

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number ED2020-008

Meeting Date: March 10, 2020

Title: Listing Properties on the Heritage Register

Description: Proposed listing of a number of properties on the heritage register as properties of cultural heritage value or interest

Ward Number: All

Author and Title: Emily Turner, Economic Development Officer – Heritage Planning

Recommendation(s):

That Report ED2020-008, **Listing Properties on the Heritage Register**, be received;

That the proposed listing of non-designated properties listed in Appendix A be approved; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

In 2017, Council passed the following resolution to allow the addition of non-designated, or listed properties, on the municipal Heritage Register:

CR2017-1051

Moved by Councillor Macklem

Seconded by Councillor Miller

Resolved that Report ED2017-022, **Adding Listed Properties to the Heritage Register**, be received;

That staff be directed to add a Section Two: Properties of Potential Heritage Value or Interest section to the Kawartha Lakes Heritage Property Register;

That the Municipal Heritage Committee identify and include properties of potential heritage interest and value in Section Two of the Heritage Register; and

That the property owners be notified of inclusion on the list and of the nature of the listing.

CARRIED

In response to this direction, staff and the Municipal Heritage Committee identified and commenced a process of identifying and evaluating properties for potential inclusion on the Register as listed properties. The first listed properties were added to the Register in November 2019.

The process for identifying, researching and recommending properties for inclusion on the register is ongoing. At its meeting of January 9, 2020, the Municipal Heritage Committee reviewed a list of properties for potential inclusion on the register and passed the following motion:

KLMHC2020-07

Moved By M. Sloboda

Seconded By R. Macklem

That Report KLMHC2020-03, Review of Proposed Listed Properties, be received; and

That the proposed list of properties for inclusion on the Heritage Register be endorsed by the Municipal Heritage Committee and forwarded to Council for its consideration.

CARRIED

This report addresses that direction.

Rationale:

Interim protection for properties of potential heritage value or interest was introduced under the Ontario Heritage Act following changes to the Building Code Act which took effect in 2006. The changes introduced accelerated building permit review timeframes including 10 days for a house and 20 days for a large building. These accelerated timeframes leave little time for municipalities and municipal heritage committees to assess properties facing demolition that are potentially of heritage value to the community. As a result, amendments were subsequently made to Section 27 of the Ontario Heritage Act to enable a municipality to provide interim protection for properties believed to have cultural heritage value or interest. These properties are known as listed properties.

Legislation does not require municipalities to list properties on their register, but the Ontario Heritage Trust recommends it as a best practice for municipalities. It is a practice undertaken by many municipalities across Ontario as part of their heritage management strategy. Listing has a number of important outcomes which contribute to the long term, sustainable, and transparent management of heritage resources in the municipality.

Unlike designation under Parts IV and V of the Act, listing is an administrative, rather than a legal, process. Listed properties are not designated under the Act and do not have the same controls placed on them. Owners are not required to apply for a heritage permit when they undertake alterations to a listed property and there are no legal restrictions registered on the property title.

The primary implication of listing for property owners is that they are required to provide 60 days' notice to the municipality of their intention to demolish or remove a building or structure on the property. Owners are required to submit their plans for the property to allow an assessment to be undertaken based on both the current and potential uses of the property to come to the best solution for its long-term management. The 60-day period allows for the municipality to assess the structure in detail for potential designation using provincially legislated processes and criteria and either designate the property to provide long term protection or approve the demolition permit. Alternatively, it also allows the municipality and the owner to develop a solution which both preserves the structure and allows for the proposed project to continue, depending on its scope.

Listing is an effective and important planning tool which inventories heritage assets in a community. It creates a framework for assessment regarding a property's heritage value and a clear process for additional protection through designation, should it be warranted. It also creates a balanced approach between not imposing restrictions on a property owner, beyond the notice period for demolition, while allowing the municipality to manage its heritage assets. For a municipality, it allows Council time to receive recommendations from staff and

the municipal heritage committee and make a decision based on sound background research, provincial heritage regulations, the intended use of the property, and municipal planning policies and procedures guiding growth and development.

Listing also provides clarity to property owners, investors and developers regarding the heritage value of a property. By identifying properties with potential heritage value through listing on the Heritage Register, the City ensures that review based on the heritage attributes of the property is an understood part of a redevelopment proposal or an application to demolish a listed property. Listing properties prevents heritage concerns from being raised part way through a development proposal for a property by creating a transparent review process that will occur when an application is received. The Heritage Register is a public document available at the Clerk's Office, in Economic Development, in the Building Division, and on the City's website, allowing for owners and potential purchasers or investors to check quickly to see the heritage status of their property.

The Act does not require that property owners are contacted or that their consent is required for inclusion on the list. However, many municipalities have implemented a process that includes contacting the property owners to inform them of inclusion on the list. This is recognized as a best practice that increases transparency in the process and allows property owners to be informed and involved in the conversation about protecting heritage assets in their community.

