

**The Corporation of the City of Kawartha Lakes**  
**Committee of the Whole Report**

**Report Number ED2020-009**

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**Meeting Date:** June 9, 2020

**Title:** Proposed Old Mill Area Heritage Conservation District Study

**Description:** Proposed Heritage Conservation District Study in the Old Mill Neighbourhood of Lindsay

**Ward Number:** 5 and 7

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

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**Recommendation(s):**

**That** Report ED2020-009 **Proposed Old Mill Heritage Conservation District Study**, be received;

**That** staff be authorized to proceed with a Heritage Conservation District Study of the Old Mill neighbourhood in Lindsay;

**That** the Old Mill Heritage Conservation District Study area be within the boundary identified in Appendix C to Report ED2020-009; 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:**

At its meeting of May 15, 2018, Council received a deputation from a representative of the Old Mill neighbourhood in Lindsay requesting that Council designate the area as a heritage conservation district (HCD). The area proposed as a potential district included the area bounded by the Scugog River and Lindsay Street South, to the east of downtown Lindsay. In response to the deputation, Council passed the following motion:

### **CR2018-300**

**Moved By** Councillor Stauble

**Seconded By** Councillor Strangway

**That** the deputation of John Ireland, regarding **Request for Designation of Old Mill Heritage Conservation District**, be received and referred to staff for a report back to Council.

**Carried**

Under Part V of the Ontario Heritage Act, Council may designate an area of the municipality as a heritage conservation district but the Act also outlines a process which must take place in order for this to occur. The first step to designating a district is undertaking a study of the area as outlined under Section 40 of the Act. Councils are also required to consult with their municipal heritage committee prior to commencing a study. The municipal heritage committee will make a recommendation to Council regarding the suitability of the area for a heritage conservation district study.

Staff advised the deputant of the process required by the Act and that he should make a deputation to the Kawartha Lakes Municipal Heritage Committee to initiate the study.

A deputation was made to the Municipal Heritage Committee at its meeting of October 3, 2019 and it was suggested that the boundaries of the proposed HCD study be expanded to include areas of Lindsay east of the Scugog River. The expanded area included the entirety of the Purdy Land Tract, Lots 20 and 21 in Concession 6, Ops Township which were granted to William Purdy in 1828 and have historical importance in the development of Lindsay. The Purdy Land Tract includes the original proposed study area. At its meeting, the Municipal Heritage Committee adopted the following resolution:

### **KLMHC2019-33**

**Moved By** R. Macklem

**Seconded By** A. Adare

That the Kawartha Lakes Municipal Heritage Committee recommends to Council that a Heritage Conservation District study be undertaken of the

Old Mill neighbourhood in Lindsay with study boundaries consisting of the original Purdy Land Tract.

**Carried**

Staff undertook preliminary research to determine the feasibility of the full extent of area proposed for study in the Committee's resolution, which was larger than the area initially proposed in the May 2018 deputation to Council. While it was clear that a portion of the area was suitable for an HCD study because of its large concentration of nineteenth and early twentieth century homes, it was also found that a significant portion of this area was not suitable because it was developed in the mid- to late-twentieth century and does not have historic continuity with the nineteenth century core of the proposed study area. Furthermore, staff were of the opinion that the boundary proposed in October 2019 was too large to feasibly undertake a focused heritage conservation district study. The Municipal Heritage Committee was presented with two revised study area boundaries at their meeting of February 6, 2020 and, after reviewing the alternatives, adopted the following resolution:

**KLMHC2020-12**

**Moved By** A. Adare

**Seconded By** M. Sloboda

**That** Report KLMHC2020-05, **Proposed Old Mill Heritage Conservation District Study**, be received;

**That** the Municipal Heritage Committee recommends the commencement of a heritage conservation district study in the Old Mill area of Lindsay;

**That** the Municipal Heritage Committee endorse Boundary Alternative 1 attached in Appendix B as the boundary for the proposed heritage conservation district study; and

**That** this recommendation be forwarded to Council for approval.

**Carried**

This report addresses that direction.

## **Rationale:**

### **HCD Designation Process**

Heritage conservation districts are areas which have a unique sense of place and, as a group of related elements, retain an important historic character through their combination of buildings, structures and landscape features. They can be designated by local municipalities under Part V of the Ontario Heritage Act. The process for designating HCDs is outlined by the Act and has two

phases: a study phase and a plan phase. The first phase is a study which must be initiated by Council. The goal of the study is to determine if an area is suitable for designation as a heritage conservation district and to provide the background information which will eventually inform the development of an HCD plan. Subsection 40(2) of the Act states that:

- (2) A study under subsection (1) shall,
- (a) Examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
  - (b) Examine and make recommendations of the boundaries of the area to be designated;
  - (c) Consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;
  - (d) Make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws.

