



# Heritage Impact Assessment, 12909 Kennedy Road, Part of Lot 22, Concession 2 East of Centre Road, Geographic Township of Chinguacousy, Now Town of Caledon, Regional Municipality of Peel, Ontario

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- Appendix D – Staff Report on 12909 Kennedy Road (2022-0225)
- Appendix E – Contact sheets of all available photo documentation
- Appendix F – Barn Condition Assessment

## 1. Executive Summary

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Parslow Heritage Consultancy, Inc. (PHC) was retained by Balkaran Dhillon (the Proponent) to prepare a Cultural Heritage Impact Assessment (CHIA) for the property located at 12909 Kennedy Road, Town of Caledon, Peel Region, Ontario. The Subject Property comprises Part of Lot 22, Concession 2 East of Center Road (ECR), Geographic Township of Chinguacousy, now Town of Caledon. The Proponent is undertaking the assessment in support of an Official Plan Amendment (OPA), and a Plan of Subdivision.

This HIA is designed to meet the scope of work stipulated in the *Town of Caledon Terms of Reference- Heritage Impact Assessment* (Caledon 2019), the Town of Caledon's *Non-Designated Properties Listed on the Heritage Register* (Caledon nd), and adhere to the policies of the *Town of Caledon Official Plan* (Caledon 2018).

This assessment will evaluate the potential Cultural Heritage Value or Interest (CHVI) of the property through review of historical documents, documentation of the property and input from the Town of Caledon. The property will be evaluated against provisions of the *Ontario Heritage Act* (OHA) under *Ontario Regulation* (O.Reg.) 569/22, the *Planning Act* (1990) and the *Provincial Policy Statement 2020*.

Site visits were conducted by Chris Lemon of PHC on December 7, 2022 and December 21, 2022 to document the property, structures, and surrounding landscape.

The Subject Property is located on the east side of Kennedy Road, between Old School Road to the north and Bonnieglan Boulevard to the South. The property is approximately 90 acres in size, containing a one-and-a-half storey stone residence, two late 19th century barns, and a series of modern farm outbuildings. The Subject Property surrounds Dixon's Primitive Methodist Church c.1875, which resides on property donated to the church by a previous owner of Lot 22, Concession 2 ECR. The church property includes Dixon's Union Cemetery.

Evaluation of 12909 Kennedy Road against the criteria outlined by O.Reg. 569/22 identifies the property to meet seven of the nine criteria in determining the CHVI of a property; therefore, the property is a candidate for Designation under Section 29 of the OHA. The following recommendations are made for 12909 Kennedy Road:

1. The property be Designated by municipal by-law under Part IV Section 29 of the OHA. If Designation proceeds, it be limited to the extant residential structure, access laneway, associated mature trees, the adjacent timber frame barns and the view scape between the above elements and the Primitive Methodist church.
2. Any alterations or additional to the residential structure be made to the rear of the structure and maintain and be subordinate to the identified heritage attributes.
3. The exterior of the stone residence be subject to restoration and preservation that would return it to its as-built configuration. Restoration would include repointing of mortar bonds were necessary, restoration and retention of all original woodwork including decorative millwork, windows, and doors.

4. In February 2023 PHC advised the proponent that every attempt be made to integrate both barns into the proposed redevelopment of the area. While both barns have been identified as heritage attributes there is a significant difference in condition between the two structures. Visual inspection found the bank barn to be in better overall condition and is the structure that has the greater heritage provenance given the inclusion of the inscribed foundation stone. It was recommended that both barns be subject to structural inspection by a qualified engineer who has previous and documented experience in the assessment of timber frame construction and field stone foundations. It may not be feasible to preserve both structures, but salvaged materials from the second barn could be used to restore and maintain the bank barn.
  - A. As indicated in the Barn Condition Survey (Appendix F), both barns were found to be in poor structural condition, with limited options for restoration. If the Town permits the demolition of one or both barns, PHC concurs with the recommendations of the Barn Condition Survey in that the barns should be carefully deconstructed in an effort to recycle historic building materials (eg. timbers). Historic materials from the barns should then be used in a commemoration installation within the property (see Recommendation 6). With the assistance of the Town, historic building materials can also be made available to restoration and reconstruction efforts of other buildings within the Town of Caledon or Region of Peel.
5. The recommended Kennedy Road park (see Section 10) be designed to permit use as a community garden, where new residents of the property's subdivision can rent plots of land for agricultural use (i.e sustainable vegetable gardens). This would provide an avenue whereby the historic agricultural use of the property would be maintained while facilitating the retention of existing sight lines from Kennedy Road and between 12909 Kennedy Road and the Primitive Methodist Church lands. The park could also provide parking facilities to support the adaptive reuse of the timber frame barns.
6. A commemoration be erected in a public space that documents the history and heritage of 12909 Kennedy Road and the surrounding area. The commemoration should aim to educate the community regarding local history and highlight the connection between 12909 Kennedy Road and the Primitive Methodist Church. Potential commemorations include but are not limited to a landscape feature with associated historical plaque, a sculpture or art installation with descriptive plaque erected in a place of prominence, an interpretive board within an adjacent public park. Historic building materials from the barns can also be used to construct a pergola or shade structure.

The Provincial Policy Statement (2020) notes that CHVI is identified for cultural heritage resources by communities. Thus, the system by which heritage is administered in Ontario places emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those determinations.

## 2. Personnel

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Carla Parslow, Ph.D., CAHP	Senior Cultural Resource Specialist
Christopher Lemon, B.Sc., Dip. Heritage, CAHP	Lead Cultural Heritage Consultant
Jamie Lemon, M.A.	Project Manager
Mark Buma, MEP, C.E.T., GIS(PG), EP, Northbound GIS Services	Mapping

### Acknowledgements

Balkaran Dhillon	Property Owner
Cassandra Jasinski M.A., CAHP	Heritage Planner, Policy, Heritage Design Planning Department Town of Caledon

### 3. Introduction

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Documentation of the property took the form of high-resolution photographs using a Nikon D5600 DSLR camera, the collection of field notes, and the creation of measured drawings where necessary. The assessment strategy was derived from the National Historic Parks and Sites Branch *Canadian Inventory of Historic Buildings* (Parks Canada 1980), *Well Preserved: The Ontario Heritage Foundation Manual on the Principles and Practice of Architectural Conservation* (Fram 2003), the *Historic American Building Survey - Guide to Field Documentation* (HABS 2011) and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Parks Canada 2010). All accessible areas of the property and associated structures were accessed and documented.

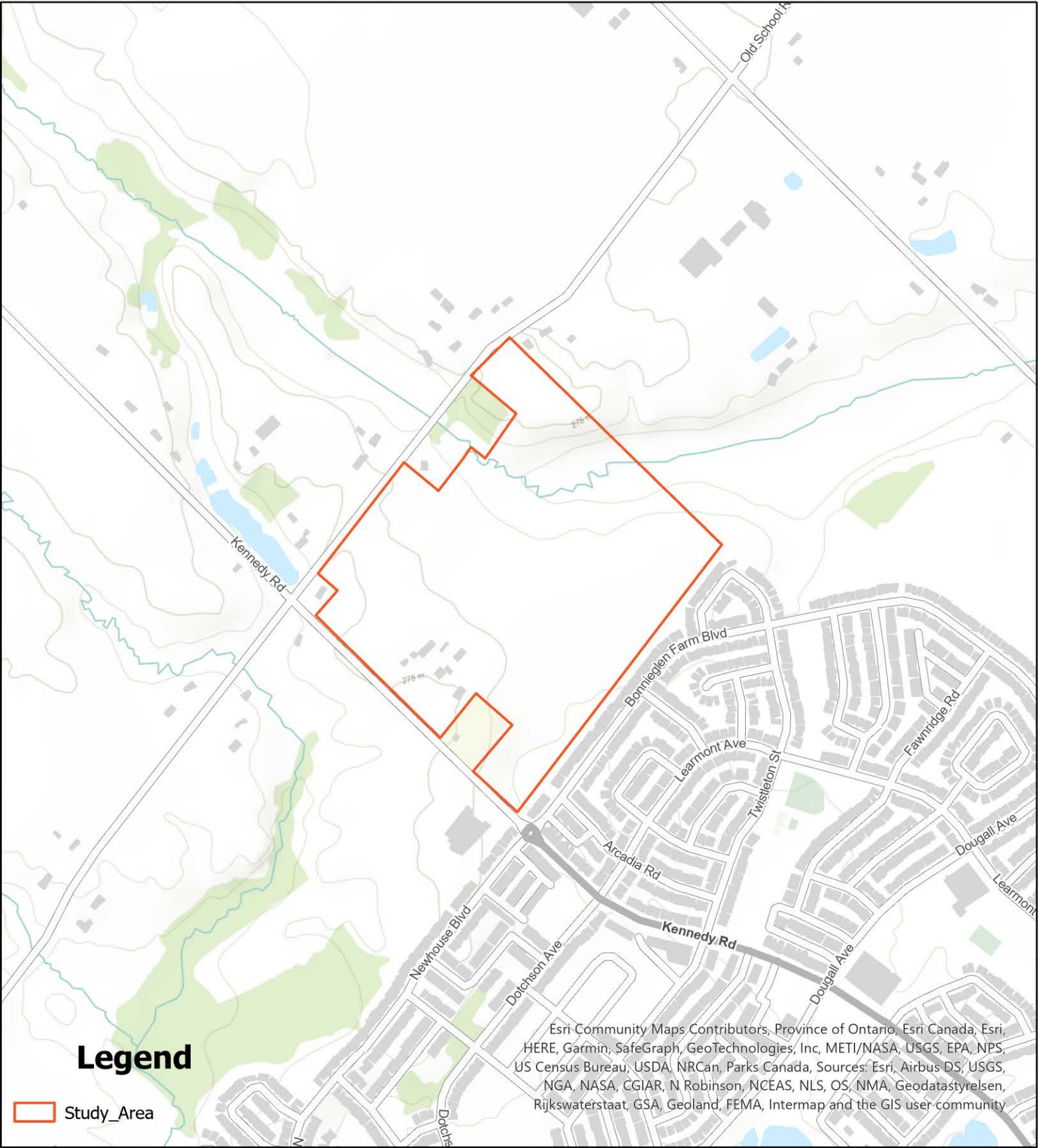
12909 Kennedy Road is a Listed property under Section 27 of the Ontario Heritage Act. 12909 Kennedy Road has been previously subject to a Town of Caledon Staff Report (2022-0225) as a component of a Notice of Intention to Designate 12909 Kennedy Road under Section 29 of the Ontario Heritage Act. The staff report was prepared by Sally Drummond, Senior Heritage Planner, Strategic Policy Planning. As of the writing of this report 12909 Kennedy Road has not received Designation under Section 29 of the Ontario Heritage Act but a deference or decision has been granted for the property. Pertinent sections of Mrs. Drummonds report have been utilized as part of this report.

