

**Subject: Bill 23: Implementation of Changes to the *Ontario Heritage Act* –
Heritage Register Removal Report #1**

File Number: ACS2024-PRE-RHU-0020

**Report to Built Heritage Committee on 13 February 2024
and Council 21 February 2024**

**Submitted on February 1, 2024 by Court Curry, Manager, Right of Way, Heritage,
and Urban Design Services, Planning, Real Estate and Economic Development**

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Ward: Citywide

**Objet: Projet de loi 23: Mise en œuvre des changements apportés à la *Loi
sur le patrimoine de l'Ontario* – Rapport n° 1 – Suppression
d'éléments du Registre du patrimoine**

Numéro de dossier: ACS2024-PRE-RHU-0020

Rapport présenté au Comité du patrimoine bâti

Rapport soumis le 13 février 2024

et au Conseil le 21 février 2024

**Soumis le 1 février 2024 par Court Curry, Directeur, Services des emprises, du
patrimoine, et du design urbain, Services de la planification, des biens
immobiliers et du développement économique**

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Quartier: À l'échelle de la ville

REPORT RECOMMENDATION(S)

That Built Heritage Committee recommend that Council removes reference to the properties listed in Document 1, attached to this report, from the Municipal Heritage Register.

RECOMMANDATION(S) DU RAPPORT

Que le Comité du patrimoine bâti recommande au Conseil de supprimer du Registre municipal du patrimoine la mention des propriétés énumérées dans le document 1 joint au présent rapport.

BACKGROUND

This report follows directions from report [ACS2023-PRE-RHU-0019](#) which established the Heritage Planning Branch's strategy for the implementation of Bill 23's legislative amendments to the *Ontario Heritage Act* along with associated procedural and administrative changes.

Municipal Heritage Register

Section 27 (3) of the *Ontario Heritage Act* allows municipalities to list non-designated properties of cultural heritage value or interest on a municipal heritage register. Listing on a municipal heritage register provides interim demolition protection for properties. If a property owner wishes to demolish a building or structure located on a non-designated property listed on a municipal heritage register, Section 27 (9) of the *Ontario Heritage Act* requires that they provide 60 days' notice, in writing, of their intent to demolish.

The Province of Ontario's Bill 23 introduced new restrictions to the listing of non-designated properties which came into effect on January 1, 2023. Non-designated properties can be listed on a municipal register for a maximum of two years, whereas prior to these amendments a non-designated property could be listed indefinitely. If a listed non-designated property is not designated or subject to an active Notice of Intention to Designate at the two-year anniversary of its listing date it must be removed from the heritage register and cannot be listed again for a period of five years.

Review of Non-Designated Properties Listed on Ottawa's Heritage Register

As set out in recommendation 1 (A) of report ACS2023-PRE-RHU-0019 Heritage Planning staff have conducted a phased review of the non-designated properties listed on the City's heritage register. Phase I of this review involved a "Yes" or "No" assessment using existing municipal heritage data to identify candidate properties for individual heritage designation. Properties that received a "Yes" were deemed candidates for individual designation and moved on to Phase II, which is the ongoing

prioritization, researching, and potential designation of these candidate properties. Properties that received a “No” were not identified as individual designation candidates.

Removal of Listed Non-Designated Properties from Heritage Register

This report’s recommendation follows the direction established by recommendation 1 (B) in report [ACS2023-PRE-RHU-0019](#). This directs staff to commence the phased removal of listed, non-designated properties from the City of Ottawa’s Municipal Heritage Register in advance of their legislated removal after December 31, 2024 via the provisions of *Ontario Heritage Act* section 27 (15) and (16). This report is the first of several anticipated reports which will remove the majority of listed, non-designated properties from the Municipal Heritage Register. The intent of removing properties in phases is to gradually bring Ottawa’s Municipal Heritage Register into compliance with the post-Bill 23 intent of the *Ontario Heritage Act*, which has shifted the Municipal Heritage Register from a more passive commemoration and monitoring tool to an active and fluctuating interim conservation tool tied directly to development processes regulated by the *Planning Act*. To assist with the notification and scheduling of affected Ward Councillors, and to ensure capacity for consultation with the Built Heritage Committee, properties identified for removal from the Heritage Register are being brought forward in batches. The first three register removal reports will be organized by Ward, with subsequent removal reports following the completion of related Bill 23 implementation work including the forthcoming Heritage Conservation District (HCD) study area workplan report.

