



The Corporation of the Township of King Report to Council

From: Growth Management Services – Planning Division

Report Number: GMS-HER-2025-004

Date: Tuesday, June 17, 2025

Title: **Amendment to Designation By-law 82-144 and Heritage Permit 2025-02 (Hambly House, 6012 King Road)**

Recommendation

1. That Council receive Report GMS-HER-004 for information.
2. That Council direct Staff to amend Designation By-law 82-144 in accordance with Section 30.1 of the Ontario Heritage Act and Report GMS-HER-2025-004.
3. That Council adopt By-law 2025-053 as presented at this evening's Council meeting.
4. That Council delegate the approval of Heritage Permit Application 2025-02 for proposed restoration works to the Hambly House at 6012 King Road to the Director of Growth Management Services, subject to the following conditions:
 - a) That a review of the proposed works be carried out by Township Staff, in consultation with the Heritage Advisory Committee, to the satisfaction of the Director of Growth Management Services; and,
 - b) That the Director of Growth Management Services ensures that the review assesses the impact of the proposed works in relation to the cultural heritage value and attributes of the property, as established in the amended designation by-law.

1. Report Highlights

- The owner of the Hambly House, located at 6012 King Road, intends to undertake conservation works on the structure, requiring a heritage permit for approval.
- The current designation by-law (By-law 82-144) is outdated, lacking a statement of cultural heritage value, and a list of heritage attributes, which are required under the Ontario Heritage Act as per the 2005 amendments to the Ontario Heritage Act.
- Updating the designation by-law to include the required statement of cultural heritage value and list of heritage attributes will provide clarity, and ensure that Planning Staff, the Heritage Advisory Committee, and Council can properly review and assess the proposed works to be undertaken.

2. Purpose

The purpose of this report is to advise Council on the need to amend the designation by-law for the Hambly House at 6012 King Road (By-law 82-144), to ensure compliance with the Ontario Heritage Act (OHA), as amended. The need for this amendment arises from the property owner's proposal to undertake alterations and restoration work to the building. Currently, the designation by-law is outdated and does not include a statement of cultural heritage value or a list of heritage attributes, leaving staff, the Heritage Committee, and Council without a defined framework to properly review and assess the proposed works to be undertaken.

This amendment will establish a clear statement of cultural heritage value, and a detailed list of heritage attributes, providing the necessary foundation for evaluating the property's heritage significance, and guiding decisions regarding future alterations. Furthermore, this amendment is exempt from the notice, objection, and appeal provisions under Section 30.1(2) of the Ontario Heritage Act, allowing Council to adopt the by-law directly.

Additionally, this report recommends that Council issue a conditional heritage permit approval, delegating final review and approval authority to the Director of Growth Management Services. This approach allows the property owner to proceed with the restoration works during the summer months when Council is on break, while contingent on a satisfactory review of the proposed works, ensuring alignment with heritage conservation principles.

By adopting this approach, the Township can facilitate a timely and efficient process while upholding heritage conservation standards, preventing unnecessary delays in the restoration of the Hambly House.

3. Background

The property municipally known as 6012 King Road, in the Township of King, was designated under Part IV of the Ontario Heritage Act (the "Act") in 1982 by Township of King By-law 82-144. The property contains the home of Charles Hambly, a prominent early United Empire Loyalist settler, who was a significant person in the history of the Nobleton community as an early landowner, shopkeeper, postmaster, Township Councillor, and Trustee of the Rough Cast Church. The property remained in the Hambly family well into the 20th century. A statement outlining the property's cultural heritage value and interest as well as a list of its heritage attributes is included in Attachment 2 of this report.

In 2019, Council approved a Zoning By-law Amendment (File No. Z-2017-07) for the subject lands, municipally known as 13056 to 13062 Highway 27 and 6012 to 6024 King Road, to rezone the subject lands to facilitate a new mixed-use development, consisting of 33 apartment dwelling units and 1877 square metres of commercial space. A subsequent Site Plan Application (File No. SPD-17-66) for the above lands and development was submitted to implement this Zoning By-law Amendment.