### 3.1 Applicant Information

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Unit #200 270 Orenda Road  
Brampton, ON  
L6T 4X6  
bdhillion@turnemoore.com



# Map 1 - Study Boundary on Topographic Map



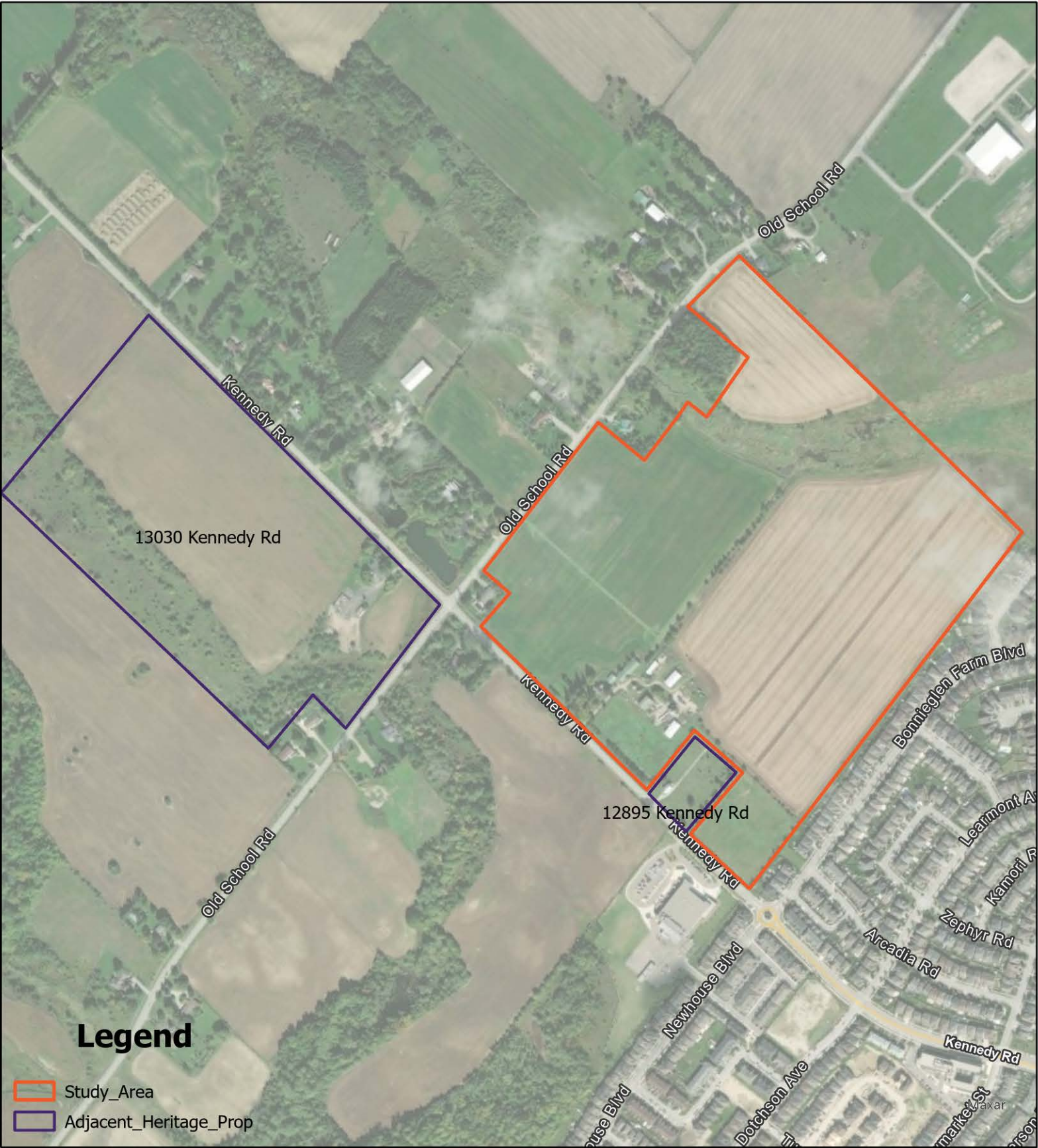


Map 2 - Study Boundary on Aerial Image





Map 3 - Adjacent Heritage Resources



## 4. Legislative and Policy Framework

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The following assessment reviews provincial and municipal legislation and policies related to cultural heritage resources that may be affected by development in the Town of Caledon. This CHIA has been prepared to meet the terms of reference set forth by the *Town of Caledon Terms of Reference for Heritage Impact Assessment*, the *Ontario Heritage Act*, the *Planning Act* and the *Provincial Policy Statement 2020*.

### 4.1 Provincial Legislation and Policy

#### 4.1.1 Ontario Heritage Act (OHA) Revised January 1, 2023

The OHA was enacted in 1990 and since that time has been revised and amended a total of 25 times, most recently on January 1, 2023. When it comes to heritage properties the OHA prescribes the legal requirements of municipalities and the powers municipalities have to protect and administer heritage within their jurisdiction. The OHA also prescribes the criteria by which heritage value is assessed by way of O.Reg. 569/22, which is addressed in detail in Section 8.1. The text of Sections 27 and 29 of the OHA are duplicated below for convenience and clarity.

**Non-designated properties (listed properties) are addressed under Section 27 of the OHA.**

27 (1) The clerk of a municipality shall keep a register of property situated in the municipality that is of cultural heritage value or interest. 2019, c. 9, Sched. 11, s. 6.

Note: On July 1, 2023, the day named by proclamation of the Lieutenant Governor, section 27 of the Act is amended by adding the following subsection: (See: 2022, c. 21, Sched. 6, s. 3 (1))

(1.1) The clerk of the municipality shall ensure that the information included in the register is accessible to the public on the municipality's website. 2022, c. 21, Sched. 6, s. 3 (1).

Contents of register

(2) The register kept by the clerk shall list all property situated in the municipality that has been designated by the municipality or by the Minister under this Part and shall contain, with respect to each property,

- (a) a legal description of the property;
- (b) the name and address of the owner; and
- (c) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property. 2019, c. 9, Sched. 11, s. 6.

Non-designated property

(3) Subject to subsection (18), in addition to the property listed in the register under subsection (2), the register may include property that has not been designated under this Part if,

- (a) the council of the municipality believes the property to be of cultural heritage value or interest; and

(b) where criteria for determining whether property is of cultural heritage value or interest have been prescribed for the purposes of this subsection, the property meets the prescribed criteria. 2022, c. 21, Sched. 6, s. 3 (2).

Same

(3.1) If property is included in the register under subsection (3), the register shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property. 2022, c. 21, Sched. 6, s. 3 (2).

Consultation

(4) If the council of a municipality has appointed a municipal heritage committee, the council shall, before including a property that has not been designated under this Part in the register under subsection (3) or removing the reference to such a property from the register, consult with its municipal heritage committee. 2019, c. 9, Sched. 11, s. 6.

Notice to property owner

(5) If a property that has not been designated under this Part has been included in the register under subsection (3), the council of the municipality shall, within 30 days after including the property in the register, provide the owner of the property with notice that the property has been included in the register. 2019, c. 9, Sched. 11, s. 6.

Same

(6) The notice under subsection (5) shall include the following:

1. A statement explaining why the council of the municipality believes the property to be of cultural heritage value or interest.
2. A description of the property that is sufficient to readily ascertain the property.
3. A statement that if the owner of the property objects to the property being included in the register, the owner may object to the property's inclusion by serving on the clerk of the municipality a notice of objection setting out the reasons for the objection and all the relevant facts.
4. An explanation of the restriction concerning the demolition or removal, or the permitting of the demolition or removal, of a building or structure on the property as set out in subsection (9). 2019, c. 9, Sched. 11, s. 6.

Objection

(7) The owner of a property who objects to a property being included in the register under subsection (3) or a predecessor of that subsection shall serve on the clerk of the municipality a notice of objection setting out the reasons for the objection and all relevant facts. 2019, c. 9, Sched. 11, s. 6; 2022, c. 21, Sched. 6, s. 3 (3).

Decision of council



(8) If a notice of objection has been served under subsection (7), the council of the municipality shall,

(a) consider the notice and make a decision as to whether the property should continue to be included in the register or whether it should be removed; and

(b) provide notice of the council's decision to the owner of the property, in such form as the council considers proper, within 90 days after the decision. 2019, c. 9, Sched. 11, s. 6.

Restriction on demolition, etc.

(9) If a property that has not been designated under this Part has been included in the register under subsection (3), the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure. 2019, c. 9, Sched. 11, s. 6.

Same

(10) Subsection (9) applies only if the property is included in the register under subsection (3) before any application is made for a permit under the *Building Code Act, 1992* to demolish or remove a building or structure located on the property. 2019, c. 9, Sched. 11, s. 6.

Same

(11) The notice required by subsection (9) shall be accompanied by such plans and shall set out such information as the council may require. 2019, c. 9, Sched. 11, s. 6.

Extracts

(12) The clerk of a municipality shall issue extracts from the register referred to in subsection (1) to any person on payment of the fee set by the municipality by by-law. 2019, c. 9, Sched. 11, s. 6.

Application of subss. (7) and (8)

(13) In addition to applying to properties included in the register under subsection (3) on and after July 1, 2021, subsections (7) and (8) apply in respect of properties that were included in the register as of June 30, 2021 under the predecessor of subsection (3). 2022, c. 21, Sched. 6, s. 3 (4).

Removal of non-designated property

(14) In the case of a property included in the register under subsection (3), or a predecessor of that subsection, before, on or after the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of the municipality shall remove the property from the register if the council of the municipality has given a notice of intention to designate the property under subsection 29 (1) and any of the following circumstances exist:

1. The council of the municipality withdraws the notice of intention under subsection 29 (7).

2. The council of the municipality does not withdraw the notice of intention, but does not pass a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8).

3. The council of the municipality passes a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8), but the by-law is repealed in accordance with subclause 29 (15) (b) (i) or (iii). 2022, c. 21, Sched. 6, s. 3 (4).

Same

(15) In the case of a property included in the register under subsection (3) on or after the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day the property was included in the register. 2022, c. 21, Sched. 6, s. 3 (4).

Same

(16) In the case of a property included in the register under a predecessor of subsection (3), as of the day before subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second

Designated properties are addressed under Section 29 of the OHA.

Section 29 of the OHA addresses designation of properties by municipalities by way of municipal by-law:

29 (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,

(a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed, the property meets the prescribed criteria; and

(b) the designation is made in accordance with the process set out in this section. 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (1); 2022, c. 21, Sched. 6, s. 4 (1).

Notice required

(1.1) Subject to subsections (1.2) and (2), if the council of a municipality intends to designate a property within the municipality to be of cultural heritage value or interest, it shall cause notice of intention to designate the property to be given by the clerk of the municipality in accordance with subsection (3). 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (2).

Limitation

(1.2) The following rules apply if a prescribed event has occurred in respect of a property in a municipality:

1. If the prescribed event occurs on or after the day subsection 4 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of the municipality may give a notice of intention to designate the property under subsection (1) only if the property is listed in the register under subsection 27 (3), or a predecessor of that subsection, as of the date of the prescribed event.

2. The council may not give a notice of intention to designate such property under subsection (1) after 90 days have elapsed from the event, subject to such exceptions as may be prescribed. 2022, c. 21, Sched. 6, s. 4 (2).

#### Consultation

(2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under subsection (1), consult with its municipal heritage committee. R.S.O. 1990, c. O.18, s. 29 (2); 2002, c. 18, Sched. F, s. 2 (9).

#### Notice of intention

(3) Notice of intention to designate under subsection (1) shall be,

- (a) served on the owner of the property and on the Trust; and
- (b) published in a newspaper having general circulation in the municipality. R.S.O. 1990, c. O.18, s. 29 (3); 2005, c. 6, s. 1.