Removing properties from the Municipal Heritage Register in advance of December 31, 2024 retains Council’s ability to re-list properties, whereas listed properties removed by the processes of *Ontario Heritage Act* section 27 (15) or (16) are prohibited from re-listing for a period of five years. Heritage staff are not recommending the mass re-listing of properties removed from the Municipal Heritage Register but may pursue the re-listing of certain properties when appropriate, in accordance with the revised provisions of the *Ontario Heritage Act*. Non-designated properties are now subject to the “Criteria for Determining Cultural Heritage Value or Interest” set out in Ontario Regulation 9/06 which requires them to meet one or more of the nine prescribed criteria to be listed on the Municipal Heritage Register. This requirement matches the pre-Bill 23 test for designation of a property under Part IV of the *Ontario Heritage Act*. Given this higher threshold for listing properties on the municipal heritage register, staff’s opinion is that retaining the ability to re-list properties by removing them prior to the December 31, 2024, deadline is appropriate and ensures that the Municipal Heritage Register can be implemented as intended by the Province. Staff note that a property being removed from the Municipal Heritage Register via any process does not prohibit its designation under Part IV or V of the *Ontario Heritage Act*.

DISCUSSION

Recommendation 1: Remove reference to the properties listed in Document 1 from the City’s Municipal Heritage Register.

The City of Ottawa’s Municipal Heritage Register contains approximately 4600 listed, non-designated properties. Heritage staff have undertaken a comprehensive review of the existing Municipal Heritage Register, as detailed in report ACS2023-PRE-RHU-0019 – along with outreach to Ward Councillors, engagement with community associations and other organizations, and online engagement via Engage Ottawa – to identify properties as potential candidates for designation under Part IV or Part V of the *Ontario Heritage Act* and to develop a research workplan. Properties not identified as potential designation candidates will be removed from the register. This first report recommends the removal of properties from the following Wards: 1, 2, 4, 5, 6, 19, 20, 21, 22, 23, and 24. The properties recommended for removal from the heritage register by this report were screened as part of the Phase I heritage register review detailed in recommendation 1 (A) of report ACS2023-PRE-RHU-0019 and were not identified as candidates for individual designation. In total, this report recommends the removal of 465 properties from the Municipal Heritage Register. The recommended removals are summarized by Ward in Document 1. The removal of a property from the municipal heritage register does not preclude its future designation under Part IV or V of the *Ontario Heritage Act*. Properties in the above-noted Wards which remain listed on Ottawa’s municipal heritage register may be removed in subsequent reports over the course of 2024.

Heritage Register Data

Recommendation 3 (b) in report ACS2023-PRE-RHU-0019 directs staff to create a new development monitoring tool and public heritage information resource. As an interim measure, existing publicly-accessible data related to properties removed from the heritage register through this report will remain available online through GeoOttawa. Properties removed from the Heritage Register will be identified on GeoOttawa with a unique symbol and labeled as “Former Heritage Register Listing”. The intent of this temporary approach is to maintain public access to existing heritage data while a more permanent solution is developed. Heritage staff will bring forth recommendations in an upcoming report to fully implement this direction.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendation in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

Affected Ward Councillors are aware of the recommendations of this report.

CONSULTATION

Consultation in advance of this report has been conducted following the recommendations of report [ACS2023-PRE-RHU-0019](#). Impacted Ward Councillors are aware of the recommendations of this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report. Staff have ensured that related project material distributed publicly is available in an accessible form and will accommodate any further accessibility needs should they arise.

RISK MANAGEMENT IMPLICATIONS

There are limited risk implications. These risks have been identified and explained in the report and are being managed by the appropriate staff

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications.

