

# The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

**SUBJECT:** Heritage Designation By-law – 167 Four Mile Creek Road  
**DATE:** 2024-12-04  
**REPORT #:** CDS-24-184  
**PREPARED BY:** Sumra Zia, Heritage Planner  
**DEPARTMENT:** Community & Development Services

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## 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The designation by-law for the property at 167 Four Mile Creek Road be endorsed in principle based on the staff evaluation within the designation report;
- 1.2 Staff send a midway letter to the owner of 167 Four Mile Creek Road to inform them of the designation process timeline; and
- 1.3 Council direct staff to issue the Notice of Intent to Designate (“NOID”) for the property.

## 2. BACKGROUND

The designation report for [167 Four Mile Creek Road](#) (the “subject property”) was presented to the Municipal Heritage Committee (“MHC”) on [November 6, 2024](#), for review and input (report linked). Town Heritage Staff prepared the designation report, which demonstrated that the required information, research, and evaluation to designate the property under Part IV of the *Ontario Heritage Act* (“OHA”) was thoroughly conducted. The Committee received the designation report and endorsed designation in principle based on the Staff evaluation within the report.

The draft designation by-law is provided based on the assessment of the heritage value of the property at 167 Four Mile Creek Road (**Appendix I**). The draft by-law provides the Statement of Cultural Heritage Value and Interest and the heritage attributes associated with the property. The draft by-law is provided after the Staff evaluation concluded that the property would merit a minimum of two criteria for designation and are strong candidates for Section 29, Part IV designation under the *Ontario Heritage Act*.

This work is being undertaken as part of Council's Planning for Progress initiative to move designations of listed properties prior to their scheduled removal from the Town's Municipal Heritage Register of Properties of Cultural Heritage Value or Interest (the "Heritage Register") effective January 1, 2027. The process of designation and associated timelines followed are outlined in section 29 of the *OHA*, Designation by Municipal By-law.

Further to the direction to move designations, the MHC and Council endorsed a list of 22 priority properties for individual designation via Report CDS-23-200 and another list of 20 priority properties via Report CDS-24-023. The priority property was identified from the Listed Properties, which, if removed or damaged due to demolition, neglect, or inappropriate alteration, would result in the substantial loss of a piece of Niagara-on-the-Lake history or identity. The subject property located at 167 Four Mile Creek Road is identified on this list.

Letters have been sent to all property owners on the priority list advising of the Town's interest in heritage designation, along with information on the process. The letter for the subject property was sent on October 27, 2023. Per Municipal Heritage Committee's advisory direction, Staff have prepared a letter to send to the property owner to advise that the midway point in the designation process has been reached, and includes an offer to discuss the process further and/or answer any questions.

#### **2.1 4 Walnut Street and 1665 Four Mile Creek Road**

In addition to 167 Four Mile Creek Road, evaluation reports for 4 Walnut Street and 1665 Four Mile Creek Road were also endorsed by MHC at the [November 6, 2024](#) meeting. The draft by-laws for both the properties have been deferred. The deferral for 4 Walnut Street is on account of receiving an objection, and 1665 Four Mile Creek Road is to conduct further review of the architecture of the school building and confirm the interior heritage attributes. The Staff have been in contact with the owners of both properties to reach a consensus in the matter of heritage designation.

### **3. NEXT STEPS**

If the MHC recommends the endorsement of the draft designation by-law for 167 Four Mile Creek Road, the recommendation would be presented to Council for approval and a NOID would then be issued. Following the date of the issuance of the NOID, the municipality would have 120 days to pass the designation by-law.

#### **APPENDICES**

- **Appendix I – 167 Four Mile Creek Road**

Respectfully submitted,



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Heritage Planner II