#### Contents of notice

(4) Notice of intention to designate property that is served on the owner of property and on the Trust under clause (3) (a) shall contain,

- (a) an adequate description of the property so that it may be readily ascertained;
- (b) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property; and
- (c) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (4).

#### Same

(4.1) Notice of intention to designate property that is published in a newspaper of general circulation in a municipality under clause (3) (b) shall contain,

- (a) an adequate description of the property so that it may be readily ascertained;
- (b) a statement explaining the cultural heritage value or interest of the property;



(c) a statement that further information respecting the notice of intention to designate the property is available from the municipality; and

(d) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (5).

#### Objection

(5) A person who objects to a proposed designation shall, within thirty days after the date of publication of the notice of intention, serve on the clerk of the municipality a notice of objection setting out the reason for the objection and all relevant facts. R.S.O. 1990, c. O.18, s. 29 (5); 1996, c. 4, s. 55 (2); 2009, c. 33, Sched. 11, s. 6 (4).

#### Consideration of objection by council

(6) If a notice of objection has been served under subsection (5), the council of the municipality shall consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day period under subsection (5). 2019, c. 9, Sched. 11, s. 7 (6).

#### Notice of withdrawal

(7) If the council of the municipality decides to withdraw the notice of intention to designate the property, either of its own initiative at any time or after considering an objection under subsection (6), the council shall withdraw the notice by causing a notice of withdrawal,

(a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and

(b) to be published in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

#### If no notice of objection or no withdrawal

(8) If no notice of objection is served within the 30-day period under subsection (5) or a notice of objection is served within that period but the council decides not to withdraw the notice of intention to designate the property, the council may pass a by-law designating the property, provided the following requirements are satisfied:

1. The by-law must be passed within 120 days after the date of publication of the notice of intention under clause (3) (b) or, if a prescribed circumstance exists, within such other period of time as may be prescribed for the circumstance.

2. The by-law must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property and must comply with such requirements in relation to the statement and the description as may be prescribed and with such other requirements as may be prescribed.

3. The council must cause the following to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust:

- i. A copy of the by-law.
- ii. A notice that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under paragraph 4, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

4. The council must publish notice of the by-law in a newspaper having general circulation in the municipality, which must provide that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under this paragraph, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal. 2019, c. 9, Sched. 11, s. 7 (6); 2021, c. 4, Sched. 6, s. 74 (2).

#### Deemed withdrawal

(9) If the council of the municipality has not passed a by-law under subsection (8) within the time set out in paragraph 1 of that subsection, the notice of intention to designate the property is deemed to be withdrawn and the municipality shall cause a notice of withdrawal,

(a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and

(b) to be published in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

#### Same

(10) For clarity, the deemed withdrawal of a notice of intention to designate a property under subsection (9) does not prevent the council from giving a new notice of intention to designate the property in accordance with this section. 2019, c. 9, Sched. 11, s. 7 (6).

#### Appeal to Tribunal

(11) Any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under paragraph 4 of subsection (8), a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal. 2019, c. 9, Sched. 11, s. 7 (6); 2021, c. 4, Sched. 6, s. 74 (2).

#### If no notice of appeal

(12) If no notice of appeal is given within the time period specified in subsection (11),

(a) the by-law comes into force on the day following the last day of the period; and

(b) the clerk shall ensure that a copy of the by-law is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered by-law is served on the Trust. 2019, c. 9, Sched. 11, s. 7 (6).

#### If notice of appeal

(13) If a notice of appeal is given within the time period specified in subsection (11), the Tribunal shall hold a hearing and, before holding the hearing, shall give notice of the hearing to such persons or bodies and in such manner as the Tribunal may determine. 2019, c. 9, Sched. 11, s. 7 (6).

#### Forwarding of record of decision

(14) If the council of the municipality made a decision on a notice of objection under subsection (6) and if a notice of appeal is given within the time period specified in subsection (11), the clerk of the municipality shall ensure that the record of the decision under subsection (6) is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality. 2019, c. 9, Sched. 11, s. 7 (6).

(14.1) REPEALED: 2019, c. 9, Sched. 11, s. 7 (6).

#### Powers of Tribunal

(15) After holding the hearing, the Tribunal shall,

- (a) dismiss the appeal; or
- (b) allow the appeal in whole or in part and,
  - (i) repeal the by-law,
  - (ii) amend the by-law in such manner as the Tribunal may determine,
  - (iii) direct the council of the municipality to repeal the by-law, or
  - (iv) direct the council of the municipality to amend the by-law in accordance with the Tribunal's order. 2019, c. 9, Sched. 11, s. 7 (6).

(15.1) REPEALED: 2019, c. 9, Sched. 11, s. 7 (6).

#### Dismissal without hearing of appeal

(16) Despite the *Statutory Powers Procedure Act* and subsections (13) and (15), the Tribunal may, on its own motion or on the motion of any party, dismiss all or part of the appeal without holding a hearing on the appeal if,

- (a) the Tribunal is of the opinion that,
  - (i) the reasons set out in the notice of appeal do not disclose any apparent ground upon which the Tribunal could allow all or part of the appeal, or

- (ii) the appeal is not made in good faith, is frivolous or vexatious, or is made only for the purpose of delay;
- (b) the appellant has not provided written reasons in support of the objection to the by-law;
- (c) the appellant has not paid the fee charged by the Tribunal; or
- (d) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal. 2019, c. 9, Sched. 11, s. 7 (6); 2021, c. 4, Sched. 6, s. 74 (2).

#### Representations

(17) Before dismissing all or part of an appeal on any of the grounds mentioned in subsection (16), the Tribunal shall,

- (a) notify the appellant of the proposed dismissal; and
- (b) give the appellant an opportunity to make representations with respect to the proposed dismissal. 2019, c. 9, Sched. 11, s. 7 (6).

#### Coming into force

(18) If one or more notices of appeal are given to the clerk within the time period specified in subsection (11),

- (a) the by-law comes into force when all of such appeals have been withdrawn or dismissed;
- (b) if the by-law is amended by the Tribunal under subclause (15) (b) (ii), the by-law, as amended by the Tribunal, comes into force on the day it is so amended; or
- (c) if the by-law is amended by the council pursuant to subclause (15) (b) (iv), the by-law, as amended by the council, comes into force on the day it is so amended. 2019, c. 9, Sched. 11, s. 7 (6).

#### Registration of by-law

(19) The clerk of a municipality shall ensure that a copy of a by-law that comes into force under subsection (18) is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered by-law is served on the Trust. 2019, c. 9, Sched. 11, s. 7 (6).

#### Transition

(20) If, on the day subsection 2 (8) of Schedule F to the *Government Efficiency Act, 2002* comes into force, the clerk of a municipality has given a notice of intention to designate a property as a property of historic or architectural value or interest but the council has not yet passed a by-law so designating the property and has not withdrawn its notice of intention,

- (a) this section does not apply to the notice of intention; and
- (b) despite its amendment by section 2 of Schedule F to the *Government Efficiency Act, 2002*, this section, as it read immediately before its amendment, continues to apply to the notice of intention. 2019, c. 9, Sched. 11, s. 7 (6).

Same

(21) If, on or before the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent, the clerk of a municipality had given a notice of intention to designate a property that complied with subsection (4) as it read immediately before that day but, as of that day, the council had not yet passed a by-law designating the property under this section and had not withdrawn the notice,

- (a) the notice continues to have been validly given; and
- (b) the requirements of subsection (4) or (4.1), as enacted on that day by subsection 17 (2) of the *Ontario Heritage Amendment Act, 2005*, do not apply to the notice of intention. 2019, c. 9, Sched. 11, s. 7 (6).

#### 4.1.2 Planning Act

The *Planning Act* (1990) provides the legislative framework for land use planning in Ontario. Part 1, Section 2 (d) and (r) of the Act identifies matters of provincial interest.

Part I, Section 2

The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the promotion of built form that,
  - (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

#### 4.1.3 Provincial Policy Statement (2020)

The *Provincial Policy Statement* (PPS), issued under Section 3 of the *Planning Act*, came into effect on May 1, 2020. It applies to all planning decisions made on or after that date and replaced the PPS, 2014. The PPS provides direction for the appropriate regulation for land use and development while protecting resources of provincial interest, and the quality of the natural and built environment, which includes cultural heritage and archaeological resources. These policies are specifically addressed in Part V, Sections 1.7 and 2.6.

Section 1.7.1e of the PPS addresses long-term economic prosperity by “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes”.

Section 2.6 of the PPS addresses the protection and conservation cultural heritage and archaeological resources in land use planning and development and requires and requires the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

## 4.2 Municipal Policy Framework

The Town of Caledon requires that non-designated properties listed on the heritage register be assessed by way of a Cultural Heritage Impact Statement (CHIS) to evaluate their heritage significance and potential for Part IV Designation under the OHA. Evaluation is conducted under the criteria set forth by O. Reg. 569/22. This CHIA meets the terms and conditions of the Town of Caledon’s CHIS requirements.

Under the terms set forth by the Town of Caledon’s document title Non-Designated Properties Listed on the Heritage Register (Caledon nd), proposed demolition of buildings/structures on a listed heritage property must submit the following to the Town Clerk’s Office:

- ▶ Notice of Intention to Demolish letter identifying the building(s)/structure(s) proposed for removal and detailing a rationale for same;
- ▶ Cultural Heritage Impact Statement (CHIS) prepared by a qualified professional with heritage expertise, scoped to assess the property against the criteria for determining cultural heritage value/interest under O. Reg. 569/22; any refinement of the scope will be determined through consultation with heritage staff.

Upon receipt by the Clerk’s Office and heritage staff of the Notice of Intention to Demolish letter and accompanying CHIS, the following steps are undertaken:

- ▶ Heritage staff notify property owner of receipt of the initial request.

- ▶ Heritage staff review the CHIS for compliance with the intended scope of work. Should the CHIS not meet Town requirements, revisions may be required.
- ▶ Once the submission is deemed complete, heritage staff notify property owner to confirm receipt of a complete Notice of Intention to Demolish.
- ▶ The Notice of Intention to Demolish letter, CHIS and an accompanying staff report are presented to the Town's municipal heritage committee, Heritage Caledon, at the committee's next scheduled meeting. Heritage staff provide information regarding this meeting to the property owner.
- ▶ Heritage Caledon makes a recommendation to Council whether to designate the property or to allow the demolition/removal of the building(s)/structure(s).
- ▶ Heritage Caledon's recommendation is reviewed at the next Planning & Development Committee meeting, and the minutes of this meeting then proceed to Council.
- ▶ Council makes the final decision regarding whether to designate the property or to allow the demolition of the building(s)/structure(s) to occur.
- ▶ Heritage staff notify property owner of Council's decision.
- ▶ If Council does not decide to designate the property, the proposed demolition of building(s)/structure(s) will be allowed to proceed once the 60-day timeline has expired and, if applicable, the property will be removed from the Heritage Register.