RURAL IMPLICATIONS

This report recommends the removal of some rural properties from the City of Ottawa's municipal heritage register. These properties will no longer be subject to the heritage register provisions of the *Ontario Heritage Act*.

TERM OF COUNCIL PRIORITIES

There are no direct impacts to the 2023-2026 Term of Council Priorities. The intent of this report is to bring the City's heritage planning program into compliance with the requirements of the Ontario Heritage Act, as amended by Bill 23.

SUPPORTING DOCUMENTATION

Document 1: Properties to be Removed from Municipal Heritage Register

DISPOSITION

Heritage Planning staff are responsible for implementing the recommendations of this report. Heritage Planning staff will continue to administer the *Ontario Heritage Act* according to the Heritage Register procedures approved by Council and the *Ontario Heritage Act*.

Document 1: Properties to be Removed from Municipal Heritage Register

Ward 1:

STREET NUMBER	STREET
2521	Market
2539	Market
1858	Old Montreal
1968	Old Montreal
2490	Old Montreal
2556	Old Montreal
2811	Old Montreal
2823	Old Montreal
1021	Peter Harkness
2511	Sparkle
2553	Sparkle
3245	St-Joseph

Ward 2:

STREET NUMBER	STREET
6588	Carrière
46	Centrepark
1342	St. Joseph
1425	St. Joseph
1661	St. Joseph
2591	St. Joseph

Ward 4:

STREET NUMBER	STREET
2500	Campeau
8	Leacock
100	Penfield
40	Varley

Ward 5:

STREET NUMBER	STREET
1973	Aylwin
2063	Aylwin
562	Big Horn
2862	Breezy Heights
2875	Breezy Heights
2160	Burnt Lands
9	Campbell Reid
2676	Carp
2857	Carp
3453	Carp
3700	Carp
4020	Carp
4116	Carp
4240	Carp
4397	Carp
4592	Carp
4871	Carp
5046	Carp
5372	Carp
5450	Carp
6223	Carp
6263	Carp
6331	Carp
6632	Carp
779	Corkery
103	Crossland
2317	Diamondview
2931	Diamondview
3125	Diamondview
3126	Diamondview
3194	Diamondview
3222	Diamondview
3532	Diamondview
3778	Diamondview

4029	Diamondview
1242	Donald B. Munro
1521	Donald B. Munro
1796	Donald B. Munro
2328	Donald B. Munro
2374	Donald B. Munro
2912	Donald B. Munro
2335	Dunrobin
2513	Dunrobin
2661	Dunrobin
3179	Dunrobin
114	Falldown
3447	Farmview
3524	Farmview
4141	Farmview
5416	Ferry
5517	Ferry
2358	Fitzroy
2366	Fitzroy
2387	Fitzroy
2391	Fitzroy
2278	Galetta Side
2553	Galetta Side
3196	Galetta Side
3222	Galetta Side
3277	Galetta Side
3281	Galetta Side
3287	Galetta Side
3317	Galetta Side
3325	Galetta Side
4112	Galetta Side
131	Gourlay
3911	Grainger Park
3500	Greenland
6830	Harbour
6868	Harbour
6947	Harbour
3588	Highway / Route 17
3839	Highway / Route 17
3937	Highway / Route 17
3976	Highway / Route 17

4056	Highway / Route 17
4639	Highway / Route 17
4785	Highway / Route 17
140	Hiram Wilson
4652	Homesteaders
3408	Hunt Line
3491	Hunt Line
146	Huxley
190	Jack Lougheed
2853	John Shaw
3901	John Shaw
4279	John Shaw
4500	John Shaw
4740	John Shaw
501	Keatley
166	Kedey
182	Kedey
1018	Kilmaurs Side
1247	Kilmaurs Side
2605	Kinburn Side
2727	Kinburn Side
3091	Kinburn Side
3092	Kinburn Side
3100	Kinburn Side
3102	Kinburn Side
3107	Kinburn Side
3571	Kinburn Side
3670	Kinburn Side
3715	Kinburn Side
3748	Kinburn Side
4011	Kinburn Side
4252	Kinburn Side
134	Kingdon Mine
4044	Limestone
4054	Limestone
4122	Limestone
4251	Limestone
3681	Loggers
3698	Loggers
3772	Loggers
3789	Loggers
3796	Loggers