Council must also consult with its heritage committee prior to the initiation of a study. The Kawartha Lakes Municipal Heritage Committee has reviewed the proposed study area and endorses the initiation of an HCD study.

The second phase of designating an HCD is the creation of a Heritage Conservation District Plan. This phase only begins once the study is complete and presented to both the heritage committee and Council. The plan outlines the guidelines for the long term preservation of the district. A flowchart outlining the full process of Heritage Conservation District designation is attached as Appendix A and an FAQ sheet is attached as Appendix B. Should a study of this area be undertaken, a report will be presented to Council prior to the initiation of the plan phase which outlines the study's findings and makes recommendations regarding next steps. At that point, Council can choose whether to proceed with the preparation of a heritage conservation district plan and the designation of all or part of the area as an HCD.

One of the important aspects of the study phase is the establishment of the boundaries of the proposed HCD. The boundaries are established by examining a variety of factors including historic land use, the extent of historic buildings and physical features such as roads, rivers, or natural boundaries which may be used to delineate the edge of the district. The goal is to designate a district that has a cohesive history and which can be appropriately managed through a single plan. From preliminary investigation, it is unlikely that a future HCD in the Old Mill area will include the entirety of the proposed study area because of the diversity of

properties within it. However, establishing the final boundaries of the district can only be determined through a fulsome study.

The Act mandates that a municipality must hold at least one public meeting during the plan phase. There is no requirement for public consultation during the study. However, it is accepted best practice that successful district studies include a significant aspect of public consultation to involve the community in the study process, to promote transparency, and to create a more robust and complete picture of the local area which is informed by the individuals and businesses who live and work there. The two previous HCD studies undertaken in Kawartha Lakes involved several public meetings and forums throughout the study process and it is recommended that this also occur as part of future HCD studies. Should Council endorse the proposed HCD study, meetings will be held for residents and property owners in the local neighbourhood throughout the study phase so that they can be informed and involved. In the current climate of social distancing due to the COVID-19 pandemic, a significant amount of consultation will be undertaken remotely and staff are working to develop public consultation processes and mechanisms which will both allow for robust consultation and ensure increased health and safety measures for both staff and members of the public.

Under section 40.1 of the Act, a municipality may pass an interim control by-law for a heritage conservation district study area which can be in place for up to one year. This allows the municipality to prohibit or set limitations with regard to the alteration, construction or demolition of properties located in the study area. The passing of a by-law to establish the study area and set limitations on change is optional and not required for undertaking an HCD study or, eventually, designating an HCD. The benefit of passing an interim control by-law is that it can prevent large scale change and development without review while the study is being undertaken and provides a formal mechanism under the Act for notifying owners that the area in which their property is located is being studied as a potential heritage conservation district. The drawback is that this by-law can be appealed which can significantly delay the commencement of a study. It also places a significant workload on staff and may cause confusion for property owners. Staff are recommending that Council does not pass an interim control by-law because this area is not under the immediate threat of development and major change. Property owners will still be formally notified that an HCD study is going to take place, as is best practice, and will be invited to participate in the process. Should these conditions change, however, Council may choose to pass such a by-law at any point during the study phase.

Endorsement of commencing the study does not commit Council to eventually designating all or part of the area as an HCD. The area would be officially designated only after the creation of a heritage conservation district plan, dependent on the results of the study, and the passage of a designating by-law by Council. Endorsing the study only directs staff to examine the area for its

potential as a district and to present a report and recommendations based on the findings of the study back to Council when the study is complete.

### **Heritage Conservation Districts in Kawartha Lakes**

The City of Kawartha Lakes designated its first two HCDs in 2017: Downtown Lindsay HCD in Lindsay and Oak Street HCD in Fenelon Falls. These two districts were established in response to recommendations from the Heritage Master Plan which was received by Council in 2012 and adopted in 2016. This Plan identified the creation of HCDs as an important step towards increasing and supporting heritage conservation in the municipality. Studies were prepared by a consultant with funding from the OMAFRA RED program beginning in 2015 and the recommendation to proceed with designation of the two areas as HCDs was brought forward to Council in 2016. As per the requirements of the Ontario Heritage Act, an HCD Plan was prepared for each area and designation by-laws passed and served on the owners of properties located within the two districts and on the Ontario Heritage Trust.

As part of the Downtown Lindsay study phase, the neighbourhood east of Lindsay Street and west of the river was identified by both the consultants and the community as an area which also merited study as a potential HCD because of its historic importance in the development of Lindsay in the nineteenth century and its intact landscape of historic properties. Members of the local community have since requested that the area be subject to a study as the first step towards designation as an HCD. The Municipal Heritage Committee supports the request for a study of this area to be undertaken but is recommending a reduced boundary for the area from that proposed by community representatives in October 2019 which is both more feasible and excludes portions of the Purdy Land Tract which are primarily newer development. The proposed study area boundary includes only land on the west side of the Scugog River and aligns with the area originally requested in the May 2018 deputation. A map of the proposed study area is attached as Appendix C.