#### 4.2.1 Official Plan

Section 3.3 of the Town of Caledon *Official Plan* addresses the objectives pertaining to Cultural Heritage Conservation and aims to wisely manage the heritage resources of the area that may be of local, regional, provincial or national interest (Caledon 2018). The *Official Plan* recognizes that the tangible heritage character of the area is largely derived from 19th and 20th century built forms, and endeavors to retain and conserve the areas significant built heritage resources. The Town of Caledon endeavors to conserve significant resources through the implementation of the following policies:

- ▶ Public awareness
- ▶ Commissioning a Cultural Heritage Master Plan
- ▶ Implementing cultural heritage planning statements
- ▶ Cultural heritage surveys
- ▶ Requiring Cultural Heritage Impact Statements
- ▶ Implementation of appropriate mitigation
- ▶ Designations under the *Ontario Heritage Act*
- ▶ Establishment of Heritage Easements to ensure the longevity of the resource

Furthermore, the Town of Caledon also requires that a CHIS be conducted to evaluate the potential impacts of a proposed development to cultural heritage resources (Section 3.3.3.1.5):

- a) Where it is determined that further investigations of cultural heritage resources beyond a Cultural Heritage Survey or Cultural Heritage Planning Statement are required, a Cultural

Heritage Impact Statement may be required. The determination of whether a Cultural Heritage Impact Statement is required will be based on the following:

- i) the extent and significance of cultural heritage resources identified, including archaeological resources and potential, in the Cultural Heritage Survey or Cultural Heritage Planning Statement and the recommendations of the Cultural Heritage Survey or Cultural Heritage Planning Statement;
- ii) the potential for adverse impacts on cultural heritage resources; and,
- iii) the appropriateness of following other approval processes that consider and address impacts on cultural heritage resources.

b) Where it is determined that a Cultural Heritage Impact Statement should be prepared, the Cultural Heritage Impact Statement shall be undertaken by a qualified professional with expertise in heritage studies and contain the following:

- i) a description of the proposed development;
- ii) a description of the cultural heritage resource(s) to be affected by the development;
- iii) a description of the effects upon the cultural heritage resource(s) by the proposed development;
- iv) a description of the measures necessary to mitigate the adverse effects of the development upon the cultural heritage resource(s); and,
- v) a description of how the policies and guidance of any relevant Cultural Heritage Planning Statement have been incorporated and satisfied.

Where a Cultural Heritage Impact Statement is required, the proponent is encouraged to consult with the Town and other relevant agencies concerning the scope of the work to be undertaken.

The Town of Caledon's heritage committee (Heritage Caledon) will be consulted to advise the Council in matters of cultural heritage and will promote the retention and or relocation of significant built heritage resources. The full text of the Town of Caledon *Official Plan* is available online through the Town's webpage.



## 5. Historical Research and Analysis

### 5.1 Regional Overview

#### 5.1.1 Chinguacousy Township

Chinguacousy Township was originally part of the Home District, which was later divided into York, Peel, and Ontario Counties in 1851. Richard Bristol surveyed Chinguacousy Township in 1819, with Centre (Hurontario) Street serving as the baseline for concessions being established both east and west of Centre Road. Chinguacousy Township was surveyed using the “Double Front System”. The Double Front System produced lots that fronted onto the established concessions with the rear boundaries established in the middle of the concession. Each rectangular lot was 200 acres in size; Crown Patents were usually issued in 100-acre lots, resulting in the division of these lots into eastern and western halves.

#### 5.1.2 Subject Property

12909 Kennedy Road is located on the east side Kennedy Road south of the historic village of Campbell’s Corners and north of the City of Brampton. The property enters the historic record in 1822 when the Crown patent for the full 200 acres of Lot 22, Concession 2 EHS is granted to Isaac Lighthouse. Table 1 provides a summary of pertinent land transactions related to the property, up to 1970.

**Table 1: Land Transaction history for Lot 22 Concession 2 EHS, Chinguacousy Township**

Inst #	Instrument	Date	Grantor	Grantee	Comment
na	Patent	April 6 1822	The Crown	Isaac Lighthouse	All Lot 22 (200 Acres)
5148	B&S	24 Jan 1825	Isaac Lighthouse	John Barnhart	E and W ½ E37
6807	B&S	20 Feb 1829	John Barnhart	Isaac Lighthouse	E ½ and W ½ E78
6814	B&S	18 June 1829	Isaac Lighthouse	Christopher Row	W½ E50
46625	B&S	27 Feb 1852	Christopher Row	Robert Norris	W½ E500
8484	B&S	20 Mar 1860	Robert Norris	Trustees of the Primitive Methodist Church	Part of W ½
13975	Mortgage	24 Nov 1865	Robert Norris	Thomas Iwaian	W ½ \$1285.50
10436	B&S	Mar 23 1905	Mary Susan Thomas and Luella Elizabeth Snell	Margaret Snell	W½ except portion conveyed to Trustees of Dixon’s Church
10437	B&S	Sept 28 1907	Margaret Snell	Robert Russell and Arthur Russel	W½ save and except that portion sold off for a church and burial plot

16185	Grant	Jan 7 1928	Robert Russell	Arthur Russel	W½ half interest in
24288	Grant	April 1 1956	Arthur Russel et ux.	Norman S. Russell	W½ except those lands previously sold
141863vs	Grant	May 7 1970	Norman S. Russell et ux.	Norman S. Russell and Lois C. Russell as tenants in common	See 24288

Members of the Russull family have occupied the house and property from 1907 to current.

The below interpretation of the documented land ownership is taken from the 2022 Town of Caledon Staff Report (2022-0225).

*Isaac Lighthouse received the Crown Patent for all 200 acres of land on Lot 22, Concession 2 EHS, Chinguacousy Township in April 1822. He sold the entire 200-acre lot to John Barnhart in 1825 and Barnhart sold it back to Lighthouse in January 1829. Christopher Rowe bought the west half of Lot 22, Concession 2 EHS from Lighthouse in June 1829. Irish immigrant Robert Norris bought the 100 acres of the west half of Lot 22 from Rowe in February 1852. The Norris family remained on the farm until 1877.*

*Tremaine's Map of the County of Peel, Canada West, published in 1859, shows Robert Norris as the owner of the west half of Lot 22, Concession 2 EHS, together with 50 acres across the road on the east half of Lot 22, Concession 1 EHS. No buildings are shown on either property at this time. In 1860, Robert Norris and his wife sold one half acre of land in the southwest of the lot to the Trustees of the Primitive Methodist Church. The publication "Early Churches in Chinguacousy and Toronto Gore" notes a frame church had been built there in 1855.*

*The 1861 Census Return notes 32-year old farmer Robert Norris, his wife Mary and children Jane, Arthur, Robert and two domestics John Graham and Harriet Puckering as the residents of a one and-a-half storey log house. Property records indicate that Robert Norris took out a mortgage for \$1,285.50 in 1865, possibly for construction of the stone dwelling.*

*The 1871 Census Return notes Robert Norris (age 59), his wife Mary (41) and children Martha (17), Arthur (15), Robert (13), twins Leonard and Levi (10), John (6), Mary (4) and Liles (2).*

*The 1873-74 Peel directory notes Robert Norris on Lot 22, Concession 2 EHS. The 1877 Illustrated Historical Atlas also notes Robert Norris on the west half of Lot 22 with a farmstead and orchard in the location of 12909 Kennedy Road. The Dixon's Union Church and Cemetery was located to its immediate south. Robert and Mary Norris sold the west half of Lot 22, Concession 2 EHS to William Snell in October 1877 for \$5400.*

*William Snell was born locally in 1850, the son of early Chinguacousy Township settlers Elias and Elizabeth Snell. He is recorded as part of his widowed father's household in the 1881 Census Return, and married Margaret Newhouse later in the year on September 6, 1881. Margaret Newhouse was born in the Snelgrove area in 1861, the daughter of Cornelius Newhouse and Mary Sinclair who resided on nearby Lot 23, Concession 1 EHS. Cornelius*

*was the son of Antoine Maisonneuve, who anglicized the family name to Newhouse. Margaret Snell's sister Mary Newhouse married Hugh Craig and lived for many years at 12304 Heart Lake Road.*

*The Snells had two daughters, Mary Susan and Luella. William Snell died in 1886 and is buried in the Dixon Union Cemetery beside the farmstead. By 1891 when the Census recorded data about dwelling houses again as it had in 1861, the Return notes widow Margaret Snell and daughters 8-year old Susan and 6-year old Luella as the residents of a two storey 7-room stone house in Chinguacousy Township. Land records indicate Margaret Snell sold 1 ½ acres to the Primitive Methodist Church in 1902, likely for cemetery use.*

*According to the obituary in The Conservator (December 28, 1922), Margaret Snell moved from the Kennedy Road farmstead to Brampton where she resided for a number of years. She then moved to Toronto to live with her daughter Mrs. H. D. Robertson.*

*The 1901 Census Return notes William and Mary Rusel [Russell] and son 20-year old Arthur and 16-year old daughter Mary as the tenants of a 8-room stone house on 99 acres of land on Lot 22, Concession 2 EHS.*

*Land records show that Margaret Snell sold the west half of Lot 22, except for the church and burial property, to Robert and Arthur Russell in September 1907 for \$5300. The 1911 Census Return notes that brothers Robert Russell and Arthur Russell, both farmers, together with sister Mary Russell, were located on Lot 22, Concession 2 EHS. The Russell family had immigrated to Canada from England in 1887. The 1917 Guidal map notes Robert Russell as the owner of the west half of Lot 22, Concession 2 EHS. Arthur Russell bought the half interest in Lot 22 from Robert Russell in January 1928. Norman S. Russell bought the west half of Lot 22 in 1956. The property remains in Russell family ownership to the present day.*

*The historical or associative value of this property is found in the direct association with several early Chinguacousy families, including Norris, Snell and Newhouse (by marriage), and the longevity of its ownership/occupancy by the Russell family. The ability of Irish immigrants Robert and Mary Norris by about the 1860s or early 1870s to erect a substantive Gothic Revival style stone dwelling in replacement of their first log dwelling is representative of their success in establishing a new life in Chinguacousy. William Snell and Mary Newhouse, who owned the property for 30 years, were members of prominent families in the immediate area. The owner/occupancy of the property by the Russell family for over a century has provided continuity with the early agricultural history of the area. The survival of the impressive stone farmhouse in near original condition with two late 19th century barns, and their connection to the adjacent former Primitive Methodist church and cemetery, contributes to an understanding of the character and evolution of the farming community in this area.*



Figure 4: Portion of 1859 Tremaine's Map of the County of Peel, circle indicates location of 12909 Kennedy Road



Figure 5: Portion of 1877 Map of Chinguacousy Township, circle indicates location of 12909 Kennedy Road





Figure 6: Portion of 1914 Topographic map, circle indicates location of 12909 Kennedy Road



Figure 7: Portion of 1954 Aerial Image, red outline indicates location of 12909 Kennedy Road

## 6. Assessment of Existing Condition

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The Subject Property is located on the east side of Kennedy Road, between Old School Road to the north and Bonnieglan Boulevard to the South. The property is approximately 90 acres in size, containing a one-and-a-half storey stone residence, two late 19th century barns, and a series of modern farm outbuildings. The Subject Property surrounds Dixon's Primitive Methodist Church c.1875, which resides on property donated to the church by a previous owner of Lot 22, Concession 2 ECR. The church property includes Dixon's Union Cemetery.