3806	Loggers
3809	Loggers
3813	Loggers
3817	Loggers
3833	Loggers
3841	Loggers
3903	Loggers
4793	Loggers
1126	March
1210	March
1400	March
1530	March
1905	Marchurst
100	Mary
104	Mary
107	Mary
108	Mary
2808	McGee
3527	Mohrs
3555	Mohrs
3730	Mohrs
4589	Mohrs
1169	Murphy Side
1495	Murphy Side
4766	Newtown
108	Norma
2074	Old Birch
2081	Old Birch
561	Old Coach
609	Old Coach
2225	Old Second Line
2315	Old Second Line
700	Ottawa 29
1563	Peter Robinson
1766	Peter Robinson
116	Pigott
125	Pigott
397	Rabbit
114	Rivington
128	Rivington
517	Spruce Ridge
3480	Stonecrest
3856	Stonecrest
4591	Stonecrest
647	Thomas A Dolan

1210	Thomas A Dolan
1909	Thomas Argue
107	Timber
3768	Timmins
649	Upper Dwyer Hill
1784	Upper Dwyer Hill
2151	Upper Dwyer Hill
2500	Upper Dwyer Hill
2831	Upper Dwyer Hill
2931	Upper Dwyer Hill
3864	Upper Dwyer Hill
3906	Upper Dwyer Hill
3953	Upper Dwyer Hill
4220	Upper Dwyer Hill
4334	Upper Dwyer Hill
4568	Upper Dwyer Hill
4666	Upper Dwyer Hill
4925	Upper Dwyer Hill
5158	Upper Dwyer Hill
3812	Vaughan Side
4126	Walter Bradley
1916	Whitemarsh
2987	Woodkilton
3027	Woodkilton
3548	Woodkilton
3758	Woodkilton
3799	Woodkilton
4337	Woodkilton
4559	Woodkilton
4640	Woodkilton
4831	Woodkilton

Ward 6:

STREET NUMBER	STREET
6154	Abbott E
6203	Abbott W/O
6209	Abbott W/O
1194	Carp

Ward 19:

STREET NUMBER	STREET
2492	Canaan
1203	Colonial

1764	Colonial
2883	Colonial
2955	Colonial
1589	Dunning
4967	Dunning
4978	Dunning
2090	Innes
4865	McNeely
3890	Navan
2239	Régimbald
8253	Russell
3611	Sarsfield
1023	Smith
1060	Smith
1151	Smith
3470	Trim
4065	Trim
1458	Wall

Ward 20:

STREET NUMBER	STREET
2392	8th Line
2658	8th Line
3019	8th Line
1681	9th Line
1899	9th Line
2368	9th Line
2451	9th Line
4008	Anderson
5410	Bank
5500	Bank
6301	Bank
8303	Bank
8687	Bank
8689	Bank
8718	Bank
8723	Bank
8737	Bank
7949	Belmeade
3098	Blanchfield
3260	Blanchfield
2658	Bowen
5876	Buckland
5886	Buckland

5904	Buckland
5918	Buckland
5929	Buckland
5692	Buckles
4532	Carlsbad
8913	Castor
3141	Dalmac
6558	Dalmeny
7227	Dalmeny
1875	Division
5348	Dunning
1820	Farwel
1846	Farwel
1856	Farwel
1864	Farwel
1826-1828	Farwel
6205	Frontier
1581	John Quinn
3668	Larry Robinson
7781	Lawrence
7790	Lawrence
7791	Lawrence
7797	Lawrence
7811	Lawrence
7835	Lawrence
7838	Lawrence
7854	Lawrence
8250	Lloyd Graham
1091	Manotick Station
2408	Manotick Station
8281	Marvelville
8728	Marvelville
8907	Marvelville
8847	Mitch Owens
9074	Mitch Owens
1847	Old Prescott
8395	Pana
8878	Pana
8481	Parkway
5950	Piperville
4003	Ramsayville
9029	Ray Wilson
2050	Rideau
1499	River
1599	River

