

Subject: Update on Amending By-laws for Heritage Conservation Districts

File Number: ACS2025-PDB-RHU-0008

Report to Built Heritage Committee on 13 May 2025

and Council 28 May 2025

**Submitted on May 2, 2025 by Court Curry, Manager, Right of Way, Heritage, and
Urban Design Services, Planning, Development and Building Services
Department**

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Ward: Citywide

**Objet : Mise à jour concernant la modification de règlements concernant les
districts de conservation du patrimoine**

Dossier : ACS2025-PDB-RHU-0008

Rapport au Comité du patrimoine bâti

le 13 mai 2025

et au Conseil le 28 mai 2025

**Soumis le 2 mai 2025 par Court Curry, Gestionnaire, Services des emprises, du
patrimoine, et du design urbain, Direction générale des services de la
planification, de l'aménagement et du bâtiment**

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION

That the Built Heritage Committee and Council receive this report for information.

RECOMMANDATION DU RAPPORT

Que le Comité du patrimoine bâti et le Conseil municipal prennent connaissance du présent rapport à titre informatif.

BACKGROUND

Over the past several years, Council approved three recommendations to prepare amending by-laws to add or adjust the properties designated as part of a Heritage Conservation District:

1. Direct Heritage Planning Staff with Legal Services staff to register the designation by-law for the Centretown Heritage Conservation District (By law 269-97) on title for the individually designated properties listed in Document 2 [from report [ACS2022-PIE-RHU-0020](#)];
Council authority: July 6, 2022, Built Heritage Sub-Committee Report 28A, Item 12.1.
2. Direct Heritage Planning staff with Legal Services staff to register the designation by-law for the ByWard Market HCD or the Lowertown West HCD (as applicable), on title for the individually designated properties listed in Document 4 [from report [ACS2024-PRE-RHU-0003](#)];
Council authority: October 16, 2024, Built Heritage Committee Report 18, Item 12.4.
3. Direct Heritage Planning staff with Legal Services staff to review the property parcels within the existing ByWard Market HCD and the Lowertown West HCD boundaries to identify any parcel anomalies and delegate authority to staff to correct said anomalies by preparing an amending designation by-law for the applicable HCD to be registered on title [from report [ACS2024-PRE-RHU-0003](#)];
Council authority: October 16, 2024, Built Heritage Committee Report 18,. Item 12.4.

This report has been prepared to update Council on the implementation of the above recommendations.

DISCUSSION

Heritage Planning staff along with Legal Services staff investigated the amendment process to achieve the direction given to staff, as noted above. Although the *Ontario*

Heritage Act allows for Part V amendment of a by-law under Section 41, an amending by-law can only be applied on land included in the original by-law. It is possible to remove properties through an amending by-law, however, new properties cannot be added using an amending by-law.

Therefore, staff determined that it is not feasible to prepare or register by-laws amending the designating by-laws to include the additional properties referenced in the Council recommendations for Centretown, ByWard Market or Lowertown West HCDs.

The intent of the Council directions may be achievable through the creation of new designating by-laws for the HCDs. However, staff looked at options for preparing new by-laws and determined that the statutory requirements for such by-laws would require significant resources and risk.

It is staff's opinion that the three Council recommendations referenced above cannot be implemented at this time. The individually designated properties in the Centretown, ByWard Market and Lowertown West HCDs will continue to be flagged as heritage properties internally and to the public on geoOttawa.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

LEGAL IMPLICATIONS

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

CONSULTATION

This report is administrative in nature. No consultation was undertaken.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

DISPOSITION

Following consideration by the Built Heritage Committee, this report will be forwarded to Council for information purposes.