Prior to bringing this recommendation forward to Council, staff have undertaken preliminary research to determine whether or not this study boundary is appropriate. From preliminary investigation, the recommended study area has a number of specific characteristics which may make it eligible for future designation as a district and which make a heritage conservation district study warranted. These include its cohesiveness as a primarily residential neighbourhood, its concentration of historic properties, and its importance as the original settlement site of Purdy's Mills. A full heritage conservation district study will provide a clear and comprehensive overview of the history of the area, a built form analysis of the existing structures and neighbourhood, proposed boundaries, recommended objectives for designation, and legislative and policy direction as required by subsection 40(2) of the Act. The boundaries of a final district may be smaller than the proposed study area dependent on the results of the study.

Although the studies for the first two HCDs in Kawartha Lakes were prepared by an external consultant, staff are recommending that this study be undertaken internally. Since the establishment of the two HCDs in 2017, the City has established a new full-time position in Economic Development specifically to undertake heritage planning within the municipality. Given the increased staff capacity and expertise for undertaking this work, it is feasible that this study be undertaken internally without the use of an external consultant. The preparation of HCD studies and plans internally by heritage staff with appropriate expertise to do so is an increasing trend in municipal heritage planning in Ontario. Should Council eventually decide to proceed with the creation of an HCD plan for the area and subsequent designation, the municipality now also has the staff capacity to support the administration of an additional HCD.

### **Overview of the Proposed Study Area**

The proposed study area forms part of a tract of land which was originally granted by the Crown to early settler William Purdy in 1828. The land, which was comprised of Lots 20 and 21, Concession 6 in the geographic township of Ops, was granted on the condition that Purdy construct a sawmill to serve the newly surveyed township. By 1830, Purdy had constructed a mill which became a key structure in the local area as settlers travelled significant distances to have their grain ground into flour. A small settlement soon developed between what is now Lindsay Street and the Scugog River. Purdy's Mills, as the area was known, became an important centre in the local area and eventually, formed the nucleus of the Town of Lindsay which was incorporated in 1857. By 1860, the area had been surveyed into residential lots and construction began on more houses. The area continued to develop around the river and the mill site throughout the late nineteenth and early twentieth century into a primarily residential area with a number of industrial developments along the river and the St. Mary's Roman Catholic Church precinct centrally located on Russell Street East.

The proposed study area is bounded by the Scugog River to the north and east, Lindsay Street to the west, and Durham Street to the south. In total, it includes 446 properties, including two parks which are municipally-owned. Of those properties, 5 are already designated individually under Part IV of the Act. The individually designated properties in this area are:

- 9 Glenelg Street East
- 10 Russell Street East
- 12 Russell Street East
- 29 Russell Street East (St. Mary's Catholic Church)
- 45 Russell Street East

The majority of the study area is comprised of residential properties which are primarily single detached homes dating to the nineteenth and early twentieth century. Because of its location along the Scugog River, it also encompasses

parkland and greenspace along the waterway. Its key institutional feature is the church which, along with its precinct, form a significant portion of the proposed study area and includes both historic and contemporary buildings.

Along Lindsay Street South, there is a jog in the study area boundary to exclude three properties: 2 Lindsay Street South (the Academy Theatre), 8 Lindsay Street South, and 20 Lindsay Street South. These properties are excluded from the proposed study area because they are already included in the Downtown Lindsay Heritage Conservation District and HCD boundaries cannot overlap.

The proposed study area is bordered by a portion of the Trent Severn Waterway and Lock 33. This property is owned by the federal government (Parks Canada) and would necessarily be excluded from any future Heritage Conservation District Plan, should the outcome of the study recommend that all or part of the area be designated as an HCD. However, this property will form an important part of the overall study because it is a key aspect of the historic landscape of the local area.

One of the primary historic features in the proposed study area is the Old Mill itself, which is located in Old Mill Park on Kent Street East and is owned by the municipality. This property is not designated under the Act but is a significant historic property in Lindsay and an important, defining landmark in this area. One concern raised by the Municipal Heritage Committee was whether or not an HCD designation would allow the Old Mill site to be redeveloped as explored in the past by various individuals and working groups. An HCD designation would not prevent the redevelopment or reuse of this site in the future for other uses, but would provide architectural guidelines to ensure that any new construction was compatible with the historic nature of the site and complementary to the local neighbourhood.