### 6.1 Surrounding Landscape



**Figure 8: Composite image depicting Subject Property and Kennedy Road, north is to the left and south is to the right**





Figure 9: View of Subject Property from Dixon Primitive Methodist Church



Figure 10: View towards Subject Property with Dixon Primitive Methodist Church on the right



Figure 11: 12909 Kennedy Road as viewed from Old School Road looking south



## 6.2 Documentation of Residence

### 6.2.1 Exterior



Figure 12: Front façade of residence



Figure 13: Southeast exposure of residence





Figure 14: Northeast exposure of residence



Figure 15: Rear wing of residence





Figure 16: Rear exposure of residence and rear wing



Figure 17: Northwest exposure of residence and rear wing





Figure 18: Western exposure of residence



Figure 19: Southwest exposure of residence





**Figure 20: Exposure of fieldstone foundation on main structure. Red line indicates the divide between foundation and upper structure**



**Figure 21: Field stone foundation with concrete repairs under rear wing**



### Architectural Features



**Figure 22: Typical original two over two sash window with original exterior storm, this example is outfitted with a later aluminum exterior storm window**





**Figure 23: Blind window on north face of structure, stone and mortar are visible through the window, window is the original two over two sash window with original exterior storm**



Figure 24: Original front entrance door





Figure 25: Close up of masonry as seen on gable ends and rear of structure, finish is not as finely dressed as that seen on front façade, note use of ribbon pointing (white lines) to create the appearance of coursed block



Figure 26: Lancet window in center gable, note the tri-foil detail, note the use of ribbon pointing (white lines) to create the appearance of fine coursed block on front façade





Figure 27: Typical example of finely crafted cut limestone lintel used at all structural openings



Figure 28: Typical example of finely crafted cut limestone lug sill used at all structural openings





Figure 29: Use of limestone quoining accents at corners and at structural openings on front facade

## 6.2.2 Interior

### First Floor



Figure 30: Southwest room first floor, originally used as the 'Parlour', currently a bedroom



Figure 31: Main room on north side of first floor, room was renovated in the 1950s as per personal correspondence with current resident, Edward Russell





Figure 32: Kitchen in rear wing, current configuration result of c.1950 renovation



Figure 33: Northernmost room in rear wing, facing north, current configuration result of c.1950 renovation



Figure 34: Northernmost room in rear wing, facing northwest, current configuration result of c.1950 renovation



Figure 35: Original newel post and balustrade located inside front door





Figure 36: Stairs looking toward second floor

Second Floor



Figure 37: Stairs looking toward first floor



Figure 38: East bedroom second floor, facing southeast



Figure 39: South bedroom second floor, facing northwest





Figure 40: South bedroom second floor, facing southeast



Figure 41: West bedroom second floor, facing northwest



Figure 42: North bedroom second floor, facing northwest



Figure 43: Main hall second floor facing southwest, windows in center of image are located in center dormer of front façade



Basement



Figure 44: Southeast half of basement, facing east



Figure 45: Southeast half of basement, facing south





Figure 46: Northwest half of basement, facing northwest



Figure 47: Floor joists under rear wing as viewed through the hole in the field stone foundation to accommodate HVAC system





Figure 48: Typical example of an original awning style casement window in basement



Figure 49: Framing and lath and plaster as seen in basement

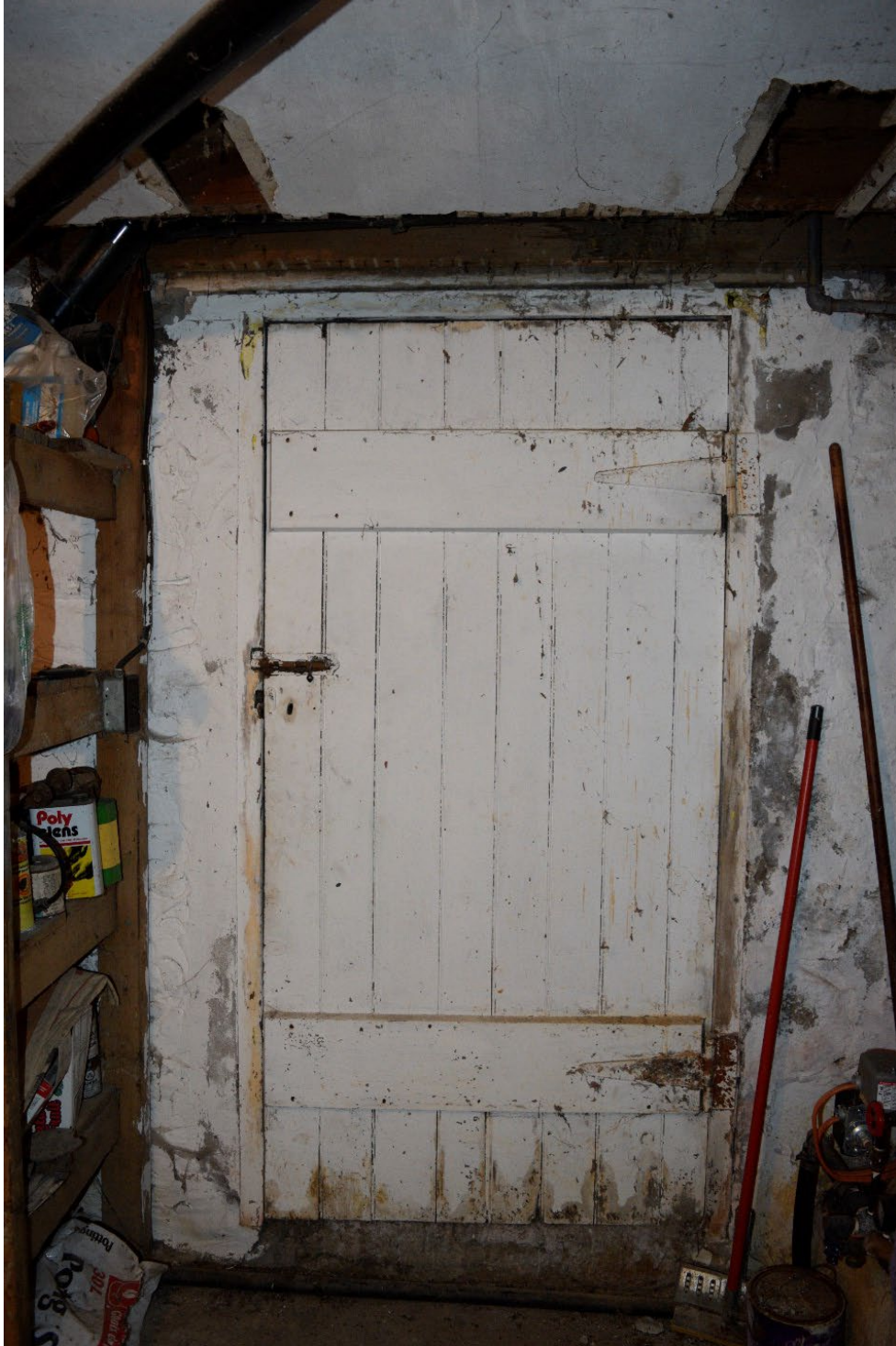


Figure 50: Original board and baton door at exterior entrance to basement located in east corner of structure, door was non-operable at time of site visit





Figure 51: Original cedar support post





Figure 52: Brick wall that divides basement into two rooms

#### Architectural Features



Figure 53: Trim in main room first floor, indicative of c.1950 alteration



Figure 54: Original trim and transom as seen at front door

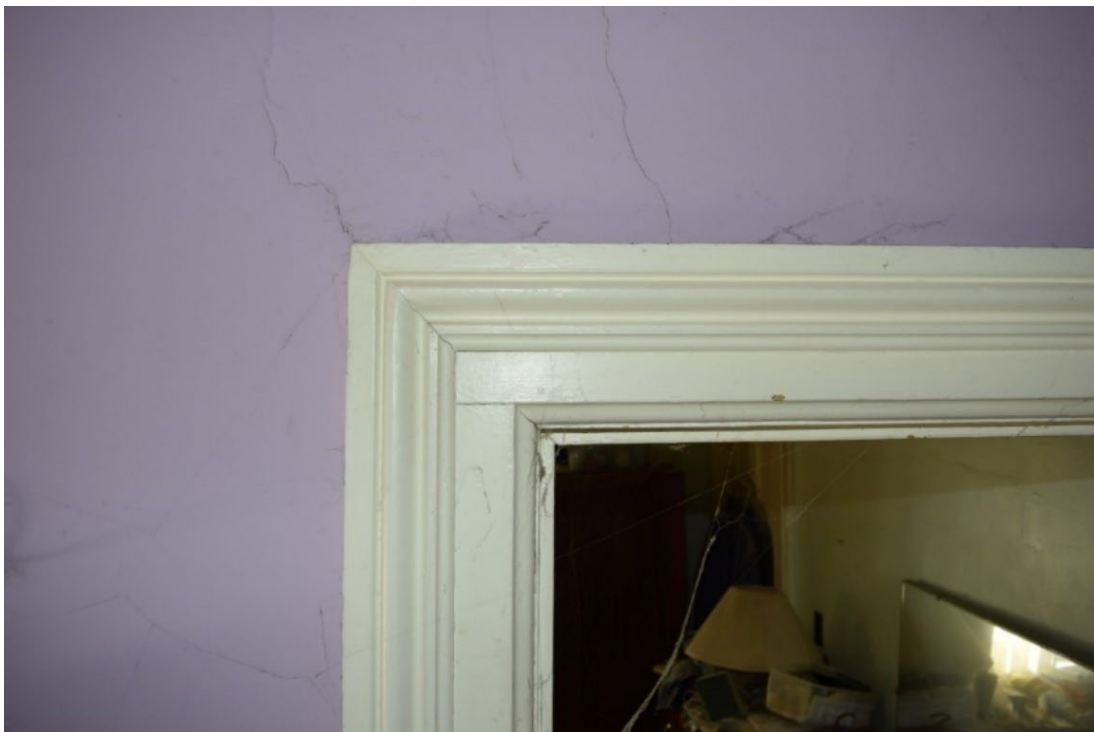


Figure 55: Example of original trim finish as seen on first floor



Figure 56: Original trim finish of main entrance, profile is more elaborate from that used in remainder of first floor and depicted in Figure 57



Figure 57: Non-original window trim used in main room first floor, similar to original but not original





Figure 58: Original window trim profile as seen in washroom, first floor



Figure 59: Trim profile used on second floor



Figure 60: Example of original door hinges with cast designs



Figure 61: Original newel post and balustrade





Figure 62: Original balustrade with c.1950 wall panelling behind to create closet wall



Figure 63: Example of original interior door with original lock hardware and doorknob.



**Figure 64: Example of replacement door typical of c.1950 renovations**

### 6.3 Outbuildings

In addition to the residential structure, the subject property contains numerous outbuildings typical of the ongoing agricultural use of the property. The outbuildings date between 1885 and the present day. The outbuildings are in a variety of conditions ranging from ongoing everyday use to structural collapse.

The Staff Report pays particular attention to the 1885 bank barn and the smaller barn. Both barns are of timber frame construction atop field stone foundations. The date of construction of the bank barn is documented by way of an engraved date stone located in the northwest corner of the foundation (Figure 29). The date of construction of the second barn is unknown but based on the style of construction is estimated to date to the early-20th century. The foundation of the second barn is in poor overall condition and has been subject to repeated attempts at repair.

