



Committee of the Whole Report

Report Number:	ED2022-016
Meeting Date:	June 7, 2022
Title:	Listing Properties on the Heritage Register
Description:	Proposed listing of properties on the City's Heritage Register as properties of cultural heritage value or interest
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2022-016, **Listing Properties on the Heritage Register**, be received;

That the proposed addition of non-designated properties listed in Appendix A to the City of Kawartha Lakes Heritage Register 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:

The City of Kawartha Lakes' Heritage Register includes properties which are of cultural heritage value but are not designated under Part IV or Part V of the Ontario Heritage Act. The process for identifying, researching and recommending these properties, known as listed properties, is ongoing. Historic properties are identified, primarily by staff and members of the Municipal Heritage Committee, and evaluated based on Ontario Regulation 9/06 of the Ontario Heritage Act to determine their heritage value. From time to time, staff and the Municipal Heritage Committee bring proposed properties forward to Council for listing on the Heritage Register.

At its meeting of April 7, 2022, the Committee reviewed a list of proposed properties for addition to the Heritage Register and passed the following motion:

KLMHC2022-047

Moved By S. McCormack

Seconded By J. Garbutt

That Report KLMHC2022-020, **Listing Properties on the Heritage Register**, be received; and

That the proposed properties for inclusion on the Heritage Register attached as Appendix A of this report be forwarded to Council for approval.

Carried

This report addresses that direction.

Rationale:

Section 27 of the Ontario Heritage Act allows municipalities to include properties on their Heritage Register which are not designated but which are believed to have cultural heritage value or interest. These are known as listed properties. Although municipalities are not required to list properties on their Registers, it is considered to be a best practice which contributes to the long term, sustainable and transparent management of heritage resources in the municipality. Kawartha Lakes first included listed properties on its Heritage Register in 2019.

Listing is an administrative, rather than a legal process. There are no restrictions placed on the use or alteration of these properties and owners are not required to apply for or receive a heritage permit when they want to make changes to their property. The only restriction placed on a property owner is that they are required to provide 60 days notice to the City 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 its current and proposed use to come to the best solution for its long term preservation and management.

Listing is an effective and important planning tool which inventories heritage assets in a community and provides a transparent framework for assessment regarding a property's heritage value. It creates a balanced approach between not imposing restrictions on a property owner, beyond the notice period, while allowing the municipality to monitor and regulate its heritage assets. Listing is a transparent process which provides clarity to property owners 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 a property is an understood part of a redevelopment proposal or an application to demolish a property.

In general, most properties listed by the City will not be designated under Part IV of the Act as it has been the City's practice to not proceed with designation for these properties. The City may consider designating a listed property in a number of circumstances: if designation is requested by the property owner; to prevent a listed property from being demolished; or as a condition of approval for a major Planning Act application (rezoning, official plan amendment or site plan application).

The Council of a municipality 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 its recommending that Council list them on the Heritage Register. The proposed properties for listing is attached as Appendix A.

Notification and Objections

Although it is not required by the Ontario Heritage Act, the City notifies owners prior to the listing of their property on the Heritage Register. The notification in advance of listing allows owners to contact City staff to ask questions about the listing of their property, its implications, and any concerns they may have. This is a municipal best

practice for listing which increases transparency regarding the listing process and allows property owners to be informed and involved in the protection of local heritage assets. As per amendments which came into force on July 1, 2021, the Act now requires that owners be notified after Council lists their property on the Register to let them know that the property has been listed and that there is a formal objection process. Objections are heard by Council.

Notices were sent to property owners in April 2022. At the time of writing this report, staff had received 11 calls and emails from property owners regarding the proposed listing of their property. The owners of the following properties requested that their properties not be included on the Register:

- 1464 Highway 7A, Bethany
- 17 John Street, Fenelon Falls
- 106 Elm Tree Road, Mariposa Township

Staff are not supportive of the owner requests not to list their properties. Listing is an administrative process which places limited restrictions on a property owner while still providing protection to a property. Under Provincial Policy, the municipality is required to conserve its heritage resources and listing is an appropriate mechanism for doing so. Owner consent is not required under the Ontario Heritage Act.

Properties Proposed for Listing

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

- 397 County Road 41, Bexley Township
- 6 Nipissing Street, Bexley Township
- 34 Bolton Street, Bobcaygeon
- 30 King Street East, Bobcaygeon
- 53 King Street West, Bobcaygeon
- 138 Main Street, Bobcaygeon
- 18 Need Street, Bobcaygeon
- 35 North Street, Bobcaygeon
- 30 William Street, Bobcaygeon
- 2023 Kirkfield Road, Carden Township
- 15 Patrick Street, Carden Township
- 16 Patrick Street, Carden Township
- 1916 County Road 46, Eldon Township

