

Committee of the Whole Report

Report Number:	ED2025-009
Meeting Date:	March 4, 2025
Title:	Proposed Heritage Designation of 48 Main Street, Village of Bobcaygeon (J.L. Read General Store/The Promoter Building)
Description:	Proposed heritage designation of 48 Main Street under Part IV of the Ontario Heritage Act
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2025-009, **Proposed Heritage Designation of 48 Main Street, Village of Bobcaygeon (J.L. Read General Store/The Promoter Building)**, be received;

That the Municipal Heritage Committee's recommendation to designate 48 Main 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 Notices of Intention to Designate, consultation with the property owner 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.

48 Main Street, also known as the J.L Read General Store or the Promoter Building, has cultural heritage value as a representative example of a late Victorian Italianate commercial building in Bobcaygeon and as part of the commercial development of Bobcaygeon's Market Square. 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. Recent amendments to the Act have extended the deadline to designate properties by an additional two years to January 1, 2027.

48 Main Street has been prioritized as an important historic commercial building in Bobcaygeon. It has a high degree of architectural and historic value as the former J.L. Read General Store and as home to a succession of other local businesses throughout the twentieth century. It is also a key building block in the cultural historic landscape of Bobcaygeon's Market Square. 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 community of Bobcaygeon when reviewing and approving new development. This property was identified by staff and the Municipal Heritage Committee as a priority property as part of the broader landscape of Market Square. Initially, the Committee's intention was to initiate the development of a heritage conservation district in the Market Square area which would have included this property within its boundaries, as there is a significant collection of historic buildings around the

square which form a cohesive and important cultural heritage landscape. However, the development of a heritage conservation district study and plan require significant staff time and resources which are currently not available within existing staff capacity. In order to respond to provincial direction regarding listed properties, the Committee has decided that it is most appropriate to concentrate on the individual designation of listed properties in this area to focus research on individual properties and undertake consultation with property owners on a one-on-one basis. Staff are supportive of this approach. 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.

At its meeting of February 6, 2025, the Kawartha Lakes Municipal Heritage Committee reviewed the heritage evaluation report for this property and adopted the following resolution:

KLMHC2025-021

Moved By J. Hartman

Seconded By S. McCormack

That Report KLMHC2025-016, **Proposed Heritage Designation of 48 Main Street, Village of Bobcaygeon**, be received;

That the designation of the property known municipally as 48 Main 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 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. 48 Main 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.

48 Main Street Statement of Significance

Design and Physical Value

48 Main Street has design and physical value as a representative example of a late nineteenth century Italianate building constructed in a small-town setting. Built in 1898 as a replacement for an older wooden commercial building on the same location, the property displays key characteristics of this architectural style including its recessed Victorian storefront, gently sloping roof, bays divided by pilasters, and decorative brickwork. It demonstrates the way in which the Italianate commercial style was used outside of major urban areas, where it was primarily used as part of continuous urban streetwalls, and the execution of this building type as a free-standing detached commercial building.

Historical and Associative Value

48 Main Street has historic and associative value as a historic commercial building in Market Square in the section of Bobcaygeon known originally as Rokeby. First constructed in 1898 for John Landon Read's general store, the commercial building had housed a number of businesses throughout the twentieth century and is directly associated with the development of Market Square as the commercial hub and community gathering space for Rokeby, the original government townsite, outside of Bobcaygeon's main commercial core along Bolton Street. Through its longstanding use as a business premise, it yields information regarding Bobcaygeon's commercial development throughout the late nineteenth and early twentieth centuries. It also has specific historic associations with Read himself, a prominent local businessman and community leader. The property also has direct historic associations with Group of Seven artist A.J. Casson who painted the building twice in two different paintings of Bobcaygeon that he completed in the mid-1930s as part of his broader study of small-town Ontario and central Ontario cottage country throughout the middle decades of the twentieth century.

Contextual Value

48 Main Street has contextual value as part of the historic commercial landscape of Bobcaygeon's Market Square. Located on the north side of the Bobcaygeon River on the main land, Market Square developed as part of the original town site of Rokeby and is currently characterized by a collection of commercial buildings clustered around a central square, including the subject property which maintains and supports its historic character with regard to the street pattern and layout that is distinct from the rest of

the village. It is historically and visually linked to its surroundings as part of the development of Market Square as a distinct commercial area and public square in the nineteenth century for the northern part of the community.

Consultation with Property Owners

The Ontario Heritage Act requires the City to notify and consult with the owner of any property being proposed for designation prior to the passage of a designating by-law. Formal consultation is initiated with the issuance of a notice of intention to designate by Council resolution. Property owners are sent a letter and an information package informing them of the proposal to designate their property and encouraging them to engage with the process and to inform them that they are able to object to the designation if they so choose. Different owners choose to have different levels of engagement with the process, but all owners of properties proposed for designation are notified in accordance with the processes outlined in the Act. Staff may not issue a notice of intention to designate and initiate the formal consultation process without direction from Council. The formal consultation process also includes the issuance of a public notice and invitation for the general public to comment on and object to the proposed designation. Should an objection be received from the property owner or a member of the public, the objection will be presented to Council under the cover of a staff report for consideration.

Provincial Policy Conformity

Provincial Planning Statement, 2024

The new Provincial Planning Statement (PPS) sets the policy foundation for development and land use planning in Ontario. The policy intends to balance the need for growth and economic development in Ontario's communities with the need for ensuring a high quality of life, public safety and health, and the conservation of natural and cultural heritage resources, noting that "Cultural heritage and archaeology in Ontario will provide people with a sense of place." Section 4.6 (Cultural Heritage and Archaeology) requires municipalities to identify and conserve heritage properties as part of the land use planning process. The PPS states that "Planning authorities are encouraged to develop and implement b) proactive strategies for conserving significant built heritage resources and cultural heritage landscapes."

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 City is currently in the process of implementing its strategy to conserve listed built heritage resources in Kawartha Lakes through designation under Part IV of the Act which aligns with the direction in the PPS. 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 for which designation under Part IV of the Act is an appropriate conservation strategy.

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.

The designation of property also aligns with the strategic direction contained in the 2025-2029 Economic Development Strategy. It advances Objective 4.4. (Lead, partner and foster heritage conservation) where the conservation of historic property through designation is identified as an action item to support Strategic Priority 4: Invest in Places of Economic and Cultural Activity.

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 property which are included in the 2025 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. 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.

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(s) and the general public.

Attachments:

Appendix A – Heritage Evaluation Report: 48 Main Street



Adobe Acrobat
Document

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