



## Council Report

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<b>Report Number:</b>	<b>ED2022-038</b>
<b>Meeting Date:</b>	September 27, 2022
<b>Title:</b>	<b>Proposed Heritage Designation of 33 North Water Street, Geographic Township of Bexley</b>
<b>Description:</b>	Proposed Heritage Designation of 33 North Water Street (Coboconk) under Part IV of the Ontario Heritage Act
<b>Author and Title:</b>	Emily Turner, Economic Development Officer – Heritage Planning

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### Recommendations:

**That** Report ED2022-038, **Proposed Heritage Designation of 33 North Water Street, Geographic Township of Bexley**, be received;

**That** the Municipal Heritage Committee’s recommendation to designate 33 North Water Street 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.

In April 2022, the owner of the property located at 33 North Water Street in Coboconk reached out to staff and requested that the property be designated under the Ontario Heritage Act. The property contains a vernacular residential structure from the late nineteenth century that currently does not have any heritage protection. 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.

At its meeting of August 4, 2022, the Kawartha Lakes Municipal Heritage Committee reviewed the heritage evaluation report for this property and adopted the following resolution:

**KLMHC2022-090**

**Moved By** S. McCormack

**Seconded By** W. Peel

**That** Report KLMHC2022-046, **Proposed Heritage Designation of 33 North Water Street, Geographic Township of Bexley**, be received;

**That** the designation of the property known municipally as 33 North Water Street be endorsed; and

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

**Carried**

This report addresses that direction.

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.

33 North Water Street 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 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 and the owner requests their protection. 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.

### **33 North Water Street Statement of Significance**

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

33 North Water Street has design and physical value as an excellent and intact example of a Victoria vernacular residential property in Coboconk. Constructed around 1888, the property displays characteristics typical of a vernacular gable front house, including a frontal gable, an L-shaped plan, an offset main entrance, decorative bargeboard and a bay window. The property is balloon framed which was the most prevalent form of wood construction in the late nineteenth century. It is representative of many residential properties built both in Coboconk and across Ontario in the second half of the nineteenth century.

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

33 North Water Street has historical and associative value through its first owners, John Harrison Harvey and his wife Alwilda Carl. Harvey was a prominent businessman in Coboconk in the late nineteenth century through his involvement in the lumber trade and grist milling, as well as serving as township treasurer and Justice of the Peace. The house is also associated with local businessman Adam Carl, the father of Harvey's wife, who began a general store in Coboconk in the 1860s and became an important member of the business community in the village. It demonstrates the importance of familial connections through marriage in the development and fortunes of local businessmen. The property remained in this family until 2017. Through its original owners and their families, the property yields information regarding the commercial and industrial growth of Coboconk in the second half of the nineteenth century.

## **Contextual Value**

33 North Water Street has contextual value as part of the historic residential landscape of Coboconk as one of a range of late nineteenth and early twentieth century houses from the community's early period of development. It also has contextual value in its connection to the Gull River, to which it is adjacent, as part of the development of Coboconk along the river, as well as in its historical connection to the lumber industry which relied on the presence of the river.

## **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 Coboconk in the late nineteenth century through its original owner 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 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 designation by-law associated with this application which are covered by the existing Heritage Planning budget.

It is not anticipated that there will be any additional legal fees as a result of the recommendations of this report as it is unlikely that the owners of the property will appeal the designation as it is owner-requested. There is the potential for third-party appeals of the designation to the Ontario Land Tribunal; however, appeals of this nature are rare for private residential properties and staff do not anticipate an appeal for this property.

## **Consultations:**

Property Owners  
Municipal Heritage Committee

## **Attachments:**

Appendix A – Heritage Evaluation Report: 33 North Water Street



Adobe Acrobat  
Document

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