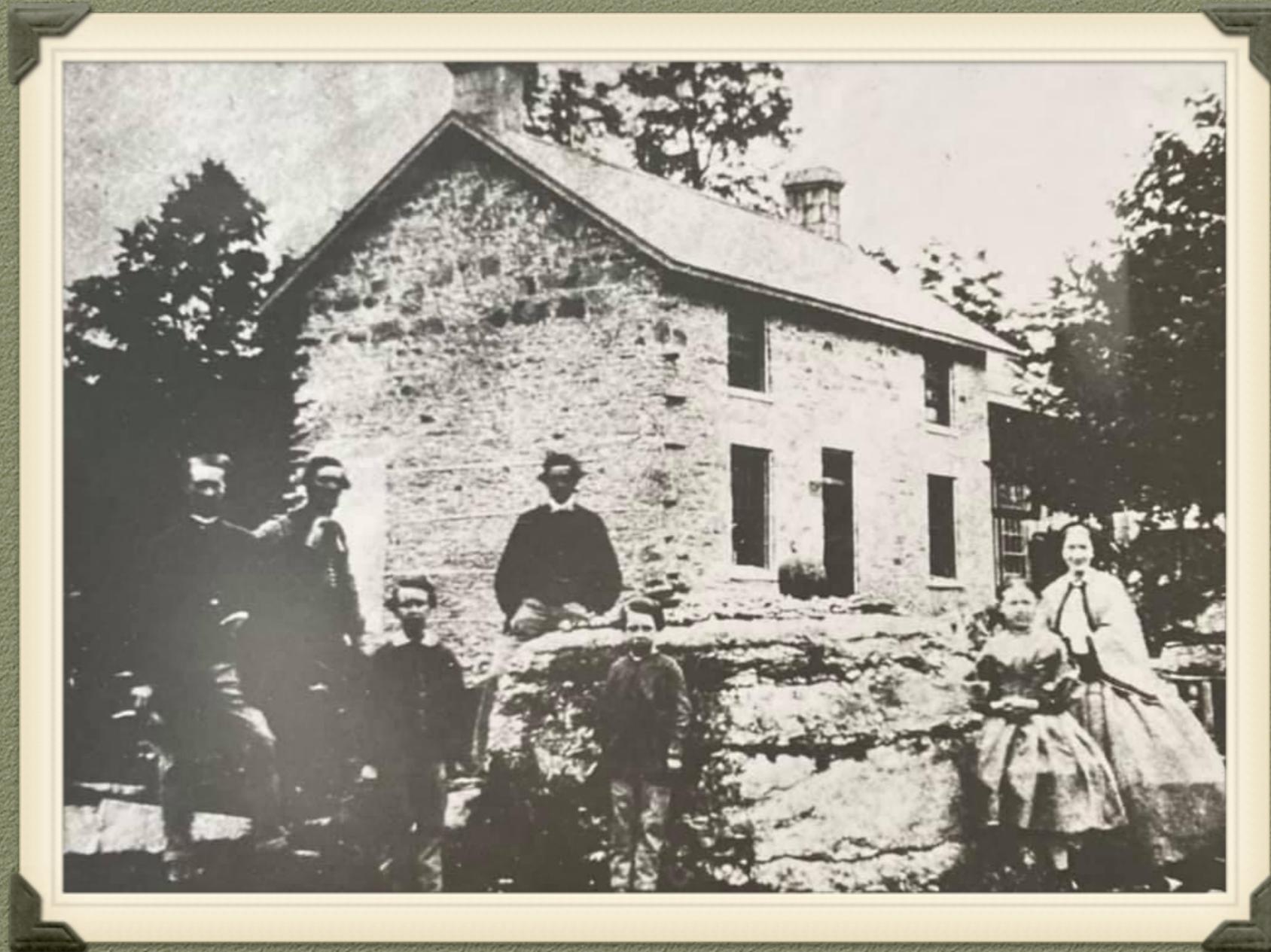


SAVE THE OLD STONE MILL HOUSE



SELWYN HERITAGE COMMITTEE MEETING

JANUARY 28, 2021

BY MICHAEL CHAPPELL

ON BEHALF OF 'SAVE THE OLD STONE MILL HOUSE' GROUP

REQUEST TO HERITAGE COMMITTEE ACTION TODAY

- Heritage Committee provide advice to Council:
 1. To confirm the historical significance of the site and a clear rationale to designate it.
 2. To recommend that a full heritage assessment be completed by the Heritage Committee and submitted to Council ASAP.
 3. To recommend that the Township rescind the demolition permit and not issue a new one to a new owner or when the current one expires.
 4. That Council express its intent to designate the building /property under s. 29 of the Heritage Act.
 5. That the Township post a notice of intent to designate the building/site under s. 29 of the Heritage Act.
 6. That the Township provide a summary of the planning process and decisions by Council to proceed with commercial rezoning of the site.



ACTION 1: CONFIRM HISTORICAL SIGNIFICANCE & RATIONALE TO DESIGNATE

Historical Significance:

- Constructed by Frank D'Arcy in 1858 who owned and operated the Grist Mill
- John Hull lived in the house 1863 - 1917 who served 14 years on village council and Reeve from 1899-1900

Architectural Style

- Georgian/farmhouse vernacular style
- Center hall
- 6 over 6 windows
- Granite and limestone
- Sunroom addition windows



ACTION 2: HERITAGE COMMITTEE TO COMPLETE A HERITAGE ASSESSMENT

- The Heritage Committee complete a full assessment of heritage values that support an intent to designate the site under s. 29 of the Heritage Act.
- This should be completed and submitted to Council ASAP.

ACTION 3: RESCIND DEMOLITION PERMIT

- CBO issued demolition permit August 2020 that expires early Feb. 2021.
- According to the amended Heritage Act the Mayor and Council is the approval authority for issuing a demolition permit for a property of historical significance. Current permit was not issued with their approval and should be rescinded immediately.
- A demolition permit should not be issued to the new owner without a full review of the historical significance and heritage assessment and input of the Heritage Committee and approval of Council.
- Need open and honest disclosure and consultation with the Heritage Committee:
 - Selwyn Heritage Committee meeting, Nov. 22,2020
 - draft demolition process discussed but no disclosure by CBO that a demolition permit was already issued for the 44 Bridge St.