A barn condition assessment was undertaken in 2023 and is attached as Appendix F.

Bank Barn



Figure 65: 1885 bank barn with semi subterranean concrete block milk house in foreground



Figure 66: Rear exposure of bank barn, with second barn to the right.





Figure 67: North gable end of bank barn



Figure 68: Interior of bank barn facing south





Figure 69: Interior of bank barn facing east



Figure 70: Composite image of interior of bank barn facing southwest





Figure 71: Stalls in basement of bank barn facing southwest



Figure 72: Stalls in basement of bank barn facing north





**Figure 73: Foundation of bank barn, displaying the same finish as the walls of the residence**



**Figure 74: Use of red sandstone in southeast face of foundation of bank barn**





Figure 75: Engraved stone in bank barn foundation, dated 1885



Figure 76: NORRUS FARM sign on west gable end of bank barn



## Barn



Figure 77: North gable end of barn, bank barn visible on right of image



Figure 78: West side and south gable end of barn



Figure 79: Basement of barn facing northwest



Figure 80: Example of timber construction of barn





Figure 81: Hay loft of barn



Figure 82: Poor condition of foundation of barn with multiple concrete repair attempts visible

Chicken coup



Figure 83: Small shed, originally constructed as a chicken coup

Milk House



Figure 84: Semi subterranean milk house constructed of concrete masonry units



### Silo(s)



Figure 85: Two cement silos are present on the property, neither is currently in use.



Figure 86: Interior of smaller silo visible in Figure 87

### Modern storage sheds



Figure 87: Typical example of modern storage sheds or 'pole barns' present on property, five such structures are present



Figure 88: 'Pole barn' used to store farm machinery





Figure 89: Example of interior of modern 'pole barn'

## 7. Proposed Development

The Proponent is applying to the Town of Caledon for an Official Plan Amendment and approval for a Plan of Subdivision. The Proponent is seeking to redevelop the Subject Property into a residential subdivision. Currently only a Preliminary Lotted Development Concept (PLDC) is available. The PLDC depicts the demolition of all extant structure currently associated with 12909 Kennedy Road (Figure 90). The complete PLDC is available in Appendix B.





## 8. Evaluation of Cultural Heritage Value or Interest

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Ontario Regulation O.Reg. 569/22 (O.Reg. 569/22) prescribes the criteria for determining the Cultural Heritage Value or Interest (CHVI) of a property. As of January 1, 2023 the regulation requires that, to be considered a candidate for designation under Section 29 of the Ontario Heritage Act (OHA), a property must meet “two or more” of the criteria listed in O.Reg. 569/22. To be a candidate for Listing a property must meet “one” of the criteria listed in O.Reg. 569/22. The nine criteria and associated evaluation for the Subject Property are listed and described below.

### 8.1 O.Reg. 569/22 Evaluation

- 1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method. (Criteria met)**

The property has design value as a fine example of the Gothic Revival architectural style and is representative of the ‘A Cheap Farmhouse’ design published in Volume 1 Issue 22 of the Ontario Farmer on November 15, 1864. The residence is unique in that it is of stone construction and reflective of a very high level of skill, as evidenced by the use of finely made cut stone lug sills and elaborate cut stone lintels at all structural openings. The property as a whole is representative of late 19th century agricultural layout and construction methods, as presented by the two timber frame barns.
- 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit. (Criteria met)**

The residence has design value for its display of Gothic Revival architectural elements including center gable and symmetrical three bay façade. The adherence of Gothic Revival architecture is continued through the presence of its original windows, doors and millwork associated with the lancet window in center dormer. Overall, the residence is an exceptional example of domestic stone craftsmanship.
- 3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement. (Criteria not met)**

While the residence displays a very high level of craftsmanship the property does not display a high degree of technical or scientific achievement.
- 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. (Criteria met)**

The property has historic value for its association with the early agricultural settlement of Chinguacousy Township. The property is directly linked to the immigration of Scottish settlers and stands in tribute to the high skill of Scottish-trained stone masons. There is a direct association with several early and prominent Chinguacousy families, Norris, Snell and Newhouse, and its longevity of occupancy/ownership by the Russell family (1907- 2022).
- 5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture. (Criteria met)**

The property has historic value as it yields information that contributes to the larger understanding of Scottish immigration and the cultural tradition of stone masonry associated with the Scottish.

6. **The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.** (Criteria met)

The residence has historic value as it is reflective of the Scottish stone masons who built the residence and the stone foundation associated with the bank barn. A carved stone with the initial of the persons associated with the construction of the bank barn is present in the foundation of that structure.

7. **The property has contextual value because it is important in defining, maintaining or supporting the character of an area.** (Criteria met)

The property, specifically the residence, timber frame barns and associated mature trees are important in maintaining and supporting the agricultural history of the area.

8. **The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.** (Criteria met)

The property is historically linked to its surroundings as the property the Primitive Methodist Church and cemetery is located on was donated to the church by Robert Norris, a previous owner of the property. As such, 12909 Kennedy Road and Dixon's Primitive Methodist Church are perpetually intertwined and visually linked to the surroundings.

9. **The property has contextual value because it is a landmark.** (Criteria not met)

While a very fine example of residential stonework, nothing was identified to indicate the property has contextual value as a landmark.

Evaluation of 12909 Kennedy Road against the criteria outlined by O.Reg. 569/22 identifies the property to meet seven of the nine criteria in determining the CHVI of a property; therefore, the property is a candidate for Designation under Section 29 of the OHA.



## 9. Draft Statement of Cultural Heritage Value

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A Statement of Cultural Heritage Value for 12909 Kennedy Road was prepared by Sally Drummond as part of the Staff Report dated May 2, 2022 (2022-0225) (Appendix D). That Statement of Cultural Heritage Value is supported by this report and presented below.

*The historical or associative value of 12909 Kennedy Road, a property within the west part of Lot 22, Concession 2, EHS, Chinguacousy Township, is found in its direct association with several early and prominent Chinguacousy families, Norris, Snell and Newhouse, and its longevity of occupancy/ownership by the Russell family. The farm was likely developed by Irish immigrants Robert and Mary Norris from 1852 to 1877, and by William Snell and his wife Margaret Newhouse to c.1900. William and Mary Russell, tenants on the property by 1901, became owners in 1907 and the property has remained in the Russell family to the present day. The survival of the stone farmhouse in near original condition with two late 19<sup>th</sup> century barns, and their connection to the adjacent former Primitive Methodist church and cemetery, contributes to an understanding of the character and evolution of the farming community in this area.*

*The design or physical value of this property rests with the one and a half storey, c.1860s-70s Gothic Revival style stone farmhouse with one storey rear frame wing; with the two late 19<sup>th</sup> century Central Ontario, gable roofed barns set perpendicular to each other south of the farmhouse, the larger being a bank barn with a saltbox form on a stone foundation; and with the traditional, long laneway running east/west from Kennedy Road between the house and the barn complex. The farmhouse, built for Robert and Mary Norris likely in the 1860s or early 1870s, is a remarkable example of domestic building in stone. Displaying a high degree of craftsmanship, the farmhouse combines limestone for the trim and several colours of field stone for the walls, producing a dichromatic palette. Welsh arches around most windows, a stepped arch around the pointed-arch window in the centre gable, quoins, and tooled cut stone around the doors and windows show the mason's skill. The contrast between the narrower coursing of the cut stone walls on the front facade and the larger pattern of the rubblestone walls elsewhere is visually interesting. The high quality of the masonry suggests the handiwork of a Scottish-trained mason or team of masons. The design of the bank barn with its salt box form may be the product of an enlargement and addition for convenience as farming practice evolved, representative of the continuing adaptive reuse of an agricultural building. The long, east/west laneway between the barn complex and Kennedy Road is a good example of a traditional farm lane.*

*Contextually, this property is important in defining, maintaining or supporting the rural agricultural character of this area. It is physically, functionally, visually, and historically linked to its surroundings as a 91-acre parcel of land within the original 100 acres of the farmstead. The farmstead together with the adjacent historic church and cemetery severed from the original farm lot, creates an interesting late 19<sup>th</sup> century landscape.*

### **Description of Heritage Attributes**

*The heritage attributes of this property are the stone farmhouse, two Central Ontario barns, and the laneway. The farmhouse interior is excluded. For the reasons given in the Statement of Cultural Heritage Value or Interest, the farmhouse, barns, and laneway support the historical or associative, design or physical, and contextual values of this property. The principal characteristics of these attributes are as follows:*

#### **Farmhouse**

- *1.5 storey massing and rectangular form of the main stone dwelling*
- *1 storey massing and rectangular form of rear frame wing with porch*
- *Gable roof form with front centre gable of the main stone dwelling*
- *Gable roof form of the rear wing*
- *3-bay façade of the west façade (front) with a centre door opening flanked by a window opening on each side*
- *All components of the front entry and door opening, including the transom light*
- *All two over two pane sash windows and segmentally arched window openings*
- *All components of the paired, multipane sash windows and wood trefoil trim in the pointed centre gable window opening*
- *Limestone rubblestone foundation with tooled mortar*
- *All components of the masonry, including coursed stone and limestone trim details on front facades, and larger rubble stone on side and rear facades, and pointing styles*

#### **Bank Barn**

- *Overall form, massing, and design elements as a bank barn*
- *Builder's hardware (locks, hinges, latches, etc.), siding, framing, stonework, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn*
- *Medium pitched gable roof and saltbox form*
- *All window and door openings related to its function as a barn*
- *All 19<sup>th</sup> century rubblestone work including walls and buttresses*
- *All components of the timber framing*

#### **Barn**

- *Overall form, massing, and design elements as a barn*
- *Builder's hardware (locks, hinges, latches, etc.), siding, framing, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn*
- *Medium pitched gable roof*
- *All window and door openings related to its function as a barn*



- *All components of the timber framing*

***Laneway***

- *The existence of an east/west laneway between the road allowance and the farmhouse and agricultural outbuildings*

***Vegetation***

- *The existence of mature coniferous and deciduous trees grouped between the farmhouse and Kennedy Road and along the laneway*

## 10. Mitigation and Conservation Alternatives

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Evaluation under O.Reg. 569/22 (Section 8.1) indicates the property identified at 12909 Kennedy Road to be a candidate for Designation by municipal by-law under Section 29 of the OHA.

The identified heritage attributes of 12909 Kennedy Road (see Section 9) should be retained and integrated into the proposed redevelopment of the property. To accomplish this the following will need to be done:

- Re-design of the proposed subdivision in the area that contains the identified heritage attributes of the property.
- Undertake a heritage protection plan for the property. A heritage protection plan will outline short term protection measures that will ensure the integrity, stability, and ongoing maintenance of the identified heritage attributes while the property progresses through the development process. The property must not be permitted to be subject to unauthorized access and vandalism.
- Develop a heritage conservation plan that will outline how each of the identified heritage attributes will be retained, restored, and integrated into the proposed redevelopment

To accomplish the above the following mitigation and conservation options should be considered and integrated into the future redevelopment of the Subject Property.