- 543 Lorneville Road, Eldon Township
- 982 Portage Road, Eldon Township
- 1045 Portage Road, Eldon Township
- 90 Bethel Road, Emily Township
- Doube's Trestle Bridge, Emily Township
- 21 Colborne Street, Fenelon Falls
- 23 Colborne Street, Fenelon Falls
- 25 Colborne Street, Fenelon Falls
- 38-40 Colborne Street, Fenelon Falls
- 12 Helen Street, Fenelon Falls
- 17 John Street, Fenelon Falls
- 66 Lindsay Street, Fenelon Falls
- 8 Princes Street West, Fenelon Falls
- 7 Queen Street, Fenelon Falls
- 37 Blythe Shore Road, Fenelon Township
- 517 County Road 121, Fenelon Township
- 1 Goodman Road, Fenelon Township
- 4501 Highway 35, Fenelon Township
- 41 Leslie Frost Lane, Fenelon Township
- 146 Trent Canal Road, Fenelon Township
- 486 Hilton's Point Road North, Laxton Township
- 3465 Monck Road, Laxton Township
- 58 Albert Street North, Lindsay
- 66 Bond Street West, Lindsay
- 87 Bond Street West, Lindsay
- 63 Cambridge Street South, Lindsay
- 21 David Drive, Lindsay
- 18 Fair Avenue, Lindsay
- 8-16 Glenelg Street West, Lindsay
- 42 Glenelg Street West, Lindsay
- 11 John Street, Lindsay
- 25 Melbourne Street East, Lindsay
- 79 Peel Street, Lindsay
- 15 Sussex Street North, Lindsay
- 41 Victoria Avenue North, Lindsay
- 88 Wellington Street, Lindsay
- 77-83 William Street North, Lindsay
- 91 William Street North, Lindsay
- 702 Golf Course Road Manvers Township
- 166 Highway 7A, Manvers Township
- 754 Highway 7A, Manvers Township

- 832 Highway 7A, Manvers Township
- 990 Highway 7A, Manvers Township
- 1436 Highway 7A, Manvers Township
- 1464 Highway 7A, Manvers Township
- 1470 Highway 7A, Manvers Township
- 712 Janetville Road, Manvers Township
- 332 County Road 46, Mariposa Township
- 407 County Road 46, Mariposa Township
- 420 Eldon Road, Mariposa Township
- 479 Eldon Road, Mariposa Township
- 566 Eldon Road, Mariposa Township
- 1010 Eldon Road, Mariposa Township
- 100 Elm Tree Road, Mariposa Township
- 106 Elm Tree Road, Mariposa Township
- 143 Highway 7A, Mariposa Township
- 313 Quaker Road, Mariposa Township
- 761 Salem Road, Mariposa Township
- 17081 Simcoe Street, Mariposa Township
- 16-22 King Street East, Omemee
- 19-21 King Street East, Omemee
- 30-32 King Street East, Omemee
- 31-37 King Street East, Omemee
- 34-36 King Street East, Omemee
- 1761 Little Britain Road, Ops Township
- 5 Traceys Hill Road, Ops Township
- 67 Vince Jones Road, Ops Township
- 6 Cluxton Street, Somerville Township
- 6651 Highway 35, Somerville Township
- 6654 Highway 35, Somerville Township
- 60 Somerville 3rd Concession, Somerville Township
- 17 First Street, Sturgeon Point
- 6 Gray Road, Sturgeon Point
- 24 Third Street, Sturgeon Point
- 189 County Road 49, Verulam Township
- 608 Kenstone Beach Road, Verulam Township
- 124 Agnes Street, Woodville
- 120 John Street, Woodville
- 114 King Street, Woodville
- 141 King Street, Woodville
- 109 Nappadale Street, Woodville
- 122-124 Nappadale Street, Woodville

These properties represent a selection of important heritage properties throughout the municipality and a full summary of their significance can be found in Appendix A. They have been evaluated based on Ontario Regulation 9/06 and have been found to have architectural, historical and/or 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 its heritage value to the community and make a decision based on that assessment.

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, which the City uses to evaluate its listed as well as its designated properties. The properties proposed for listing have been evaluated based on the criteria under Ontario Regulation 9/06 and have been found to fulfil at least one of those criteria and, therefore, is a significant heritage resource within the municipality which requires conservation. Listing is an appropriate method of conservation for these properties which provides interim protection should a demolition permit be received.

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 proposed properties for listing have been determined to have cultural heritage value or interest through evaluation based on Ontario Regulation 9/06 and therefore require conservation. Listing is an appropriate method of conservation as it provides interim protection for a property should an application for demolition be received to allow a more fulsome heritage evaluation to be undertaken.

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 listing on the Heritage Register is a tool for doing so. In this case, the proposed properties for listing have undergone a preliminary evaluation using Ontario Regulation 9/06 and listing is the most appropriate method of conservation at this time. Should a demolition application be received for any of these properties, a more fulsome heritage evaluation may indicate that designation under Part IV of the Act is a more appropriate tool.

Other Alternatives Considered:

There are no recommended alternatives.

Alignment to Strategic Priorities

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.

Financial/Operation Impacts:

There are no financial or operational impacts as a result of the recommendations of this report.

Consultations:

Municipal Heritage Committee

Attachments:

Appendix A – Proposed Properties for Listing



Adobe Acrobat
Document

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