 - Heritage Committee member email Dec. 2,2020 identifies Old Stone Mill House, 44 Bridge St. As a priority for designation.

ACTION 4 & 5: RECOMMEND THAT COUNCIL PROVIDE NOTICE OF INTENT TO DESIGNATE

- Heritage Act RSO 1990 - Amended in 2005 to give the province and municipalities new powers to delay or stop the demolition of heritage sites (http://www.mtc.gov.on.ca/en/heritage/heritage_act.shtml)
- If a notice of intention to designate a property of cultural heritage value or interest under s. 29, any permit that allowed the alteration or demolition is void on the day of notice of intention is given.
- Interim control of alteration, demolition or removal - protected as if designated under s. 29.
- Citizen's Guide - Demolition Permits - “because of a building’s historic or architectural importance, it may be designated, or be intended for designation, as a heritage building under the Ontario Heritage Act. In that case, demolition will require council’s approval and there may have to be negotiations over how some of the unique character of the building can be preserved.”

ACTION 6: PROVIDE INFORMATION & DOCUMENTATION FOR COMMERCIAL REZONING

- Selwyn Township to provide clear summary of commercial rezoning planning and decision making process, Council motion and documentation including mapping to support commercial rezoning of this property.
- The summary should include:
 - When? Who was the proponent?
 - What was the rationale?
 - What was the planning and decision making process?
 - **Was historical significance considered? Was there a heritage assessment completed and reviewed by the Heritage Committee prior to rezoning? Are there conditions in the rezoning to protect the cultural heritage building?**
 - Was the community consulted? How? What was the community response?
 - The consolidated zoning by-law is missing a map which is normally an important part of the documentation.

**Provincial Heritage Act Amendments
New Powers to Municipalities to Delay or Stop the Demolition of Heritage Sites or
Sites with Historical Significance (not yet designated)**

1) Ontario Heritage Act Amendments

http://www.mtc.gov.on.ca/en/heritage/heritage_act.shtml

The *Government Efficiency Act* came into force on November 26, 2002. It included changes to the *Ontario Heritage Act* to clarify, update and streamline its provisions related to archaeology and built heritage protection.

