

To: David Creery, Chief Administrative Officer

From: Jeff Bunn, Manager of Legislative Service/Deputy City Clerk

**Re: Objection to Notice of Intention to Designate – 259–261 Park Row
(Hawkins Chapel)**

AIM

To advise Council that an objection has been submitted under the Ontario Heritage Act (OHA) regarding the proposed designation of 259–261 Park Row (Hawkins Chapel) under Part IV of the Act, and to outline Council's options and required next steps.

BACKGROUND

Notice of Intention to Designate

At its meeting of January 15, 2026, Council endorsed the issuance of a Notice of Intention to Designate the property known municipally as 259–261 Park Row (Hawkins Chapel) under Part IV, Section 29 of the Ontario Heritage Act.

In accordance with the Act, the Notice was published and served on the property owner and the Ontario Heritage Trust.

Receipt of Objection

On Thursday, January 16, 2026, the City Clerk's Office received a written objection from the property owner.

The objection states that the designation:

“would negatively impact the property's value and significantly restrict my ability to sell or modify the property in the future.”

The objection was received within the statutory 30-day objection period and is therefore valid under the OHA.

Legislated Framework – Part IV Designations

Under Section 29 of the Ontario Heritage Act, Council may issue a Notice of Intention to Designate a property believed to hold cultural heritage value or interest. Any person may submit a notice of objection within 30 days of the publication of the Notice. Where a valid objection is received, Council must consider the objection and determine whether to:

- proceed with the designation, or
- withdraw its intention to designate.

Council has 90 days to consider the objection after the end of the 30-day objection period (4:30 p.m. on February 16, 2026).

If Council determines that it wishes to proceed with designation despite the objection, the owner of the property may submit an appeal to the Ontario Land Tribunal by serving Notice to the Clerk and the Tribunal within 30 days after notice is published of Council's decision to proceed.

The OLT will review evidence and make a binding decision on whether designation may proceed. The OLT may:

- (a) dismiss the appeal; or
- (b) allow the appeal in whole or in part and,
 - i. repeal the by-law,
 - ii. amend the by-law in such manner as the Tribunal may determine,
 - iii. direct the council of the municipality to repeal the by-law, or
 - iv. direct the council of the municipality to amend the by-law in accordance with the Tribunal's order

If the property owner does not appeal to the OLT within the 30-day appeal period, the by-law will come into force following the last day of the appeal period, and the Clerk will register a copy of the by-law against the affected property.

If Council decides not to proceed with the designation, the City must issue a Notice of Withdrawal in accordance with the Act. There are no additional appeal rights for the owner if Council chooses not to designate.

COMMENTS

Staff have reviewed the objection and note that the reason provided focuses primarily on the perceived impacts on property value and future redevelopment potential.

Under the OHA, Council's primary consideration in designating a property must relate to its cultural heritage value or interest, as evaluated under Ontario Regulation 9/06. Concerns relating to market value, while understandable from a property - owner perspective, are not typically determinative under the statutory criteria.

The January 15, 2026, Committee Report (Attachment 1), outlines the history and cultural heritage value of 259–261 Park Row (Hawkins Chapel) as evaluated by the Woodstock Heritage Advisory Committee. The report identifies how the proposed designation meets the criteria for designation under O. Reg. 9/06.

At this stage, Council must determine how it intends to proceed:

Option 1 – Uphold the Objection and Withdraw the Intention to Designate

Council may decide that it does not wish to move forward with heritage designation.

If so, staff will issue a Notice of Withdrawal as required. No OLT involvement is necessary.

Option 2 – Proceed with Designation Despite the Objection

If Council believes the property continues to meet the criteria for designation under O. Reg. 9/06, Council will be asked to consider the designation by-law under the by-law section of the agenda during the February 19, 2026, Council meeting.

ATTACHMENTS

Attachment 1 – [January 15, 2026 Committee Report - 259 – 261 Park Row \(Hawkins Chapel\) – Heritage Designation](#)

RECOMMENDATION

That Woodstock City Council receives the objection submitted under Section 29 (5) of the Ontario Heritage Act for the property at 259–261 Park Row (Hawkins Chapel); and

That Woodstock City Council direct staff to proceed with either **Option 1** – to uphold the objection and withdraw the Notice of Intention to Designate, **OR Option 2** – to designate the property despite the objection and refer the draft by-law to the by-law section of the agenda, pursuant to Part IV of the Ontario Heritage Act.

Authored by: Jeff Bunn, Manager of Legislative Services/Deputy City Clerk

Approved by: Amy Humphries, Deputy Chief Administrative Officer/City Clerk

Approved by: David Creery, P. Eng, MBA, Chief Administrative Officer