### **Impact on Development and City Policy**

Undertaking a HCD study does not designate an area; rather it provides the necessary background information and justification as to whether or not a heritage conservation district designation should proceed. It also allows the public to become involved in this process and provide input on the future direction of their neighbourhood. Given the concentration of historic properties in this neighbourhood, it is likely that some or all of the proposed study area will be found to be suitable for designation as part of a heritage conservation district. Recommendations resultant from the study regarding the suitability of all or some of the study area as an HCD will be presented to Council upon the conclusion of the study.

If the area is designated in future, the resulting Heritage Conservation District Plan will guide the future development of the area. The Plan will include guidance on renovations to existing buildings as well as for infill and new builds to ensure that any change occurring within the boundaries of the district respects the

historic character of the area and contributes in a positive manner to its sense of place. A district designation will not prevent change in the district but will ensure that an appropriate review process is in place with clearly articulated design and development requirements which will guide the growth of the area.

As required by the Ontario Heritage Act, the City has policies in place in its Official Plan which enable heritage conservation district designation. These policies were put in place when the Downtown Lindsay and Oak Street HCD were designated and required an amendment to the City's Official Plan. Because these policies are already in place, no new amendments will be required to the Official Plan to facilitate the initiation of a study or the potential designation of a new HCD.

District studies and designation are supported by the 2012 Heritage Master Plan which explicitly identifies district designation as an important part of heritage conservation in the municipality. It is also supported by the goals of the 2018 Community Improvement Plan (CIP) which is intended to result in property improvements through its suite of financial incentive programs; one of its target areas is heritage conservation districts and the designation of additional districts assists in expanding programs implemented through the CIP to these areas. Similarly, HCD designation provides complementary tools to the CIP's stated objectives, namely the creation of a type of community design guidelines through the district plan which articulate desirable building and design elements through the lens of heritage conservation.

Heritage district designation has been shown to have a positive economic impact on local communities. Conservation is intended to promote enhancement, as opposed to restriction, and is aimed at guiding positive growth and development. While the designation of primarily residential areas such as this one does not have the same scale of economic impact as district designation in a commercial downtown, it nevertheless has the potential to contribute to the revitalization of an area by helping to maintain a desirable historic ambiance and fostering a sense of community pride which makes local areas attractive to residents and visitors. District designation has been shown to have a positive impact on property values, quality of life, and community development.

A full review of federal, provincial and municipal legislation and policies and their relation to the development of a new HCD in this area will be included in the HCD study, as is required by the Act. Any direction regarding changes to municipal policy which are necessary or advisable will be included as part of the study.

### **Other Alternatives Considered:**

At its February 2020 meeting, the Municipal Heritage Committee also considered a study boundary that included properties north of the Scugog River. A map of this boundary is included as Appendix D. This alternate boundary is smaller than the original proposed boundary which included the entirety of the Purdy Land

Tract but still includes approximately 862 properties. This boundary includes the area north of the river that has a high concentration of historic properties within the Purdy Land Tract.

The alternate boundary includes properties along King Street, Queen Street and a number of their north-south cross streets. This area is also primarily residential and includes a large number of historic homes. Both staff and the Municipal Heritage Committee feel that this area is too large to undertake a focused heritage conservation district study. While the area north of the river has a large number of heritage properties, staff believe that preserving the heritage of this area would be better accomplished by undertaking a separate heritage conservation district study at a later date or through more focused conservation strategies, such as the listing of select properties.

Should Council prefer to undertake a study of the larger area, an alternative recommendation is as follows:

**That** Report ED2020-009 **Proposed Old Mill Heritage Conservation District Study**, be received;

**That** staff be authorized to proceed with a Heritage Conservation District Study of the Old Mill neighbourhood in Lindsay;

**That** the Old Mill Heritage Conservation District Study area be within the boundary identified in Appendix D to Report ED2020-009; and

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

### **Financial/Operation Impacts:**

By completing the study internally, the majority of costs usually associated with an HCD study will be avoided. There will be costs associated with postage for notices and holding public meetings, either virtually or in person. These expenses can be covered by the existing Heritage Planning budget in Economic Development.

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

Initiating new heritage conservation district studies supports the strategic priority of An Exceptional Quality of Life by supporting and promoting arts, culture and heritage. The development of new heritage conservation districts recognizes and promotes heritage resources in the municipality and supports long-term heritage conservation and planning. It is an important part of a proactive municipal heritage planning program.

## Consultations:

Municipal Heritage Committee  
Director of Community Services  
Director of Development Services  
Manager of Economic Development

## Attachments:

Appendix A – Heritage Conservation District Designation Flowchart



Heritage  
Conservation District

Appendix B – Heritage Conservation District FAQs



Heritage  
Conservation District

Appendix C – Recommended Old Mill Study Area Boundaries



Recommended HCD  
Study Boundary.pdf

Appendix D – Alternate and Expanded Study Area Boundaries



Alternate HCD  
Study Boundary.pdf

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