These changes were an interim measure. In 2005, the government passed comprehensive [amendments](#) to the *Ontario Heritage Act*. These amendments modified those made in the *Government Efficiency Act*. They strengthen and improve heritage protection in Ontario, bring Ontario's heritage legislation in line with leading jurisdictions in Canada and:

- Give the province and municipalities new powers to delay and also to stop demolition of heritage sites. They balance enhanced demolition controls with an appeals process that respects the rights of property owners.
- Further expand the province's ability to identify and designate sites of provincial heritage significance.
- Provide clear standards and guidelines for the preservation of provincial heritage properties.
- Enhance protection of heritage conservation districts, marine heritage sites and archaeological resources.

2) Applicable Sections of the Ontario Heritage Act R.S.O. 1990

Under the Ontario Heritage Act R.S.O. 1990 C.0.18 section 30 (below) the Township can state or pass a resolution of its intention to designate this as a heritage property, even though it is in the process of being sold. The day that the Township provides

notice of this intention to designate to the involved parties, the demolition permit immediately becomes void.

Effect of notice of designation Permits void

(1) Section **30**: If a notice of intention to designate a property as property of cultural heritage value or interest is given under section **29**, any permit that allowed for the alteration or demolition of the property and that was issued by the municipality under any Act, including a building permit, before the day the notice was served on the owner of the property and on the Trust and published in a newspaper is void as of the day the notice of intention is given in accordance with subsection **29** (3). 2005, c. 6, s. 18.

Interim control of alteration, demolition or removal

(2) Sections **33** and **34** apply with necessary modifications to property as of the day notice of intention to designate the property is given under subsection **29** (3) as though the designation process were complete and the property had been designated under section **29**. 2005, c. 6, s. 18.

3) [Citizen's guide to land use planning: Building permits | Ontario.ca](#)

We would also like to draw your attention to the Government's advice on demolition permits [Citizen's guide to land use planning: Building permits | Ontario.ca](#) that references buildings "intended for designation", and that council is the approval authority of a demolition permit for a building with historical or architectural importance.

Demolition Permits

Before you take down all or part of a building, you will have to apply to your municipality for a demolition permit. The process is much the same as for a building permit, but some special situations may affect your application.

In a demolition control area, for example, you will not be able to demolish a residential property until you have received a demolition permit issued by the municipal council.

Or, **because of a building's historic or architectural importance, it may be designated, or be intended for designation,** as a heritage building under the *Ontario Heritage Act*. **In that case, demolition will require council's approval** and there may have to be negotiations over how some of the unique character of the building can be preserved.

Attachment #2

Rationale for Heritage Protection Old Stone Mill House, 44 Bridge St. Lakefield

Historical Significance

The Old Stone Mill House was constructed in 1858 (only 5 years after the erection of Christ Church) by Frank D'Arcy who built and operated the first grist mill on the site of current Curtis Park between the Canal and dam on the north side of Queen Street.

In 1863 John. J.P Hull bought the property where he lived until his death in 1917. He added the south addition in 1867, the year of Canada's Confederation. John Hull served on village council for 14 years and was village reeve from 1899-1900. The home remained in his family until 1945 when it was sold to Dr Reginald Campbell who operated a dentist office at the location.

Previous owners include the Robb family, the Macrae family (1977) and the Logan family before the property being acquired by Habitat for Humanity in 2018.

This Property was a central hub to our pioneer ancestors and critical to establishing the viability of Lakefield as a community. We must recognize the efforts of our ancestors if we want to build on the community they established and pass this legacy on to future generations.

Architectural Significance

The house is constructed in the Georgian/farmhouse vernacular style with a centre hall and symmetrical 6 over 6 windows. Granite and limestone were sourced from a local quarry and reflect the geology of this region. The sunroom addition is constructed from large arched windows salvaged from an original Lakefield storefront (Margaret Leonard's Ladies Wear).

The original fireplaces and chimneys are intact, and a style of masonry is unusual with a mix of both cut granite and limestone, with in-fill of shale limestone. In the list of Ontario Georgian houses there is only a single Sault St. Marie 1813 Ermatinger house which has that mix of different types of stone, so the Old Miller's House deserves to be preserved as an example of a unique style of masonry:

<http://www.ontarioarchitecture.com/georgian.htm>