

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Environment
Date	Tuesday, May 13, 2025
Subject	<b>72 Gordon Street: Objection to Notice of Intention to Designate 2025-210</b>

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## Recommendation

1. That the Notice of Objection to the intention to designate 72 Gordon Street dated April 10, 2025 from Nancy Schnurr be received.
  2. That the designation by-law for 72 Gordon Street be approved.
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## Executive Summary

### Purpose of Report

The purpose of this report is to advise Council of the property owner's notice of objection to the intention to designate 72 Gordon Street and to bring the heritage designation by-law before Council for approval according to the provisions of section 29, Part IV of the Ontario Heritage Act.

### Key Findings

A property may be designated under section 29, Part IV of the Ontario Heritage Act if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.

The heritage attributes of the former MacKey Bread Company building at 72 Gordon Street meets five of the nine prescribed criteria for determining cultural heritage value or interest, according to Ontario Regulation 9/06 as amended by Ontario Regulation 569/22. The heritage attributes of 72 Gordon Street display: design or physical, historical or associative, and contextual value.

Designation enables Council to review proposed alterations to the heritage attributes listed in the property's designation by-law, enforce heritage property standards and maintenance, and refuse demolition.

A notice of intention to designate 72 Gordon Street was published and served on the property owner and the Ontario Heritage Trust on March 27, 2025 (Attachment-1). An objection to the intention to designate was received by the City Clerk on April 16, 2025 from the property owner, Nancy Schnurr (Attachment-2).

According to section 29, subsections (6-8) of the Ontario Heritage Act, Council has until July 24, 2025 to decide whether to proceed with the designation and, if so, may pass a by-law. The proposed by-law (2025) – 21026 is included in Attachment-3.

## Strategic Plan Alignment

The key findings and recommendations of this report align with 2024-2027 Strategic Plan priority 6.1.4 to conserve our cultural heritage resources.

### Future Guelph Theme

City Building

### Future Guelph Objectives

City Building: Grow and care for our community space and places

### Financial Implications

Costs associated with notices and registration of by-laws are covered by the City's global advertising budget. Additional costs may be incurred if the designation by-law is appealed to the Ontario Land Tribunal.

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## Report

Following the [staff report to Council on March 18, 2025](#), Council directed the City Clerk to publish and serve notice of intention to designate the property known municipally as 72 Gordon Street pursuant to section 29, Part IV of the Ontario Heritage Act. The notice of intention to designate was published in the newspaper on March 27, 2025 (Attachment-1) and served on the property owner and the Ontario Heritage Trust on the same date.

The notice of intention to designate stated that any person may send a notice of objection to the proposed designation, before 4 p.m. on April 25, 2025. The notice must be sent by registered mail or delivered to the Clerk of the City of Guelph and must set out the reason for the objection and all relevant facts. If a notice of objection is received, the Council of the City of Guelph shall consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day objection period. If Council decides not to withdraw its intention to designate, a heritage designation by-law must be passed within 120 days after the date of publication of the notice of intention to designate. Council must publish a notice of passing of the designation by-law which is followed by a 30-day appeal period when appeals of the by-law may be given to the Ontario Land Tribunal for a hearing and decision.

The subject property has been listed as non-designated on the Municipal Register of Cultural Heritage Properties under section 27, Part IV of the Ontario Heritage Act since Council expanded the heritage register to include the Burcher Stokes Inventory in 2009. Heritage Planning staff, in collaboration with Heritage Guelph, have been evaluating properties listed on the Municipal Register of Cultural Heritage Properties for designation under Part IV of the Ontario Heritage Act in anticipation of the removal of all non-designated properties at the end of 2026, as per the timeline imposed by the Provincial Government in Bill 185.

In selecting properties to evaluate for heritage designation, heritage planning staff and Heritage Guelph prioritized properties with known historical, architectural, and contextual value. 72 Gordon Street was identified by Heritage Guelph as [one of the top ten designation priorities of 2024](#) because it was the first industrial bakery in Guelph. The MacKey Bread Company made significant contributions to the

development of the industrialization of bread production in Ontario. Architecturally, the building is a representative example of a functional industrial building type from the interwar period, a rarity in the City of Guelph. Contextually, the building is the last vestige of the former industrial lands located to the south of the historic downtown core.

Mackey's Bread was at the cutting edge of the industrialization of bread production during the interwar period in Ontario. Prior to the arrival of Mackey's Bread in 1928, bread in the City of Guelph had been produced by the City's many small-scale bakeries. The Mackey's were so successful that the Whig-Standard reported that "in one year's time the business had increased by 400 percent – something unheard of before in the bread business." MacKey's was heavily affected by the economic hardships brought about by the Great Depression, yet the building continued as a bakery until it's the sale of the building to Wellington Motors in 1953, and then to Schnurr Electric, its current owners, in 1964. The MacKey Bread Company building conveys the rich history of Guelph's long association with food production and innovation.

## **Notice of Objection**

A Notice of Objection was received by the City Clerk on April 16, 2025 from Nancy Schnurr, the property owner. (Attachment-2). The notice highlighted several concerns with regards to the impacts of designation under Part IV of the Ontario Heritage Act. The owner feels that their right to enjoy their property and develop it according to their wishes is being infringed upon. Additionally, they do not agree with the heritage attributes nor staff's evaluation of the property according to Ontario Regulation 9/06. The owner states that the property is not "rare, unique, artistic, or technical," nor does it have "significance to the community relating to activity, culture, builder, or architect."

## **Heritage Planning Staff Response to Notice of Objection**

Part IV designation does not prevent changes to a property and will not impose stringent restrictions on alteration or development of the property. Heritage Planning staff recognize that 72 Gordon Street is located in an area zoned for up to 16 stories and have crafted a designation by-law that permits a high degree of flexibility to develop the site. The heritage attributes are primarily comprised of the building form and the exterior walls along Gordon Street and Surrey Street. Designation of this property will conserve a significant industrial built heritage resource while allowing high-density development.

## **Financial Implications**

Costs associated with notices and registration of by-laws are covered by the City's global advertising budget. Additional costs may be incurred if the designation by-law is appealed to the Ontario Land Tribunal.

## **Consultations and Engagement**

A letter was sent to the property owner dated September 19, 2024 to inform them that their property would be considered for designation by City Council. Staff did not receive a response.

A letter was sent to the property owner dated February 13, 2025, 2024 to inform them that their property would be considered for designation by City Council. Staff did not receive a response.

At the [Monday, May 6, 2024 meeting of Heritage Guelph](#), the Committee passed the following motion:

- THAT Heritage Guelph supports the heritage attributes identified for 72 Gordon Street as outlined in the staff report dated May 6, 2024; and
- THAT Heritage Guelph recommends that City Council give notice of its intention to designate 72 Gordon Street pursuant to Part IV, Section 29 of the Ontario Heritage Act.

## **Attachments**

Attachment-1 Notice of Intention to Designate 72 Gordon Street (March 27, 2025)

Attachment-2 Objection to Notice of Intention to Designate (April 10, 2025)

Attachment-3 Proposed By-law Number (2025) – 21079

## **Departmental Approval**

Krista Walkey, General Manager, Planning and Building Services

## **Report Author**

Jack Mallon, Heritage Planner

### **This report was approved by:**

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### **This report was recommended by:**

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