



## Committee of the Whole Report

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<b>Report Number:</b>	<b>ED2022-010</b>
<b>Meeting Date:</b>	March 8, 2022
<b>Title:</b>	<b>Proposed Heritage Designation of 1590 Elm Tree Road, Geographic Township of Ops</b>
<b>Description:</b>	Proposed designation of 1590 Elm Tree Road, Ops Township under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest
<b>Author and Title:</b>	Emily Turner, Economic Development Officer – Heritage Planning

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### Recommendations:

**That** Report ED2022-010, **Proposed Heritage Designation of 1590 Elm Tree Road, Geographic Township of Ops**, be received;

**That** the Municipal Heritage Committee's recommendation to designate 1590 Elm Tree Road under Part IV of the Ontario Heritage Act as being of cultural heritage value or interest be endorsed;

**That** staff be authorized to proceed with the process to designate the subject property under Part IV of the Ontario Heritage Act, including the preparation and circulation of a Notice of Intention to Designate, and preparation of the designating by-law;

**That** a designating by-law be brought forward to Council at the next Regular Council Meeting following the end of the notice period; 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:**

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.

At its meeting of February 3, 2022, the Kawartha Lakes Municipal Heritage Committee adopted the following resolution:

**KLMHC2022-026**

**Moved By** Councillor Ashmore

**Seconded By** S. McCormack

**That** Report KLMHC2022-013, **Designation of Property – 1590 Elm Tree Road, Geographic Township of Ops**, be received;

**That** the designation of the property known municipally as 1590 Elm Tree Road, Geographic Township of Ops be endorsed; and

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

**Carried**

This report addresses that direction.

In May 2021, the owners of the property located at 1590 Elm Tree Road in the geographic Township of Ops reached out to staff and requested that the property be designated under Part IV of the Ontario Heritage Act. The property contains a stone farmhouse and former inn believed to be constructed around 1840. Staff undertook a site visit to the property and background research and have determined that the property is eligible for designation under Part IV of the Act.

Section 29 of the Ontario Heritage Act provides that, upon consultation with its municipal heritage committee, and after serving a Notice of Intention to Designate pursuant to the requirements of the Act, the Council of a municipality may pass a by-law designating a property within the boundaries of the municipality to be of cultural

heritage value or interest if it fulfils the criteria for designation under the Act, as identified in Ontario Regulation 9/06. Both staff and the Kawartha Lakes Municipal Heritage Committee are satisfied that the subject property fulfils the criteria for designation set out under Ontario Regulation 9/06 and is eligible for designation under Part IV of the Act.

## **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.

1590 Elm Tree Road 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 the 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.

The heritage evaluation report attached to this report includes a list of heritage attributes for the property, which will be protected in the final by-law, as is standard in City reports. However, the heritage attributes for this property also include interior features, specifically on the ground floor of the property, which is not common practice in the City. Generally, interior elements are only protected if they have a high level of significance to the property. In this case, there are several elements in the house, particularly the kitchen fireplace, which are unique to this property and contribute to the property's cultural heritage value. The property owners have requested that these elements be protected as part of the designation. The protection of these features will not preclude the current or future owners from making changes or renovations to the interior of the property, but will serve to protect and retain the specific elements identified in the report.

### **1590 Elm Tree Road, Ops Township Statement of Significance**

#### **Design and Physical Value**

1590 Elm Tree Road has design and physical value as an early and representative example of a Georgian style residence constructed in stone in Ops Township. Believed to have been constructed around 1840, the house demonstrates the key elements of the Georgian style including the three-bay symmetrical massing, centre hall plan, two storey construction, large sash windows, and lack of ornamentation. It also includes important historic interior elements including the ground floor layout, central staircase, and large fireplaces in both of the ground floor rooms. It is one of the oldest surviving Georgian homes in Ops Township.

#### **Historical and Associative Value**

1590 Elm Tree Road has historical and associative value in its association with the early settlement of Ops Township. The property yields information on the growth of the township in the first half of the nineteenth century and its settlement patterns. The property was first used as an inn beginning around 1840 and yields information on the need for accommodation along the Oakwood Road with traffic flowing to and from what would eventually become the town of Lindsay. It was converted to a farmhouse in 1848 and, in that role, yields information about the role of tenancy in rural Ontario in the nineteenth century as the property was rented out for significant period of time between the 1860s and 1880s, likely as a form of succession planning for the original farmer, Charles Naylor, and his sons.