In May 2025, the owner of 6012 King Road contacted Township Staff to inquire about the restoration and conservation process required as part of the ongoing development

application. Staff provided the property owner a breakdown of the process, including the required heritage permit application. Staff informed the property owner that a heritage permit is required to undertake alteration works on designated heritage properties. The purpose of the heritage permit application is to allow Staff, the Municipal Heritage Advisory Committee, and Council to review the proposed works, and assess the potential impacts of the proposed works on the heritage property.

In 2005, the Heritage Act underwent significant amendments through Bill 60, including new requirements for designation by-laws. These new requirements include a statement explaining the cultural heritage value or interest of the property, as well as a list of the property's heritage attributes. A property's heritage attributes include the physical, spatial, and contextual features of a property that contribute to its cultural heritage value or interest. These can include architectural details, materials, historical associations, and landscape elements. Identifying these attributes is imperative in heritage conservation, as these define what makes a property historically or culturally significant. Township Staff and the Heritage Advisory Committee work together to review heritage permit applications, recommending them to Council for approval, to ensure that proposed alteration works do not adversely impact the heritage attributes of a property.

The designation by-law (By-law 82-144) pre-dates the 2005 amendments to the Act and as such, does not include the required statement of cultural heritage value, nor the detailed list of heritage attributes as mandated by the Act. As a result, an amendment to the designation by-law is required to align with current heritage conservation standards, and to ensure proper protection of the heritage resource.

Under Section 30.1(1) and (2) of the Act, there is a clear process for updating designation by-laws that require amendments, which can include:

- Clarifying or correcting statements of cultural heritage value or interest or the description of heritage attributes;
- Correcting the legal description of the property; and
- Revising the language of the by-law to make it consistent with the current requirements of the Act or its regulations as amended in 2005.

In the case of the subject property, the designation by-law needs to be amended to update the language of the cultural heritage statement to be consistent with the current requirements of the Act, which provides more specificity and clarity than the original description, which is included in Attachment 2 of this report. The owner of the property has been made aware of this requirement and has acknowledged that a heritage permit to undertake the conservation works cannot be obtained until the designation by-law is amended. Under Section 30.1 of the Act, only property owners can object and appeal designation by-law amendments made in accordance with subsection 30.1(2). The owner of the subject property has been made aware of this, and informed Staff of their support of the by-law amendment. The owner has also advised the Township that they have no objections to the proposed amendments and will not seek to appeal the by-law, in order to facilitate the adoption of the by-law.

4. Analysis

The existing designation by-law (By-law 82-144) does not meet the current requirements under the Ontario Heritage Act. Updating the by-law to include a statement of cultural heritage value or interest and a detailed list of heritage attributes will ensure clarity regarding the property's cultural heritage significance and will reinforce its protection alongside an active development application for the property. The amended designation by-law will provide Council and Staff with a clearer framework for reviewing heritage permits, ensuring proper conservation efforts. A draft statement of significance and detailed list of heritage attributes is attached to this report.

5. Financial Considerations

The property at 6012 King Road is assessed at \$1,201,000 (CTN) commercial property and as of May 29, 2025, the property is current. All associated fees related to this application have been paid.

Under Township of King By-law 2014-100, owners of designated heritage properties may be eligible to a heritage grant to assist with permitted conservation works. These grants, provided under municipal heritage programs, support restoration, preservation, and rehabilitation projects that align with heritage conservation standards. Funding availability and eligibility criteria may vary.

6. Alignment to Strategic Plan

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of utmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the "Our King" Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King's Vision, Mission and Values.

This report is in alignment with the CSP's Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Complete Communities

Objective: Enrich community well-being and make King the ideal place to live, work and play.

Key Result: Not Applicable.

7. Conclusion

As outlined above, the proposed amendment to By-law 82-144 aligns with current legislative requirements, ensuring clarity and proper conservation measures. This update will support Council in effectively safeguarding the Hambly House's heritage significance in accordance with the Ontario Heritage Act.

8. Attachments

Attachment 1 – Location Map

Attachment 2 – Statement of Cultural Heritage Value and List of Heritage Attributes

Attachment 3 – By-law 82-144

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