

**162 Mackenzie Designation By-law**  
**Planning Services Division**  
**Report Date – November 23, 2020**

## **Background**

On August 12, 2020, Council directed Staff to “procure a Cultural Heritage Evaluation Report, prepared by a member of the Canadian Association of Heritage Professionals, of all sides of the exterior façade of the former Saint-Louis de Gonzague school at 162 MacKenzie Street, in accordance with the Ontario Heritage Act and Ontario Regulation 9/06 and report back to Council with findings and recommendations by the end of November 2020” (See Reference 1).

The Cultural Heritage Evaluation Report (CHER) was presented at the November 10, 2020 meeting of Council (See Reference 2). Council passed the following resolution:

“THAT the City of Greater Sudbury directs staff to issue Notice of Intent to Designate under the Ontario Heritage Act for 162 Mackenzie Street, Sudbury;

AND THAT the City of Greater Sudbury directs staff to work with the owner of 162 Mackenzie Street, further consult with the Municipal Heritage Advisory Panel and present a bylaw to designate the property at the Council meeting on December 15th, 2020 subject to any objections being received under the Ontario Heritage Act, as outlined in the report entitled “Cultural Heritage Evaluation -162 MacKenzie Street, Sudbury”, presented at the City Council meeting on November 10, 2020.”

Staff met with the owner of 162 Mackenzie on November 12, 2020 to provide him with an update on the Council resolution as well as on the next steps of the process.

Staff also convened a meeting of the Municipal Heritage Advisory Panel on November 12, 2020 to review the proposed Notice of Intent to Designate (NOID). The NOID was subsequently sent to the owner of the property, to the Ontario Heritage Trust, and published in the local newspaper on November 14, 2020, as required by the Ontario Heritage Act.

The Act provides for a 30-day objection period from the day the NOID is published in the newspaper. The 30-day objection period therefore concludes on December 14. As of the date of writing of this report, the City has not received an objection on the proposed designation. Should the City receive an objection, the matter shall be referred to the Conservation Review Board.

## **162 Mackenzie**

Section 13.2 of the City’s Official Plan states that “the City, in cooperation with property owners, may designate individual property, by by-law under Part IV of the Ontario Heritage Act, individual buildings and structures as heritage properties.”

Staff contacted the owner regarding the potential designation of the building at 162 Mackenzie

Street prior to the presentation of the Cultural Heritage Evaluation Report. The owner indicated that, in the spirit of cooperation, they are open to working with the City towards a potential designation of the building and look forward to future mutually-beneficial discussions.

Staff reached out to the owner of the property immediately prior to and after the issuance of the NOID. The owner had questions about the NOID and how it could affect his projects going forward, the approved site plan for the retirement living development, the current rezoning application, and especially as it relates to accessibility, energy efficiency and parking.

Additionally, staff met with the Municipal Heritage Advisory Panel to discuss the proposed by-law. The Municipal Heritage Advisory Panel supports the proposed Designation By-law.

## **References**

1. Council Resolution CC2020-214, passed on August 12, 2020  
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1474&itemid=rec>
2. “Cultural Heritage Evaluation Report – 162 Mackenzie”, report presented at the November 10, 2020 Council Meeting  
<https://agendasonline.greatersudbury.ca/index.cfm?pg=feed&action=file&agenda=report&itemid=19&id=1479>