

Properties Removed from the City of Toronto's Heritage Register in Accordance with Section 27(15) of the Ontario Heritage Act – 2025

Date: January 15, 2026

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

This report provides a summary of the non-designated (Listed) properties that were removed from the City's Heritage Register in accordance with Section 27(15) of the Ontario Heritage Act (the Act) in 2025. Provincial amendments to the Act made through Bill 23, the More Homes Built Faster Act, 2022 (Bill 23), deem properties as removed from the Register after a period of two years unless they are designated under Section 29 of the Act.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

On December 13, 14, and 15, 2023, City Council adopted a report from the Chief Planner and Executive Director, City Planning, updating Council on the City's phase one implementation of the Bill 23 changes to the Act and described the approach staff were undertaking to implement phase two. Council directed that the Chief Planner and Executive Director, City Planning, report back to the Planning and Housing Committee with an update on phase two work in the second quarter of 2024. City Council's decision may be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH8.18>

On May 22, 23, and 24, 2024, City Council adopted Official Plan Amendment 720 (OPA 720) respecting Schedule 3 Complete Application Requirements, introducing the Cultural Heritage Evaluation Report (CHER) in Chapter 3 of the Official Plan and other

Municipal Code Amendments respecting Delegated Authority for Minor Zoning By-laws. That report recommended a Cultural Heritage Evaluation Report for certain Planning Act applications containing properties that have been previously identified by Council as having cultural heritage value or interest that are no longer included on the Register. City Council's decision may be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH12.2>

On October 30, 2024, the Interim Chief Planner and Executive Director, City Planning provided the Planning and Housing Committee with an update on the City's ongoing implementation of the Bill 23 Changes to the Ontario Heritage Act. This update can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH16.9#>

COMMENTS

City Council may list properties on the City's Heritage Register under Section 27 of the Act if they are believed to hold cultural heritage value or interest and meet at least one of the provincially prescribed criteria set out in O. Reg. 9/06. In accordance with the provincial amendments to the Act made through Bill 23, undesignated properties can only be listed for a period of two years, at which time they are deemed removed from the Register. Properties deemed removed from the Register cannot be listed again for five years.

In 2023, Council listed 40 properties on the City's Heritage Register. Since this time, 30 of these properties have either been designated individually under Part IV of the Act or are now included within in-force Heritage Conservation Districts. The remaining 10 properties were not designated prior to their two-year listing anniversary and have therefore been deemed removed from the Register. The full list of properties deemed removed from the Register in 2025 are found in Attachment 1 of this report.

Once removed from the Register, formerly listed properties are recorded as Formerly Listed on the City's public facing website. Through OPA 720, which was approved by Council on May 22, 23, and 24, 2024 and retroactively approved by the Ontario Land Tribunal on June 19, 2024, these Formerly Listed properties will be subject to the submission of a Cultural Heritage Evaluation Report (CHER) as part of a complete Planning Act application as described in Schedule 3 of the City's Official Plan. Where a CHER concludes that a property meets the criteria under O. Reg 9/06 for designation under Part IV of the Act, the submission of a Heritage Impact Assessment (HIA) will also be required as part of a complete application. The HIA will be prepared in accordance with the City's terms of reference and will describe the proposed conservation strategy. While the conservation of formerly listed properties is encouraged, these properties are no longer subject to restrictions on alteration or demolition under the Ontario Heritage Act unless they are designated within a prescribed time and become a "protected heritage property" as defined by the Provincial Policy Statement.

Although Council is prohibited from re-listing Formerly Listed properties for a period of five years, during this time Council may individually designate these properties provided

they are not subject to a Planning Act application or Official Plan Amendment, Plan of Subdivision, or Zoning By-law Amendment where the Clerk has given notice that a complete application has been received.

The City's Register currently contains 3,619 "Legacy" Listed properties that were included prior to January 1, 2023. These properties will be deemed removed in accordance with Bill 23 amendments to the Act if not designated prior to January 1, 2027. As a component of Bill 23 implementation, Legacy Listed properties have been prioritized on a citywide basis as described in the October 30, 2024 report from the Interim Chief Planner and Executive Director, City Planning. Based on this prioritization, a subset of properties have been shortlisted for potential proactive designation.

Since January 2023, 503 of the Legacy Listed properties have been designated within Heritage Conservation Districts, in support of development applications, or through the City's implementation of pro-active Bill 23 prioritization. An additional 127 designations are in progress either because Part IV by-laws have not yet been passed or are not yet in force, or a heritage conservation district by-law has been passed by Council but is under appeal to the Ontario Land Tribunal.

Research and evaluation work for prioritized Legacy Listed properties is ongoing and will be subject to future reporting. Any properties not designated within the statutory timeline will be removed the Register in accordance with the Act, and staff will continue to report annually on any changes to the Register.

CONCLUSION

Ten listed properties were deemed removed from the City's Heritage Register in 2025 through the Bill 23 amendments to the Act. A public record of Formerly Listed properties is available on the City's website, and these properties are now subject to application submission requirements under OPA 720. The ongoing conservation of formerly listed properties is encouraged, but there are no longer any restrictions under the Ontario Heritage Act. Undesignated properties listed after January 1, 2023 will continue to be deemed removed from the Register on the second anniversary of their listing date. A small subset of Legacy Listed properties will be recommended for designation prior to January 1, 2027. Properties that are not designated by that date will be deemed removed and subject to OPA 720 evaluation requirements within redevelopment.

CONTACT

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SIGNATURE

Jason Thorne
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: Listed Properties Deemed Removed in 2025

LISTED PROPERTIES DEEMED REMOVED IN 2025**ATTACHMENT 1**

The following listed properties were deemed removed from the City's Heritage Register in 2025.

Address	Ward	Listing Date
817 Mount Pleasant Rd	Don Valley West	June 14, 15, and 16, 2023
31 Linden Street	Toronto Centre	February 7, 2023
33 Melrose Avenue	Eglinton-Lawrence	February 7, 2023
10 Cawthra Square	Toronto Centre	May 30, 2023
12 Cawthra Square	Toronto Centre	May 30, 2023
1191 Bathurst Street	Toronto-St. Paul's	July 19, 20 and 21, 2023
402 Sherbourne Street	Toronto Centre	October 11, 2023
404 Sherbourne Street	Toronto Centre	October 11, 2023
55 Yeomans Road	York Centre	December 14, 2023
100 Borough Drive	Scarborough Centre	December 22, 2023