- ▶ Retain and restore the residential structure for either:
  - continued use as a residential structure. The structure could be augmented in a sympathetic way in order to facilitate the addition of modern amenities. Alterations to the residence would have to retain the identified heritage attributes of the structure, including restoration of original windows and doors, original millwork in center gable, and the gable roofed rear wing. Remaining interior features of the residence should be restored and repurposed with any modern additions being completed in a way that is sympathetic and in keeping with the heritage of the structure. A heritage architect would be retained to develop a plan that would provide for the retention of the heritage features of the residence while accommodating the desires of the modern housing market, or
  - adaptive reuse. The exterior of the structure would be restored and the interior reconfigured in a sympathetic fashion in keeping with the heritage of the structure. Potential adaptive reuses include: professional space, restaurant or café, child care centre, art gallery.
- ▶ A second community park be considered adjacent to Kennedy Road that would encapsulate the identified heritage attributes that can not readily be captured through the subdivision of private lots; the park would incorporate the existing mature trees between the residence and Kennedy Road. In addition to retaining the identified heritage trees, the park would incorporate the identified long farm access and allow for the retention of existing sight lines between Dixon's Primitive Methodist Church and the identified heritage attributes of 12909 Kennedy Road.



- ▶ Restoration and reinterpretation of the timber frame barns. Barns are a rapidly disappearing heritage attribute of the rural agricultural lifeway that preceded today's ever expanding urban populations. While continued use as they were constructed is unrealistic, barns offer an ideal opportunity for adaptive reuse. Barns can be adapted for use as community spaces, providing an opportunity to showcase the construction skills of past generations while showcasing the timber resources that previously dominated southern Ontario. Barns can be repurposed as event spaces, maker's markets, wedding venues, entertainment spaces, restaurants, and even private residences.

## 11. Recommendations

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The following recommendations are made for 12909 Kennedy Road:

1. The property be Designated by municipal by-law under Part IV Section 29 of the OHA. If Designation proceeds, it be limited to the extant residential structure, access laneway, associated mature trees, the adjacent timber frame barns and the view scape between the above elements and the Primitive Methodist church.
2. Any alterations or additional to the residential structure be made to the rear of the structure and maintain and be subordinate to the identified heritage attributes.
3. The exterior of the stone residence be subject to restoration and preservation that would return it to its as-built configuration. Restoration would include repointing of mortar bonds were necessary, restoration and retention of all original woodwork including decorative millwork, windows, and doors.
4. In February 2023 PHC advised the proponent that every attempt be made to integrate both barns into the proposed redevelopment of the area. While both barns have been identified as heritage attributes there is a significant difference in condition between the two structures. Visual inspection found the bank barn to be in better overall condition and is the structure that has the greater heritage provenance given the inclusion of the inscribed foundation stone. It was recommended that both barns be subject to structural inspection by a qualified engineer who has previous and documented experience in the assessment of timber frame construction and field stone foundations. It may not be feasible to preserve both structures, but salvaged materials from the second barn could be used to restore and maintain the bank barn.
  - B. As indicated in the Barn Condition Survey (Appendix F), both barns were found to be in poor structural condition, with limited options for restoration. If the Town permits the demolition of one or both barns, PHC concurs with the recommendations of the Barn Condition Survey in that the barns should be carefully deconstructed in an effort to recycle historic building materials (eg. timbers). Historic materials from the barns should then be used in a commemoration installation within the property (see Recommendation 6). With the assistance of the Town, historic building materials can also be made available to restoration and reconstruction efforts of other buildings within the Town of Caledon or Region of Peel.
5. The recommended Kennedy Road park (see Section 10) be designed to permit use as a community garden, where new residents of the property's subdivision can rent plots of land for agricultural use (i.e sustainable vegetable gardens). This would provide an avenue whereby the historic agricultural use of the property would be maintained while facilitating the retention of existing sight lines from Kennedy Road and between 12909 Kennedy Road and the Primitive Methodist Church lands. The park could also provide parking facilities to support the adaptive reuse of the timber frame barns.

6. A commemoration be erected in a public space that documents the history and heritage of 12909 Kennedy Road and the surrounding area. The commemoration should aim to educate the community regarding local history and highlight the connection between 12909 Kennedy Road and the Primitive Methodist Church. Potential commemorations include but are not limited to a landscape feature with associated historical plaque, a sculpture or art installation with descriptive plaque erected in a place of prominence, an interpretive board within an adjacent public park. Historic building materials from the barns can also be used to construct a pergola or shade structure.

The Provincial Policy Statement (2020) notes that CHVI is identified for cultural heritage resources by communities. Thus, the system by which heritage is administered in Ontario places emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those determinations.



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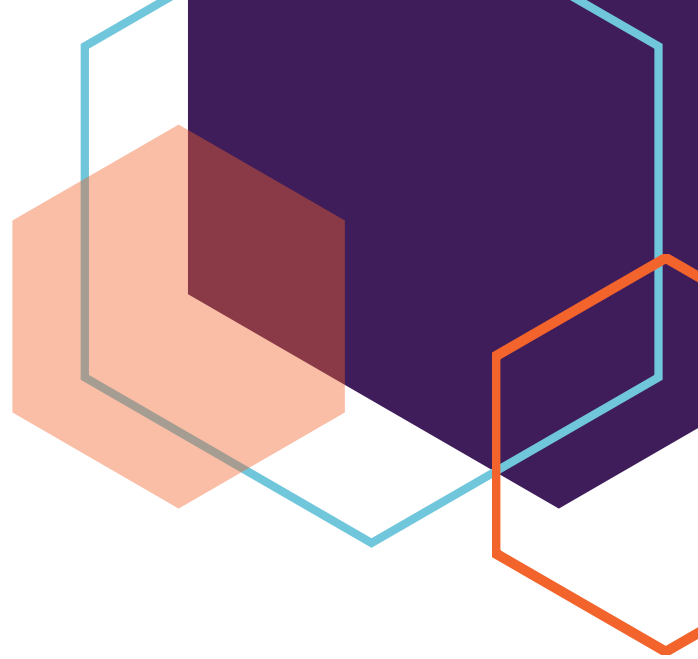
Walker and Miles

1877 *Illustrated Historical Atlas of the County of Peel, Ont.* Toronto, Walker and Miles.



# Appendix A

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**Senior Heritage Specialist – Carla Parslow, PhD, CAHP Member in Good Standing:** Dr. Carla Parslow has over 20 years of experience in the cultural heritage resource management (CHRM) industry in Canada. As the President of PHC Inc., Dr. Parslow is responsible for the management of CHRM projects, as well as the technical review and quality assurance of all archaeological and cultural heritage projects completed by PHC. Throughout her career, Carla has managed both large and small offices of CHRM professionals and has mobilized both large (50+) and small (4+) teams of CHRM and Environmental projects offices throughout the province of Ontario. Dr. Parslow has served as either Project Manager or Project Director on hundreds of Archaeological and Cultural Heritage Assessments. Dr. Parslow is a professional member of the Canadian Association of Heritage Professionals (CAHP).

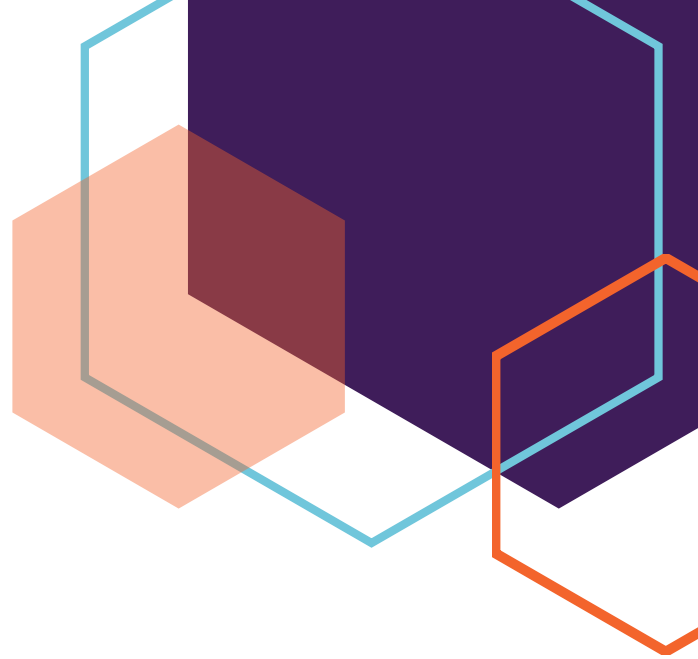
Dr. Parslow is also responsible for the overall quality assurance.

**Heritage Specialist – Chris Lemon, B.Sc., Dip. CAHP Member in Good Standing:** Chris Lemon is a Cultural Heritage Specialist and Licensed Archaeologist (R289) with 15 years' experience. He received an Honours B.Sc. in Anthropology from the University of Toronto and has completed course work towards an M.A. from the University of Western Ontario. Mr. Lemon has a Diploma in Heritage Carpentry and Joinery and a Certificate in Heritage Planning from Algonquin College. During his career Mr. Lemon has participated in cultural heritage assessments across Ontario as both a Senior Field Director in archaeology and as a Built Heritage Practitioner. Chris's previous experience includes representation on Joint Health and Safety Committees; he is dedicated to maintaining a safety-first focus on all job sites. Chris is a professional member of the Canadian Association of Heritage Professionals (CAHP).

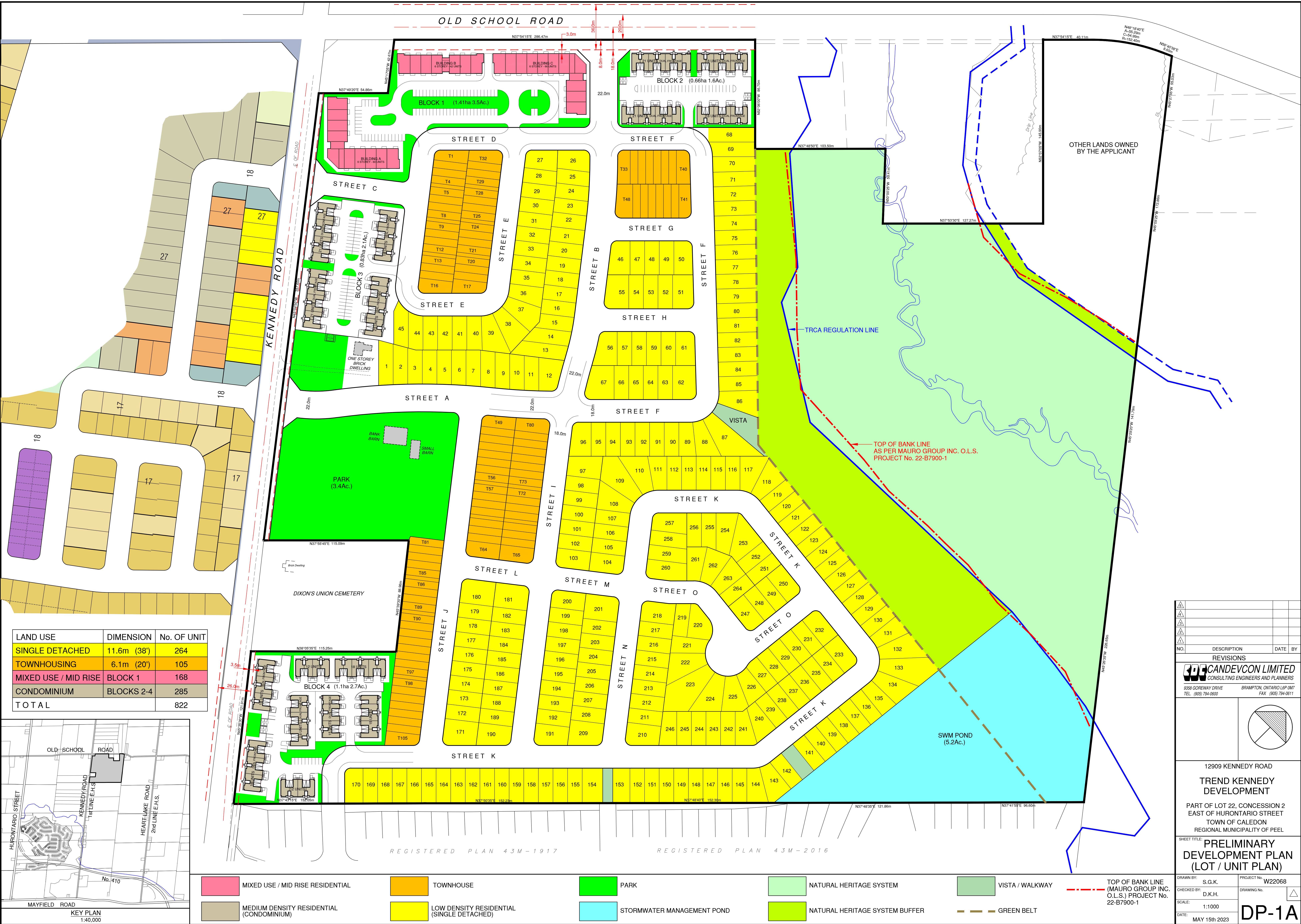
Mr. Lemon is responsible for research, reporting and analysis.

