



Municipal Heritage Committee Report

Report Number:	KLMHC2021-28
Meeting Date:	July 8, 2021
Title:	Proposed Designation of 100 Front Street East, Bobcaygeon
Description:	Proposed designation of the property known municipally as 100 Front Street East, Bobcaygeon under Part IV of the Ontario Heritage Act
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report KLMHC2021-28, **Proposed Designation of 100 Front Street East, Bobcaygeon**, be received;

That; the designation of the property known municipally as 100 Front Street East, Bobcaygeon be endorsed; and

That the recommendation to designate the subject property be forwarded to Council for approval.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The City of Kawartha Lakes designates properties under Part IV of the Ontario Heritage Act. Properties are recommended for designation by their owners, members of the public, local organizations, the Municipal Heritage Committee, Council or staff. Properties proposed for designation are reviewed by the Municipal Heritage Committee, as required by subsection 29(2) of the Ontario Heritage Act, and their recommendation is brought forward to Council under the cover of a staff report.

In June 2021, staff received a number of requests from local community members in Bobcaygeon regarding the designation of 100 Front Street East. This correspondence is attached as Appendix A. Further discussion of the issue from the Vintage Bobcaygeon Facebook group, which is referenced in the correspondence, is attached as Appendix B. The members of the community were concerned regarding the potential that the house on the property will be demolished by the current owner. This appears to be the intent of the property owner. The subject property was previously proposed for listing by the Kawartha Lakes Municipal Heritage Committee in fall 2020 as part of a larger group of properties for inclusion on the City's Heritage Register. Council reviewed the proposed listing at its meeting of November 3, 2020 and chose not to list 100 Front Street East at that time because of objections from the property owner who indicated that he was intending on demolishing the property.

In response to the request from the community, staff undertook background research on this property to determine its eligibility for designation under Part IV of the Ontario Heritage Act and prepared a background report outlining how the property fulfils the criteria for designation under Ontario Regulation 9/06. The evaluation report is attached as Appendix C.

Rationale:

Ontario Regulation 9/06 identifies the criteria for determining the cultural heritage value of a property. Under this regulation, a property may be designated under Part IV, s.29 of the Ontario Heritage Act if it meets at least one of the following criteria:

1. The property has design value or physical value because it:
 - a. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - b. displays a high degree of craftsmanship or artistic merit, or
 - c. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it:
 - a. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - b. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - c. demonstrates the work of an architect, artist, builder, designer or theorist who is significant to the community.
3. The property has contextual value because it:
 - a. is important in defining, maintaining or supporting the character of the area,
 - b. is physically, functionally, visually or historically linked to its surroundings, or
 - c. is a landmark.

100 Front Street East fulfils multiple criteria under Ontario Regulation 9/06 and is therefore eligible for designation under Part IV of the Act. A heritage evaluation report has been prepared for this property which outlines its significance and demonstrates which criteria it fulfils. This report is attached as Appendix A. A statement of significance for the property as required by the Act, which summarizes the property's cultural heritage value and reasons for designation, can be found below.

100 Front Street East Statement of Significance

100 Front Street East in Bobcaygeon has cultural heritage value as it is believed to be the oldest surviving residential property on the Rokeby town site and, therefore, an early example of a house in Bobcaygeon as a whole. The house appears to have been constructed around 1866 by John Platt, a lumber merchant, as a home for his family. The house is of vernacular construction but is demonstrative of the transition between the Georgian and Gothic Revival styles in the middle of the nineteenth century, with Gothic features added to a classical centre hall plan design including the centre gable which is believed to have been added in the 1890s.

It has historical and associative value for its association with the both the Platt and Boyd families who were players in the lumber industry in the second half of the nineteenth century. The industry was a major economic driver in the early historic of the village and the subject property yields information on the development of the industry. More specifically, the property was owned by Winnett Wornibe Boyd, his wife

Margery Sterne St. George and their family in the early twentieth century, including their son Winnett Boyd, the noted Canadian engineer who made significant contributions to nuclear development and jet engine design.

The property has contextual value as it is historically linked to its surroundings as part of the former government townsite of Rokeby. This cultural heritage landscape, which is located on the north bank of the Bobcaygeon River, is comprised of a large number of historic properties dating back to the 1860s of which 100 Front Street East is the oldest. The subject property also has a contextual connection to the Trent Severn Waterway to which it is adjacent and supports the historic character of the waterway as it passes through Bobcaygeon. It is also a local landmark and has been recognized as such by community members.

Owner's Consent

The request for designation for this property was received from members of the community who are concerned about its proposed demolition. The rationale behind the request was the property's longstanding presence in Bobcaygeon and its value to the community as a significant built heritage resource. Staff have not sought consent from the owner to proceed with designation.

The Ontario Heritage Act does not require consent from an owner of a property for designation to occur. The purpose of the Act in the designation of individual property is to balance the interests of the public and the community, with the ability of the owner to object to a proposed heritage designation. The Ontario Heritage Toolkit explicitly states that designation requests can come from members of the community as a way to stop the demolition of historically important properties. Similarly, provincial policy requires municipalities to conserve their significant heritage resources because of the community benefit from the preservation of historic properties.

In 2003, an Ontario Divisional Court held in the case of Tremblay vs. Lakeshore (Town) that requiring an owner's consent for the designation of property was not consistent with the intent of the Act, indicating that a Council of a municipality should consider a request for designation whether or not an owner supports it. Effectively, consideration for designation should be based solely on whether or not it fulfils the criteria for heritage designation (Ontario Regulation 9/06) and can be considered a significant cultural heritage resource.

Should the owner object to the designation, there is a clear notification and objection process outlined in the Act. This process allows for the owner to voice their concerns and objections to the proposed designation while still taking into account the request from the community and the heritage evaluation for the property. The owner's objection is first heard by Council and, if a resolution cannot be achieved, then proceeds to the Ontario Lands Tribunal.

Other Alternatives Considered:

There are no recommended alternatives.

Financial/Operation Impacts:

There are no financial or operational impacts as a result of the recommendations of this report. The costs associated with the provision of notice and registration of a designation by-law required by the Act are covered through the existing Heritage Planning budget.

Consultations:

N/A

Attachments:

Appendix A – Correspondence



100 Front Street East
Correspondence.pdf

Appendix B – Vintage Bobcaygeon Facebook Comments



Vintage Bobcaygeon
Facebook Comments.pdf

Appendix C – Heritage Evaluation Report: 100 Front Street East, Bobcaygeon



100 Front Street East
Heritage Evaluation R

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy, Acting Director of Development Services