1664	River
3131	River
5936	Rockdale
6126	Rockdale
5039	Russell
5520	Russell
6247	Russell
8852	Russell
7732	Snake Island
3259	South Branch
3267	South Branch
5575	Spratt
2480	Stagecoach
3689	Stagecoach
4106	Talbot
4118	Talbot
4133	Talbot
5490	Thunder
8141	Victoria
8151	Victoria
8169	Victoria
8187	Victoria
8233	Victoria
8244	Victoria
8254	Victoria
8312	Victoria
2317	Yorks Corners
2449	Yorks Corners
2799	Yorks Corners
2909	Yorks Corners
3177	Yorks Corners
3225	Yorks Corners
3245	Yorks Corners
3249	Yorks Corners
3250	Yorks Corners
3256	Yorks Corners
3291	Yorks Corners
3297	Yorks Corners

Ward 21:

STREET NUMBER	STREET
5545	Ann
1088	Arthur
1091	Arthur

1092	Arthur
3865	Barnsdale
1185	Beaverwood
7736	Bleeks
7737	Bleeks
7755	Bleeks
7783	Bleeks
7864	Bleeks
8282	Bleeks
7763	Burritts
7764	Burritts
1348	Century E
2629	Century W/O
7712	Copeland
3110	Donnelly
3352	Donnelly
4077	Donnelly
4192	Donnelly
4214	Donnelly
4261	Donnelly
3923	Dwyer Hill
7744	Dwyer Hill
3255	Eagleson
3311	Eagleson
5854	Fallowfield
6008	Fallowfield
6058	Fallowfield
7976	Fallowfield
8060	Fallowfield
5526	Faulkner
6101	First Line
6264	First Line
6311	First Line
6338	First Line
6424	First Line
6462	First Line
5754	Flewellyn
6505	Flewellyn
7715	Flewellyn
7928	Flewellyn
8028	Flewellyn
8134	Flewellyn
8202	Flewellyn
8846	Flewellyn
4174	Flood

5792	Fourth Line
5962	Fourth Line
6189	Fourth Line
6258	Fourth Line
6356	Fourth Line
6361	Fourth Line
6382	Fourth Line
6463	Fourth Line
6475	Fourth Line
6496	Fourth Line
6782	Fourth Line
6802	Fourth Line
6600	Franktown
7661	Franktown
8037	Franktown
8286	Franktown
8138	Golf Club
2886	Harbison
2956	Harbison
2763	Huntley
3095	Huntley
2898	Klondike Road
3169	Klondike W/O
2172	Lockhead O/W
6722	Lord Nelson
6726	Lord Nelson
6116	Malakoff
6248	Malakoff
6816	Malakoff
8735	McCaffrey
8764	McCaffrey
6232	McCordick
6556	McCordick
6773	McCordick
3124	Moodie
5399	Old Richmond
5442	Old Richmond
5458	Old Richmond
5863	Old Richmond
6023	Old Richmond
1580	Old Wellington
2644	Pollock
6000	Prince of Wales
8611	Purdy
8962	Purdy

105	Queen Charlotte
6732	Rideau Valley S
6832	Rideau Valley S
7280	Rideau Valley S
2799	Roger Stevens
3165	Roger Stevens
6169	Second Line S
6740	Second Line S
3060	Shea
3137	Shea
3211	Shea
39	Steeple Hill
6558	Third Line S
6977	Third Line S
1134	Tighe
3800	Twin Elm
3874	Twin Elm
6721	Waterloo
8800	West End
3780	Wood's

Ward 22:

STREET NUMBER	STREET
4540	Bank
4570	Bank
4898	Limebank
16	Little
1425	Mulligan

Ward 23:

STREET NUMBER	STREET
47	Naismith

Ward 24:

STREET NUMBER	STREET
191	Winding Way