



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

**SUBJECT:** Heritage Designation By-law – 167 Four Mile Creek Road, 238 Four Mile Creek Road, 1023 East and West Line

**DATE:** 2025-04-02

**REPORT #:** CDS-25-059

**PREPARED BY:** Sumra Zia, Heritage Planner

**DEPARTMENT:** Community & Development Services

## 1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The designation by-laws for the properties at:
- 167 Four Mile Creek Road,
  - 238 Four Mile Creek Road, and
  - 1023 East and West Line

be endorsed in principle based on the staff evaluation within the designation reports;

- 1.2 Staff send a midway letter to the owners of 167 Four Mile Creek Road, 238 Four Mile Creek Road and 1023 East and West Line to inform them of the designation process timeline; and
- 1.3 Council direct staff to issue the Notice of Intent to Designate (“NOID”) for each property to start the formal designation process under the *Ontario Heritage Act*.

## 2. BACKGROUND

The designation reports for [167 Four Mile Creek Road](#), [238 Four Mile Creek Road](#) and [1023 East and West Line](#) (the “subject properties”) were presented to the Municipal Heritage Committee (“MHC”) on [November 6, 2024](#), [January 8, 2025](#) and [February 5, 2025](#), respectively, for review and input (reports linked). Town Heritage Staff prepared the designation reports, which demonstrated that the required information, research, and evaluation to designate the properties under Part IV of the *Ontario Heritage Act* (“OHA”) was thoroughly conducted. The Committee received the designation reports and endorsed designation in principle based on the Staff evaluation within the reports.

The draft designation by-laws are provided based on the assessment of the heritage value of the properties at 167 Four Mile Creek Road (**Appendix I**), 238 Four Mile Creek Road (**Appendix II**) and 1023 East and West Line (**Appendix III**). The draft by-laws provide the Statement of Cultural Heritage Value and Interest and the heritage attributes associated with the properties. The draft by-laws are provided after the Staff evaluation concluded that the properties would merit a minimum of two criteria for designation and are strong candidates for Section 29, Part IV designation under the *OHA*.

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

Further to the direction to move forward with 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 properties were 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 properties located at 167 Four Mile Creek Road, 238 Four Mile Creek Road and 1023 East and West Line are 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. 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 with Heritage staff and/or answer any questions.

### **3. NEXT STEPS**

If the MHC recommends the endorsement of the draft designation by-laws for 167 Four Mile Creek Road, 238 Four Mile Creek Road and 1023 East and West Line 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-laws.

### **APPENDICES**

- **Appendix I** – 167 Four Mile Creek Road Draft By-law
- **Appendix II** – 238 Four Mile Creek Road Draft By-law
- **Appendix III** – 1023 East and West Line Draft By-law

Respectfully submitted,



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Heritage Planner II