

**To: David Creery, Chief Administrative Officer**

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

**Re: Supplementary Report Addressing Objection to Notice of Intention to Designate – Hawkins Chapel**

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**AIM**

The purpose of this report is to respond to the objection received to the Notice of Intention to Designate 259–261 Park Row (Hawkins Chapel) by outlining the legislated framework, summarizing staff's follow-up with the property owner, and presenting Council with options to either proceed with or withdraw the proposed heritage designation under Part IV of the *Ontario Heritage Act*.

**BACKGROUND**

The property municipally known as 259–261 Park Row (Hawkins Chapel) has been evaluated by the Woodstock Heritage Advisory Committee under the provisions of the Ontario Heritage Act for potential designation under Part IV, Section 29.

At its meeting of January 15, 2026, Council endorsed the issuance of a Notice of Intention to Designate the subject property under Part IV, Section 29 of the Ontario Heritage Act. In accordance with the requirements of the Act, the Notice of Intention to Designate was subsequently published and served on the property owner and the Ontario Heritage Trust.

Following the issuance of the Notice, the property owner filed an objection within the prescribed timeframe. As a result, the matter was brought forward for Council's consideration.

At the February 19, 2026 Regular Meeting of Council, Council considered the report titled "Objection to Notice of Intention to Designate – 259–261 Park Row (Hawkins Chapel)" along with the corresponding draft By-law 9801-26. Council resolved to defer consideration of the report and draft by-law until the March 19, 2026 Council meeting in order to provide staff with additional time to meet with the property owner and discuss the impacts of the proposed heritage designation.

This report is provided as a follow-up to that direction.

**COMMENTS**

In accordance with Council's direction arising from the February 19, 2026 Regular Council Meeting, staff contacted the current property owner to offer an opportunity to meet with City staff, members of the Heritage Advisory Committee, and the Mayor.

The purpose of the proposed meeting was to review the potential impacts of the proposed heritage designation, ensure that accurate and consistent information was shared, and provide an opportunity to discuss any questions or concerns related to the designation of the property.

While the property owner was not amenable to a meeting, they did raise a number of questions regarding the implications of heritage designation. The questions and concerns expressed generally related to:

- potential restrictions on future renovations to the existing buildings;
- required approvals for alterations or renovations;
- the availability of financial incentives associated with designation (e.g., grants or tax relief);
- the possibility of future compensation or City acquisition of the property should designation limit development potential; and,
- the duration and permanence of a heritage designation once enacted.

For Council's information, staff provided responses to the property owner addressing these matters, summarized as follows:

1. **Restrictions on Alterations**  
The designation relates to the historical cultural significance of the property, not the physical heritage attributes. There are no proposed restrictions on alterations or renovations as part of this heritage designation. The designation does not impose limitations on exterior or interior changes.
2. **Approval Process**  
As no restrictions are associated with this designation, alterations or renovations to the property would not require approvals from the Heritage Advisory Committee or Council under the Ontario Heritage Act.
3. **Financial Incentives**  
At this time, there are no property tax reductions, grant programs, or other financial assistance programs available specifically as a result of heritage designation.
4. **City Acquisition or Compensation**  
There are currently no mechanisms whereby the City would acquire the property or provide compensation to the owner in the event that designation is perceived to limit redevelopment or future use.
5. **Duration of Designation**  
A designation under Part IV of the Ontario Heritage Act is intended to be permanent. However, in extraordinary circumstances, there is a municipal process through which a designation may be amended or repealed in the future, subject to appropriate review and Council approval.

As of the preparation of this report, City staff have not received a response from the property owner addressing these concerns. A verbal update will be provided to Council at the April 16, 2026 regular Council meeting should further communication be received.

### **Legislative Considerations**

As previously advised in the February 19, 2026 report, the heritage designation process is governed by Section 29 of the Ontario Heritage Act. Under this section, Council may issue a Notice of Intention to Designate a property believed to be of cultural heritage value or interest.

Following publication of the Notice, any person may submit a notice of objection within 30 days. Where a valid objection is received, Council is required to 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 following the end of the statutory 30-day objection period, which concluded at 4:30 p.m. on February 16, 2026. A decision by Council must be made by May 17, 2026.

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

#### **Option 1 – Proceed with Designation Despite the Objection**

This option would see Woodstock City Council confirm its intention to proceed with the heritage designation of 259–261 Park Row (Hawkins Chapel) under Part IV of the *Ontario Heritage Act*, enact the designation by-law substantially in the form presented, and direct that notice of Council's decision, including the right to appeal to the Ontario Land Tribunal, be provided in accordance with the Act.

If Council determines that it wishes to proceed with the designation despite the objection, the property owner may submit an appeal to the Ontario Land Tribunal (OLT) by serving notice on both the Clerk and the Tribunal within 30 days of publication of Council's decision to proceed.

The OLT will review the evidence and make a binding decision on whether the designation may proceed. The Tribunal 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 designation 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 title of the affected property.

**Option 2 – Uphold the Objection and Withdraw the Intention to Designate**

This option would see Council withdraw its intention to designate the property municipally known as 259–261 Park Row (Hawkins Chapel) under Part IV of the *Ontario Heritage Act* and direct staff to issue a Notice of Withdrawal in accordance with Section 29 of the *Ontario Heritage Act*. The Notice of Withdrawal will be published and served on the property owner and the Ontario Heritage Trust.

Upon issuance of the Notice of Withdrawal, the heritage designation process for the subject property will conclude. No designation by-law will be enacted, no appeal rights arise from Council's decision to withdraw, and the property will not be subject to heritage designation under Part IV of the *Ontario Heritage Act* as a result of this process.

Council would retain the ability to consider heritage designation of the property in the future, subject to a new evaluation and the issuance of a new Notice of Intention to Designate in accordance with the Act.

**ATTACHMENTS**

Attachment 1 – City of Woodstock By-law No. XXXX-26 to Designate 259 – 261 Park Row

**RECOMMENDATION**

That Woodstock City Council direct staff to proceed with **Option 1** – 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 **OR Option 2** – to uphold the objection and withdraw the Notice of Intention to Designate.

*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*