### **Contextual Value**

1590 Elm Tree Road has contextual value as part of the historic rural agricultural landscape of Ops Township. The property is located in a rural setting and maintains and supports its agricultural character. The property is historically linked to its surrounding as part of the rural agricultural landscape of the township, which includes a number of other historic farmsteads in the immediate area of the subject property constructed in the nineteenth century. The property is also a local landmark as it is well known in the area and is located in a prominent location at the intersection of Elm Tree Road and Highway 7.

### **Provincial Policy Conformity**

#### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) sets the policy foundation for development and land use planning Ontario. The policy intends to balance the needs of growth and economic development with the need for ensuring a high quality of life, public safety and health, and the conservation of natural and cultural heritage resources. Section 2.6 (Cultural Heritage and Archaeology) requires municipalities to conserve significant built heritage resources and significant cultural heritage landscapes as part of the land use planning process, stating that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

Significant built heritage resources, as defined by the PPS, are those which have been determined to have cultural heritage value or interest as established by the criteria under the Ontario Heritage Act. These criteria are outlined by Ontario Regulation 9/06. The subject property has been evaluated based on the criteria under Ontario Regulation 9/06 and has been found to fulfil those criteria and, therefore, is a significant heritage resource within the municipality which requires conservation through designation under Part IV of the Act.

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe was prepared by the Ontario government in order to help guide the land use planning process and assist communities within the Greater Golden Horseshoe achieve a high quality of life, positive economic development, and protection for important local resources.

Section 4.2.7 (Cultural Heritage Resources) requires municipalities to conserve their cultural heritage resources as part of the land use planning process "in order to foster a

sense of place and benefit communities”. The Growth Plan defines cultural heritage resources as “built heritage resources, cultural heritage landscapes, and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution that make to our understanding of the history of a place, event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.”

The subject property has been determined to have cultural heritage value or interest through evaluation based on Ontario Regulation 9/06 and therefore requires conservation through designation under Part IV of the Act. This is a landmark property in Ops Township and community benefit would be gained through its ongoing preservation.

### **City of Kawartha Lakes Official Plan (2012)**

The City of Kawartha Lakes Official Plan was amended in 2017 to include strengthened cultural heritage policies. Official Plan Amendment 26 outlined those amendments.

Three of the heritage policies speak directly to the conservation of individual heritage properties:

- a) Cultural heritage resources of significant cultural heritage value or interest shall be identified, protected and conserved.
- e) The City shall use the tools available to it under the Municipal Act, the Planning Act, the Environmental Assessment Act, and the Ontario Heritage Act to conserve cultural heritage resources.
- f) Cultural heritage resources shall be maintained in situ and in a manner that prevents the deterioration and conserved the identified cultural heritage values or interest and/or identified heritage attributes of the cultural heritage resource.

The City’s policies require it to conserve cultural heritage resources and designation under Part IV of the Ontario Heritage Act is a tool for doing so. In this case, the subject property has been found to have cultural heritage value through evaluation and individual designation is the most appropriate method for ensuring its conservation.

## **Other Alternatives Considered:**

There are no recommended alternatives.

## **Alignment to Strategic Priorities**

The designation of property under Part IV of the Ontario Heritage Act supports the following goals from the Council adopted Strategic Plan:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life

The identification and protection of heritage assets in the community through designation promotes and exceptional quality of life by supporting and promoting arts, culture and heritage within the municipality. Designation provides long term protection and management for key heritage resources in the municipality and recognizes their importance to the community.

The protection of heritage resources in the municipality also assists in the growth of the local economy in general by identifying, protecting, and celebrating places where people want to live, work and visit. It encourages investment in local communities by ensuring and promoting attractive places for residents and businesses to be. It also has a direct impact on developing local tourism through the preservation of sites and landscapes that people want to visit.

## **Financial/Operation Impacts:**

There will be costs associated with the provision of public notice and for the registration of the designation by-law associated with this application which are covered by the existing Heritage Planning budget.

## **Consultations:**

Municipal Heritage Committee  
Property Owners

## **Attachments:**

Appendix A – Heritage Evaluation Report: 1590 Elm Tree Road, Ops Township



Adobe Acrobat  
Document

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