Listing in the City of Kawartha Lakes Context

The City of Kawartha Lakes first added listed properties to its Heritage Register in 2019 with the understanding that listing properties was an ongoing process as an important part of its heritage management. The Municipal Heritage Committee and staff are continuously identifying and researching properties for inclusion on the Register. These properties can include buildings, structures, and landscapes. Properties are evaluated based on their architectural, historical, and contextual merit using criteria established in Regulation 9/06 of the Ontario Heritage Act which is used to determine if a property merits designation under Section 29 of the Act. Although there are no specific criteria in the Act for listing properties, the use of Regulation 9/06 as the benchmark for potential listing ensures consistency and transparency in the City's evaluation of heritage resources.

Under the Act, Council must consult with its Municipal Heritage Committee prior to listing properties on the Heritage Register. The Committee has reviewed and endorsed the appended list of properties and is recommending that Council list them on the Heritage Register. The list of proposed properties for inclusion is attached as Appendix A of this report.

The City follows the recommended best practice of notifying owners prior to their properties being listed on the Heritage Register. Owners of properties on the appended list were notified by mail after the Municipal Heritage Committee endorsed the list and are aware that their properties are being considered by Council for inclusion on the Register. They have been invited to reach out to staff if they have any questions or concerns about the process and have been provided with information about the process and implications for their property.

The properties recommended for inclusion on the Heritage Register as properties of cultural heritage value or interest are:

- 1474 Highway 7A, Bethany (Bethany Town Hall)
- 1475 Highway 7A, Bethany (Bank of Toronto)
- 35 Bolton Street, Bobcaygeon (Bank of North America/Bigley's)
- 3343 County Road 36, Bobcaygeon (Boyd House and Barn)
- 49 King Street East, Bobcaygeon (Bobcaygeon Schoolhouse)
- 48 Main Street, Bobcaygeon (The Promoter)
- 6699 Highway 35, Coboconk (Coboconk Train Station)
- 1 Summerside Road, Coboconk (Coboconk Lime Kilns)
- 272 Lake Dalrymple Road, Dalrymple (Dalrymple United Church)
- 220 Morton Lane, Dalton Township (Morton Homestead)
- 340 St. Luke's Road, Downeyville (St. Luke the Evangelist Roman Catholic Church, Manse and Hall)
- 1981 Sturgeon Road, Dunsford (Dunsford United Church)
- 91 Hartley Road, Eldon Township
- 1239 Meadowview Road, Emily Township
- 10 Green Street West, Fenelon Falls (South Ward School/Fenelon Masonic Lodge)
- 4 May Street, Fenelon Falls (McArthur Livery Stable/Fenelon Falls Brewing Co.)
- 5 Dickson Street, Kinmount
- 992 Portage Road, Kirkfield (St. Andrew's Presbyterian Church)
- 38 Bond Street West, Lindsay
- 61 Cambridge Street North, Lindsay (Cambridge Street United Church)
- 317 Kent Street West, Lindsay (Elmholme)
- 65 Sussex Street North, Lindsay (Alexandra Public School)
- 11 Victoria Avenue North, Lindsay (Sylvester House)
- 49 William Street South, Lindsay
- 130 William Street North, Lindsay (Carew Lumber Company Offices)
- 176 Lifford Road, Manvers Township
- 95 Ramsey Road, Mariposa Township
- 155 Hilton's Point Road, Norland (Monck's Landing Barn)
- 24 King Street East, Omemee
- 59 Rose Street, Pleasant Point

These properties represent a selection of important heritage properties throughout the municipality and a summary of the significance of each can be found in Appendix A. They have been evaluated based on Regulation 9/06 of the Act and have been found to have architectural, historical and cultural significance. They are associated with important themes, individuals, and events in the history of the municipality and have architectural significance through their style and craftsmanship. Should a demolition application be received for one of these properties, inclusion on the Register as a listed property would allow Council to fully assess their heritage value to the community and make a decision based on that assessment.

Two of the properties (1474 Highway 7A in Bethany and 6699 Highway 35 in Coboconk) are municipally owned. Both are currently in use as community facilities. The listing of either property does not prevent any proposed future change of use or redevelopment.

Other Alternatives Considered:

No other alternatives are recommended.

Financial/Operation Impacts:

There are no financial implications associated with this report.

Relationship of Recommendation(s) to the 2020-2023 Strategic Plan:

Listing properties on the Heritage Register supports the strategic priority of an Exceptional Quality of Life by supporting and promoting arts, culture and heritage. Listing properties recognizes and promotes heritage resources in the municipality and supports long-term heritage conservation and planning. It is a recognized best practice in heritage resource management and an important part of a proactive municipal heritage planning program.

Listing properties also aligns with the municipality's guiding principle of Open and Transparent because it is a clear and transparent method of identifying and protecting heritage resources. It increases the municipality's management of its heritage resources and provides a provincially-mandated review process for properties that may have heritage value, but are not designated under the Ontario Heritage Act.

Consultations:

Municipal Heritage Committee
Director of Community Services
Manager, Buildings and Property

Attachments:

Appendix A – Proposed Properties for Listing on the Heritage Register



Appendix A
Proposed Listed Pro

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall