



Committee of the Whole Report

Report Number: ED2024-014

Meeting Date: April 9, 2024

Title: **Proposed Heritage Designation of 35 Bolton Street, Village of Bobcaygeon (Bank of British North America)**

Description: Proposed heritage designation of 35 Bolton Street under Part IV of the Ontario Heritage Act

Author and Title: Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2024-014, **Proposed Heritage Designation of 35 Bolton Street, Village of Bobcaygeon (Bank of British North America)**, be received;

That the Municipal Heritage Committee’s recommendation to designate 35 Bolton 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 properties under Part IV of the Ontario Heritage Act, including the preparation and circulation of Notices of Intention to Designate, and preparation of the designating by-laws; 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.

35 Bolton Street, also known as the Bank of British North America, was constructed between 1913 and 1914 and is a rare example of a Romanesque Revival style commercial building in Bobcaygeon. It is an important local landmark. The property is currently listed on the City's Heritage Register. Although there was initially no intention by staff to designate this building under Part IV of the Ontario Heritage Act, amendments to the Ontario Heritage Act made through Bill 23, More Homes Built Faster Act (2022) now require municipalities to designate listed properties or remove them from the Register within two years of the amendments coming into effect. Practically, this means that, in order for municipalities to provide heritage protection to its cultural heritage resources as is required by provincial land use planning policy, they must be designated under Part IV of the Act. The amendments came into effect on January 1, 2023.

35 Bolton Street has been prioritized as a commercial building with important historical associations in downtown Bobcaygeon and a significant landmark building in the community. It has a high degree of architectural and historical value in Bobcaygeon. The designation of this property would provide controls for future development on the subject property itself as well as on adjacent properties and give Council and staff additional tools to ensure compatibility with the existing fabric of the historic centre of Bobcaygeon when reviewing and approving new development. This property was identified by the Municipal Heritage Committee and staff as a priority property. Staff have undertaken a site visit to and heritage evaluation report about the property 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.

At its meeting of October 5, 2023, the Kawartha Lakes Municipal Heritage Committee reviewed the heritage evaluation report for this property and adopted the following resolution:

KLMHC2023-119

Moved By W. Peel

Seconded By J. Hartman

That Report KLMHC2023-069, **Proposed Heritage Designation of 35 Bolton Street, Village of Bobcaygeon**, be received;

That the designation of the property known municipally as 35 Bolton Street be endorsed; and

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

Carried

The property was brought forward for designation at the November 7 meeting of the Committee of the Whole. At the time, staff were trying to connect with the property owner with whom the Economic Development Division has an existing relationship and Council felt, at that time, that it made sense to defer the issuance of a notice of intention to designate until staff were able to meet with the owner to discuss the designation. As a result, Council, sitting as Committee of the Whole, passed the following resolution:

CW2023-261

Moved By Councillor Warren

Seconded By Councillor Ashmore

That Report ED2023-054, **Proposed Heritage Designation of 35 Bolton Street, Village of Bobcaygeon (Bank of British North America)**, be received;

That proposed heritage designation be deferred until additional consultation with the owner of the subject property is completed by Staff; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

That resolution was ratified at the Council meeting of November 21, 2023.

Staff met with the property owner in February 2024 to discuss Bill 23, the impacts of designation on the property and the heritage designation process. The owner is supportive of the proposed designation of the property. This report addresses the direction provided by the Municipal Heritage Committee and Council and provides the background information regarding the proposed designation of the property for consideration.

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 two 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.

Amendments made to the Ontario Heritage Act under Bill 23 require a property to meet two or more criteria in order to be eligible for designation. 35 Bolton 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.

35 Bolton Statement of Significance

Design and Physical Value

35 Bolton Street has design and physical value as a rare example of a Romanesque Revival bank building in Kawartha Lakes. Constructed between 1913 and 1914, the bank is representative of the Romanesque Revival style as it had evolved by the early twentieth century and includes features typical of this architectural style, such as its rusticated coursed stone construction, rounded arch windows and cornice, which were prevalent feature in Romanesque Revival architecture. The use of the Romanesque Revival style in bank architecture was rare, as Classical styles were generally preferred, and the subject property is the only example in Kawartha Lakes. It is the only purpose-built historic bank building extant in Bobcaygeon and is also unique in the community in this regard.

Historical and Associative Value

35 Bolton Street has historical and associative value as part of the commercial development of downtown Bobcaygeon throughout the late nineteenth and early twentieth century. In its former role as the Bank of British North America, and later the Bank of Montreal, the property yields information regarding the role and development of banking in small town Ontario in the early years of the twentieth century when national banks rapidly expanded with new branches across the country; it was the village's first purpose built bank. The property also has historical value through its

architect, William Alexander Langton, the son of prominent Verulam settler John Langton and its contractor, Peter Grant, one of turn of the century Bobcaygeon's important builders whose work significantly shaped the build landscape of the village.

Contextual Value

35 Bolton Street has contextual value as part of the historic commercial landscape of downtown Bobcaygeon. Constructed at the southwest corner of Bolton and Canal Streets, the building forms part of a continuous streetwall along the west side of Bolton Street, mostly constructed in the wake of the 1913 fire that destroyed a significant part of the downtown. As part of this streetwall, it is historically and physically linked to its surroundings and is a contributing feature to the historic character of downtown Bobcaygeon. It is also a local landmark for its prominent architecture, location as a corner anchor building and longstanding use as a bank.

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 they 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 architectural and historical significance in downtown Bobcaygeon 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 deterioration and conserves 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. Amendments to the Ontario Heritage Act now require municipalities to review and designate their listed properties and the City is required to follow provincial direction.

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

The designation of property under the Ontario Heritage Act is a core function of the heritage planning program offered as part of the City's economic development and business development programming which has been identified as one of the priority area's action items. Further, the designation of commercial properties in downtown areas advances the action item to support downtown revitalization, intensification and beautification by providing recognition and protection to historic commercial properties that contribute to the unique character of Kawartha Lakes' downtowns.

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 included in the 2024 Heritage Planning budget.

It is possible that there will be additional legal fees if there is an owner-initiated appeal to the Ontario Land Tribunal as the property is privately owned, although this is not anticipated as staff have already met with the property owner to discuss the designation. There is also the potential for third-party appeals of the designation to the Ontario Land Tribunal; however, appeals of this nature are rare.

Consultations:

Municipal Heritage Committee.
Property Owner.

Statutory notices to owners under the Ontario Heritage Act are issued once Council has issued a resolution to issue a Notice of Intention to Designate under subsection 29(3) of the Act. The issuance of a Notice of Intention to Designate triggers the formal consultation process with the property owner and the general public.

Attachments:

Appendix A – Heritage Evaluation Report: 35 Bolton Street



Adobe Acrobat
Document

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Department Head: Leah Barrie, Director of Development Services