



Council Report

Report Number:	ED2023-060
Meeting Date:	September 26, 2023
Title:	Proposed Listing of 75 Ridge Drive, Geographic Township of Bexley
Description:	Proposed listing of 75 Ridge Drive of the City's Heritage Register
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2023-060, **Proposed Listing of 75 Ridge Drive, Geographic Township of Bexley**, be received; and

That the addition of 75 Ridge Drive to the City's Heritage Register as a property of cultural heritage value or interest be approved.

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.

Properties listed on the Register are subject to Section 27(3) of the Act which states that the owner of a property shall not demolish or remove a building or structure listed on the Heritage Register unless the owner gives the municipality at least 60-days notice in writing of their intent to seek a demolition permit. The 60-day period provides Council with enough time to seek input from its heritage committee and, if deemed appropriate, begin the process to protect a property through designation. This section of the Act also allows Council to require the submission of plans as well as other information as to the intended redevelopment or use of the property.

In the past, staff have brought forward lists of properties proposed for listing at periodic times throughout the year. These lists have included multiple properties which span a range of different architectural styles, types and geographic locations throughout Kawartha Lakes to ensure that the diversity of cultural heritage resources within the municipality are identified and conserved. However, with the amendments made to the Ontario Heritage Act under Bill 23 with regard to limitations on the listing of properties, it is no longer feasible or desirable to batch list properties as has been done in the past and the listing of properties is now being undertaken on a case by case basis as the need for listing arises. Under the amendments, properties may now only remain listed on the Heritage Register for two years at which point a municipality must designate them or they are automatically removed from the Register. At the same time, a new requirement was introduced mandating that a property must be listed on the Heritage Register for a municipality to designate it as part of the land use planning process, something which happens from time to time when the designation is warranted in order to both preserve a cultural heritage resource and allow for new development and growth; the property must be listed prior to a Planning Act application being received for it. Consequently, listing will now be used as an interim measure on a property to prevent demolition or to trigger heritage studies in support of Planning Act applications while further heritage assessment and dialogue with owners can be undertaken.

As a result of these amendments, properties will now only be brought forward for listing on a case by case basis where there is a specific rationale to do so. Cultural heritage policies in Kawartha Lakes, and most other municipalities in Ontario, are predicated on properties with cultural heritage value being identified and protected and listing is a key tool within the land use planning framework for applying local and provincial cultural heritage protection policies. Listing a property both allows staff to require a Heritage Impact Assessment as part of a complete application made under the Planning Act and to designate the property as a condition of approval for application, should it be deemed warranted and appropriate. These tools are vital to ensure that the City adheres to both provincial and municipal land use planning policy in its decision making and approval process as related to cultural heritage resources.

In August 2023, staff received a request from a member of the community to list the property known municipally as 75 Ridge Drive on the City's Heritage Register. At its meeting of September 7, 2023, the Committee reviewed the heritage evaluation matrix and statement of significance for the property and the potential to add it to the Heritage Register. Upon its review, the Committee passed the following motion:

KLMHC2023-110

Moved By W. Bateman

Seconded By I. McKechnie

That Report KLMHC2023-064, **Listing of 75 Ridge Drive, Geographic Township of Bexley**, be received;

That the listing of the property on the City's Heritage Register be endorsed; and

That this recommendation 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 contribute to the long term, sustainable and transparent management of heritage resources in the municipality.

Listing is an administrative, rather than legal, process. There are no restrictions placed on the use or alteration of these properties and owners are not required to apply for or received 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.

The property proposed for listing in this report is known municipally as 75 Ridge Drive and is located in the Geographic Township of Bexley on Long Point. The property, which fronts onto Balsam Lake, contains a historic summer cottage dating from around 1930. It was constructed as part of the development of the recreational summer community on Long Point throughout the 1920s, 1930s and 1940s. Long Point was created beginning in the early 1920s specifically as a recreational cottage community by Lindsay lawyer Alexander M. Fulton and is one of a number of surviving late nineteenth and early twentieth century cottage communities in Kawartha Lakes that include both family cottages and recreational community amenities. These cottage communities, including Long Point, are significant, if generally unrecognized, cultural heritage resources that document the development of Kawartha Lakes as a summer cottage destination throughout the early twentieth century. Mostly developed during the interwar period, the majority of cottage and amenity construction on Long Point was completed by 1950, although in recent years some of the older cottages have been demolished and reconstructed with larger structures. The property known municipally as 75 Ridge Drive was sold in summer of 2023 and there is substantial concern in the local community that the cottage is going to be demolished and the lot redeveloped, although a demolition permit has not yet been issued for this property. A local resident has come forward and requested that the City provide heritage protection to the property.

Upon review of the property, it has been demonstrated that this property does possess cultural heritage value and staff are proposing the cottage be added to the Register as a listed building to allow conversations with the owner regarding the intended use of the site to be initiated while providing the property with interim protection. Should a Planning Act application be made in relation to the property, listing the property will allow a Heritage Impact Assessment to be requested and, if warranted, the property designated under Part IV of the Ontario Heritage Act. Amendments to the Act under Bill 23 require a property to be listed prior to a Planning Act application being received for it, should a municipality wish to designate it as part of the land use planning process. As this property has been demonstrated to have heritage value in accordance to Ontario Regulation 9/06, staff believe it is appropriate for the City to provide interim protection to assess options and work with the property owner. If it is found that the property does not warrant further or continued protection, it will automatically be removed from the Register two years from its date of listing.

In order to list a property on the Register, municipalities must now demonstrate that a property meets at least one of the criteria for determining cultural heritage value under Ontario Regulation 9/06. This requirement is new under the amendments made to the Act by Bill 23. The subject property fulfils multiple criteria and is therefore eligible for listing. A heritage evaluation matrix outlining how the property fulfils the O. Reg. 9/06 criteria is attached as Appendix A and a summary of the property's cultural heritage value is attached as Appendix B.

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 is a courtesy notice and allows owners to contact City staff to ask questions about the listing of their property, its implications, and any concerns they may have. A second notification, which is required under Section 27 of the Act, is issued to owners 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 and are brought forward under the cover of a staff report if and when received. An initial notice has been issued to the property owner.

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. It also provides additional opportunities for the City to engage with property owners about the management of heritage resources and work together to find long-term solutions for preservation and protection.

Financial/Operation Impacts:

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

Consultations:

Municipal Heritage Committee
Chief Building Official

Attachments:

Appendix A – 75 Ridge Drive Heritage Evaluation Matrix



Adobe Acrobat
Document

Appendix B – 75 Ridge Drive Statement of Significance



Adobe Acrobat
Document

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Department Head: Richard Holy, Director of Development Services