

Council Report

Report Number:	ED2022-034
Meeting Date:	July 19, 2022
Title:	Proposed Heritage Designation of 761 Salem Road, Geographic Township of Mariposa
Description:	Proposed heritage designation of 761 Salem Road under Part IV of the Ontario Heritage Act
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2022-034, **Proposed Heritage Designation of 761 Salem Road, Geographic Township of Mariposa**, be received;

That the Municipal Heritage Committee’s recommendation to designate 761 Salem 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; and

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

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 June 14, 2022, the Kawartha Lakes Municipal Heritage Committee adopted the following resolution:

KLMHC2022-076**Moved By** A. Adare**Seconded By** S. Sims

That Report KLMHC2022-041, **Designation of Property – 761 Salem Road, Mariposa Township**, be received;

That the designation of the property known municipally as 761 Salem Road be endorsed; and

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

Carried

This report addresses that direction.

In April 2022, the owners of the property located at 761 Salem Road in Mariposa Township reached out to staff and requested that the property be designated under Part IV of the Ontario Heritage Act. The property contains a large Georgian-style log home constructed in the mid-nineteenth century and is currently listed on the City's Heritage Register. Staff met with the property owners, 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.

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.

761 Salem 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 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.

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 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 which are unique to this property and contribute to the property's cultural heritage value. The property owner has 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.

761 Salem Road Statement of Significance

Design and Physical Value

761 Salem Road has design and physical value as an early and rare example of a surviving Georgian-style log residence in Mariposa Township constructed in the mid-nineteenth century. The exact date of construction for this property is unknown but it is representative of the houses built by early settlers through its construction method. However, it is unique due to its specific use of the Georgian style, which was rare in early log construction as most of these properties were highly utilitarian, and displays key aspects of the style including its symmetrical three-bay construction and Classical entrance surround. It is one of a small number of surviving nineteenth century log homes in the township.

Historical and Associative Value

761 Salem Road has historical and associative value through its association with its original occupant, James Pogue and his family and the early settlement of Mariposa Township. Pogue purchased the property in 1846 and, along with his wife Martha, raised a large family and developed a farm there in the second half of the nineteenth century. The property yields information regarding the demographic settlement of Mariposa as well as everyday and family life in the rural areas of township in the mid-nineteenth century. The property also yields information regarding dissenting Christianity in the area through the Pogues' membership in the Evangelical Christian Church (Christian Disciples).

Contextual Value

761 Salem Road has contextual value as a contributing property to the historic agricultural landscape of Mariposa Township. It maintains and supports the historic agricultural character of the area as an extant mid-nineteenth century farmhouse within its original context. The farmhouse maintains a relationship within the surrounding

area, but also within the property itself as part of an extant nineteenth century farmstead which includes original barns and outbuildings. The property is also linked to its surroundings as part of a small cluster of log homes in this area of Salem Road which speak the mid-nineteenth century settlement and development the area.

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 property has a high degree of historic significance with regard to the history of Mariposa Township in the mid-nineteenth century 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, as identified in the attached report, 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 an 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 designating by-law associated with this application. These costs are covered by the existing Heritage Planning budget.

Consultations:

Property Owners
Municipal Heritage Committee

Attachments:

Appendix A – Heritage Evaluation Report: 761 Salem Road



Adobe Acrobat
Document

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