



## Report to Council

Department: Development Services  
Division: Planning  
Date: August 12, 2024  
Prepared by: Rita Jabbour, RPP, Manager, Planning Services  
Report Number: Planning-2024-20  
Subject: Request for Notice of Intention to Designate for Various Properties within the Town of Essex  
Number of Pages: 4 including attachments

### Recommendation(s)

**That** Planning report Planning-2024-20 entitled Request for Notice of Intention to Designate for Various Properties within the Town of Essex prepared by Rita Jabbour, RPP, Manager, Planning Services dated August 12, 2024 be received, and

**That Council authorize the 'Notice of Intention to Designate' in** accordance with Section 29 of the Ontario Heritage Act for the properties municipally known as:

1. 400 County Road 13 (Klie Farm)
2. 18 Talbot Street North (Imperial Bank of Canada)
3. 94 Talbot Street South (Arthur Raines House)
4. 98 Talbot Street South (Essex United Church Manse)
5. 102 Talbot Street South (Victorian House)
6. 21 King Street East (Robert Heaton Building)
7. 22 King Street West (I.O.O.F. Building)
8. **314 Queen Street (Station Master's House)**

9. 0 County Road 11 (Gilgal Cemetery)
10. 0 Ferriss Road (Ferriss Cemetery)

## Purpose

Council is required to cause a Notice of Intention to Designate if it intends to designate a property within the Municipality to be of cultural heritage value or interest when the property meets the prescribed criteria.

## Background and Discussion

On April 29, 2024, Administration presented a Report to Council at a Special Meeting to inform Council of the Heritage Designation Process and discuss the benefits of heritage conservation in the Town of Essex. **The presentation is attached to this Report.**

In accordance with Section 27 of the Ontario Heritage Act, a property which has been listed on a Heritage Register before December 31, 2022, must be removed from the Register unless the Council gives a Notice of Intention to Designate the property under Section 29 of the Ontario Heritage Act on or before **January 1, 2027**. The Town of Essex Heritage Register contains twenty-two (22) listed properties that were added before December 31, 2022. As such, Section 27 is applicable to all twenty-two (22) listed properties.

On June 17, 2024, Council issued a Notice of Intention to Designate fourteen (14) properties that were found to be of significant cultural heritage value or interest. Three (3) properties that were not listed on the Heritage Register were included in that review, due to their strong potential for yielding cultural heritage value.

Planning Services has now reviewed the eleven (11) remaining listed properties to determine cultural heritage value and interest as prescribed under Ontario Regulation 9/06, *Criteria for Determining Cultural Heritage Value*. One (1) additional property (the Gilgal Cemetery) was included in the review, despite not being listed on the Heritage Register, due to its strong potential for yielding cultural heritage value. Two (2) of the listed properties (2547 County

Road 20 East [Fina Gas Station] and 687 County Road 50 East [Huffman cemetery]) require further research and are therefore, not recommended for designation at this time. They will remain listed on the Register until they are either designated by By-Law or removed from the Register by Council resolution, bringing the total to ten (10) **properties for Council's** consideration under this Report.

A property must meet at minimum, two (2) of the prescribed criteria. **A copy of Ontario Regulation 9/06 has been attached to this Report. The cultural heritage value or interest for each property is detailed in the attached presentation.**

Consultation with Essex Municipal Heritage Committee (EMHC)

Before giving notice of its intention to designate, under the Ontario Heritage Act, Council is required to consult with its Heritage Committee where one exists. The Essex Municipal Heritage Committee (EMHC) met on Thursday June 27, 2024, and Thursday July 25, 2024 to review the cultural heritage value and interest of each of the ten (10) properties and has determined through resolution that all ten (10) properties be recommended to Council for designation.

Next Steps

If Council intends to cause a Notice of Intention to Designate, notice will be served on the Owner of the property and the Ontario Heritage Trust (OHT) and published in a newspaper having general circulation in the Municipality.

Any person may object to a designation by serving a Notice of Objection within thirty (30) days after the date of publication of the Notice of Intention to Designate, that sets out the reasons for the objection and all relevant facts. Council must consider the objection and decide whether to withdraw the Notice to Designate within 90 days after the end of the 30-day Notice period.

If no objections are served, Council may pass a By-Law to designate the property provided it is passed within 120 days following the date of publication of the Notice. Any person who objects to the designation may still appeal to the Ontario Land Tribunal (OLT) within thirty (30) days after the date of publication of the Notice of Intention to Designate.

## Financial Impact

There are no financial impacts because of issuing a Notice of Intention to Designate.

## Consultations

Essex Municipal Heritage Committee (EMHC)

## Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.**
- Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex "home"**.
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	Notice of Intention to Designate - Planning-2024-20.docx
Attachments:	- Special Council Meeting (Heritage Designation Process).pdf - OREG 9-06.doc - Heritage Designation Recommendations.pptx
Final Approval Date:	Aug 6, 2024

This report and all of its attachments were approved and signed as outlined below:



**Lori Chadwick, Director, Development Services - Aug 6, 2024 - 10:03 AM**



**Doug Sweet, Chief Administrative Officer - Aug 6, 2024 - 10:21 AM**