



PORT COLBORNE

Subject: Request to Demolish Heritage Listed Property – 725 King Street

To: Council

From: Development and Legislative Services Department

Report Number: 2024-186

Meeting Date: November 12, 2024

Recommendation:

That Development and Government Relations Department Report 2024-186 be received;
and

That Council approve the recommendation of the Heritage Subcommittee to remove 725 King Street from the Heritage Register.

Purpose:

The purpose of this report is for Council to consider approving the recommendation from the Heritage Subcommittee to remove 725 King Street from the Heritage Register.

Background:

725 King Street appears to have been built in the mid 1800s, though the background research report prepared by staff at the L.R. Wilson Heritage Archives (Archives) (attached as Appendix A to this report) finds that few of the original features are likely to have been conserved since its original construction.

Section 27 (3) of the *Ontario Heritage Act* (OHA) permits Council to include non-designated properties that it believes to be of cultural heritage value or interest on the municipal Heritage Register. In 2009, Council Report 2009-75 adopted the Heritage Register that was first presented in Heritage Port Colborne Committee Report No. 2009-03. The 2009 Heritage Register is where 725 King Street was first listed as a non-designated property.

To aid in Council's decision, Planning staff wish to highlight the amendments to the OHA introduced on November 28, 2022, when Bill 23 received Royal Assent, and on June 6, 2024, when Bill 200 received Royal Assent.

The amendments introduced by Bill 23 required municipalities to decide to designate or remove properties from their heritage registers before January 1, 2025. Bill 23 also amended Ontario Regulation 9/06 (O. Reg. 9/06) to require properties to meet two or more of the criteria for determining cultural heritage value or interest prescribed therein.

Bill 200 extended the original timeline for deciding which properties should be designated or removed from a municipal heritage register until January 1, 2027, and restricted municipalities from relisting a non-designated property for five years after its removal from a heritage register.

725 King Street is a City-owned property. In early September 2024, the Director of the Development and Government Relations Department submitted a notice of intention to demolish the structure on behalf of the City. Planning staff coordinated with the Director and staff at the Archives to provide the Heritage Subcommittee with information to consider the proposal to remove the property from the Register and formulate a recommendation to Council.

Discussion:

Section 27 (9) of the OHA requires that the owner of a non-designated property listed on the municipal Heritage Register provide Council with 60 days notice in writing of their intention to demolish or remove a building or structure on the property. Council uses the 60-day notice period to determine whether to permit the proposed demolition or conserve the property through designation under section 29 of the OHA.

Section 27 (11) requires that a written notice of intention to demolish is accompanied by such plans and information as Council may require. No additional submission requirements have been formally established for evaluating proposals to remove non-designated properties from the Heritage Register at this time.

The Heritage Subcommittee was presented with the background research report on 725 King Street that is attached as Appendix A. On October 15, 2024, the Subcommittee discussed the proposal and determined that the property does not meet the requirements for designation under the OHA and adopted a motion recommending that the property be removed from the Heritage Register. The motion passed by the Heritage Subcommittee during that meeting is attached as Appendix B to this report.

Internal Consultations:

Economic Development staff have been working with Niagara Regional Housing to facilitate the future redevelopment of 725 King Street. Archives staff prepared the background research report attached as Appendix A.

Financial Implications:

There are no immediate financial implications associated with this report.

Public Engagement:

No public engagement will be required if Council accepts the recommendation of the Heritage Subcommittee.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
 - Economic Prosperity
 - Increased Housing Options
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Conclusion:

Planning staff are seeking Council's direction regarding whether to approve the Heritage Subcommittee's recommendation to remove 725 King Street from the Heritage Register.

Appendices:

- a. Heritage Research Report – 725 King Street
- b. October 15, 2024, Heritage Subcommittee Motion

Respectfully submitted,

Diana Vasu, BA, MA
Planner
905-228-8120
diana.vasu@portcolborne.ca

Craig Larmour
Planning Consultant
craig.larmour@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.