



Committee of the Whole Report

Report Number:	ED2025-014
Meeting Date:	June 3, 2025
Title:	Proposed Heritage Designation of 90 Bolton Street, Village of Bobcaygeon (Orr Building)
Description:	Proposed heritage designation of 90 Bolton Street under Part IV of the Ontario Heritage Act
Author and Title:	Emily Turner, Economic Development Officer – Heritage Planning

Recommendations:

That Report ED2025-014, **Proposed Heritage Designation of 90 Bolton Street, Village of Bobcaygeon (Orr Building)**, be received;

That the Municipal Heritage Committee's recommendation to designate 90 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 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.

90 Bolton Street, also known as the Orr Building, has cultural heritage value as the former Orr Temperance Hotel and the current site of the Masonic Lodge. 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.

90 Bolton Street has been prioritized as a landmark historic commercial building in downtown Bobcaygeon. It has a high degree of architectural value as a unique example of a late nineteenth century small-town commercial building and through its historic value as both the Orr Temperance Hotel and the Kenosha Inn. It is an important building block in the historic landscape of downtown Bobcaygeon and is widely regarded as a local landmark. The designation of this property would provide controls for future development on the subject property itself as well as on adjacent properties and gives Council and staff additional tools to ensure compatibility with the existing fabric of Bobcaygeon's historic downtown 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.

At its meeting of May 1, 2025, the Kawartha Lakes Municipal Heritage Committee reviewed the heritage evaluation report for this property and adopted the following resolution:

KLMHC2025-050

Moved By J. Hartman

Seconded By S. McCormack

That Report KLMHC2025-035, **Proposed Heritage Designation of 90 Bolton Street, Village of Bobcaygeon**, be received;

That the designation of the property known municipally as 90 Bolton 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. 90 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.

90 Bolton Street Statement of Significance

Design and Physical Attributes

90 Bolton Street has design and physical value as a unique example of a Victorian commercial building and is one of a small collection of surviving stone commercial buildings remaining extant in Kawartha Lakes. Constructed in 1871, the property is demonstrative of vernacular commercial architecture of the early Victorian and mid-nineteenth century period, which were typically built to the front lot line and formed a consistent streetwall, with limited ornamentation, as opposed to the later Italianate style, which had become popular by this period. This building is one of only a few downtown commercial buildings in Kawartha Lakes constructed in this manner.

Historical and Associative Attributes

90 Bolton Street has historical and associative value as a historic hotel in downtown Bobcaygeon. The property was originally constructed in 1871 as the Orr Temperance Hotel and later became the Kenosha Inn where it served tourists and other visitors to Bobcaygeon from the late nineteenth century onward. Through this historic role as a hotel, it yields information regarding the role and development of hotels in Bobcaygeon as import aspects of its economic growth. The property is also directly related to the strong temperance movement in Bobcaygeon as it was originally constructed as a temperance hotel, long before the community enacted the local option. It yields information regarding the growth of the temperance movement in the community and its role in the hospitality industry. It is also directly related to the local Masonic Lodge, which purchased the building in 1940 and continues to own and use the building.

Contextual Attributes

90 Bolton Street has contextual value as a contributing feature to the historic commercial character of Bobcaygeon's downtown and is functionally linked to its surroundings as part of the village's downtown landscape. The property is located on the south east corner of Bolton Street and forms a corner anchor building for the community's main commercial thoroughfare. It supports the small-town commercial streetscape of Bolton Street, which is comprised of a mix of historic and contemporary commercial buildings with similar setbacks and massing. The property is a landmark building as the largest commercial building in the downtown, as well as through its building material and location.

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
Manager, Economic Development

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: 90 Bolton Street



Adobe Acrobat
Document

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Department Head: Leah Barrie, Director of Development Services