraved into the concrete below this cross.

A second entrance is located on the south side of the building which leads into the main school building. It features an arched entranceway with double doors and an arched transom window and concrete head with a small cross etched into the centre of the concrete head.

VI. HISTORICAL SIGNIFICANCE

During the 1920's Oshawa experienced an economic boom and growth in population due to the success of the McLaughlin automobile manufacturing business. Instead of attempting to add onto St. Gregory's school, it was decided to establish another separate school in the south end of the city. At that time, the home of Mr. and Mrs. F. W. Cowan, on Simcoe Street South was available, as the Cowans had moved to Toronto. This home and its spacious grounds were purchased and the residence was remodeled to provide classrooms for what became known as Holy Cross separate school.

Holy Cross School opened its doors in 1938. During the 1950's and 60's additions were added onto the school to accommodate the growing population in the South 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 Oshawa for approximately 70 years.

APPENDICES



1. West Façade, August 2008



2. South Façade, August 2008



3. South Entranceway, August 2008



3. East Façade, August 2008



4. North Façade, August 2008

ENDNOTES

ⁱ Oshawa experienced an influx of Ukrainian immigrants following World War II the majority of who were classified as Displaced Persons unwilling to return to their homeland. In 1951 Oshawa had 2470 persons listing their racial origin as Ukrainian. They settled in Oshawa due to the wealth of manufacturing, friends and relatives.

ⁱⁱ The Chi Rho is the earliest cruciform symbol used by Christians. It is formed by the first two letters of the word Christ in Greek, chi = ch and rho = r. It symbolizes a cross which invokes the crucifixion of Jesus and symbolizes his status as the Christ. First used in the early 4th century CE.

The alpha and omega are located on either side of the Chi Rho. They are the last two letters of the Greek alphabet and have been used since the 4th century expressing, in the Christian faith, of the lord's divinity..... "the beginning and the end".

SOURCES

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