# Appendix B

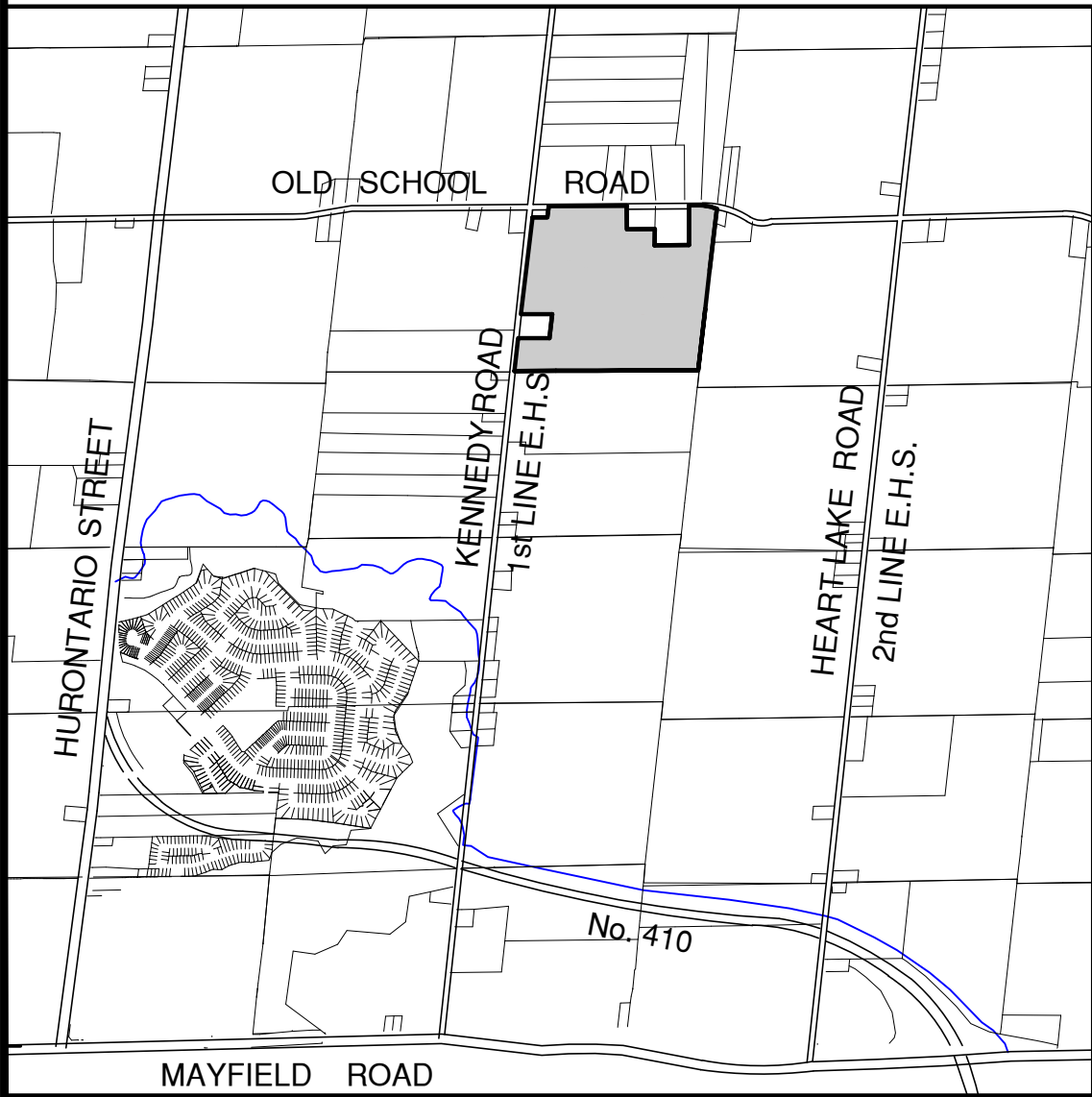
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LAND USE	DIMENSION	No. of UNIT
SINGLE DETACHED	11.6m (38')	264
TOWNHOUSING	6.1m (20')	105
MIXED USE / MID RISE	BLOCK 1	168
CONDOMINIUM	BLOCKS 2-4	285
TOTAL		822



MIXED USE / MID RISE RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL (CONDOMINIUM)

TOWNHOUSE

LOW DENSITY RESIDENTIAL (SINGLE DETACHED)

PARK

STORMWATER MANAGEMENT POND

NATURAL HERITAGE SYSTEM

NATURAL HERITAGE SYSTEM BUFFER

VISTA / WALKWAY

GREEN BELT

TOP OF BANK LINE (MAURO GROUP INC. O.L.S.) PROJECT No. 22-B7900-1

NO.

DESCRIPTION

DATE

BY

REVISIONS

CANDEVCON LIMITED

CONSULTING ENGINEERS AND PLANNERS

9358 GOREWAY DRIVE TEL. (905) 794-0600

BRAMPTON, ONTARIO L6P 0M7 FAX (905) 794-0611

12909 KENNEDY ROAD

TREND KENNEDY DEVELOPMENT

PART OF LOT 22, CONCESSION 2 EAST OF HURONTARIO STREET

TOWN OF CALEDON

REGIONAL MUNICIPALITY OF PEEI

SHEET TITLE:

PRELIMINARY DEVELOPMENT PLAN (LOT / UNIT PLAN)

DRAWN BY: S.G.K.

CHECKED BY: D.K.H.

SCALE: 1:1000

DATE: MAY 15th 2023

PROJECT No. W22068

DRAWING No.

DP-1A



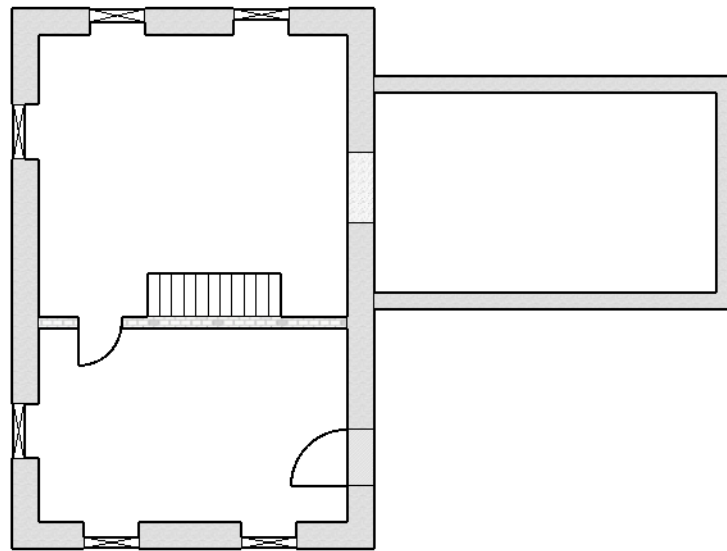
# Appendix C

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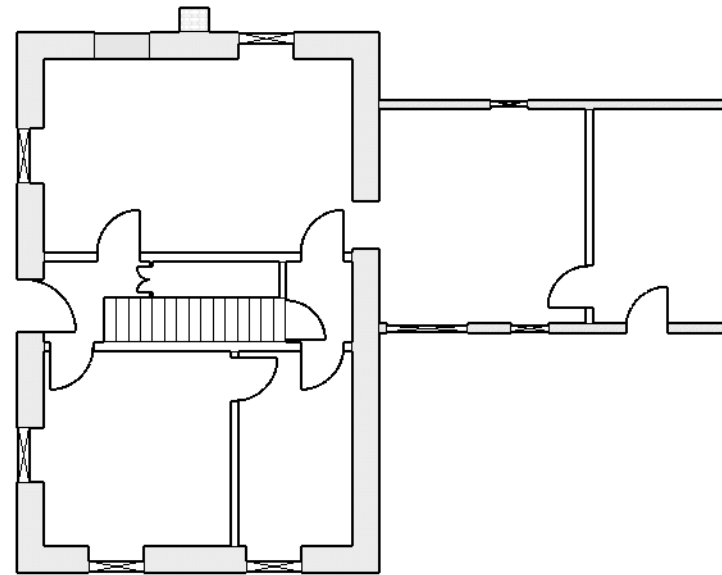


## 12909 Kennedy Road Floor Plans

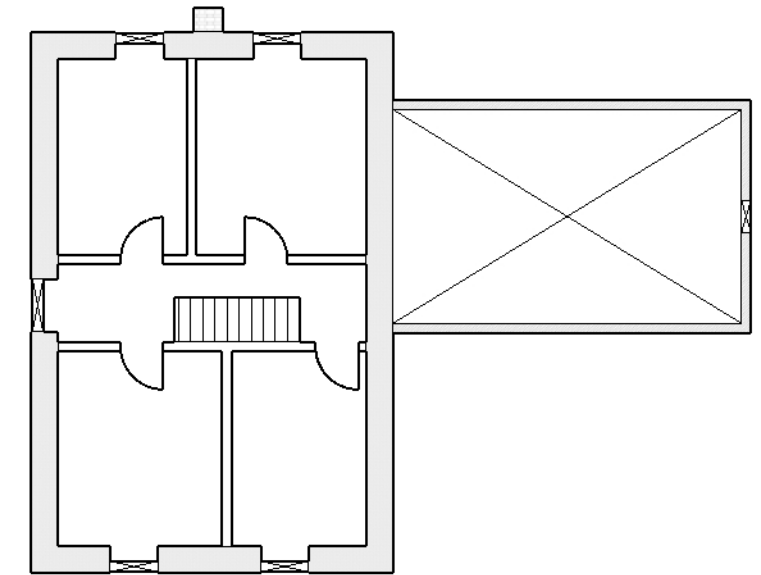
Basement



First Floor



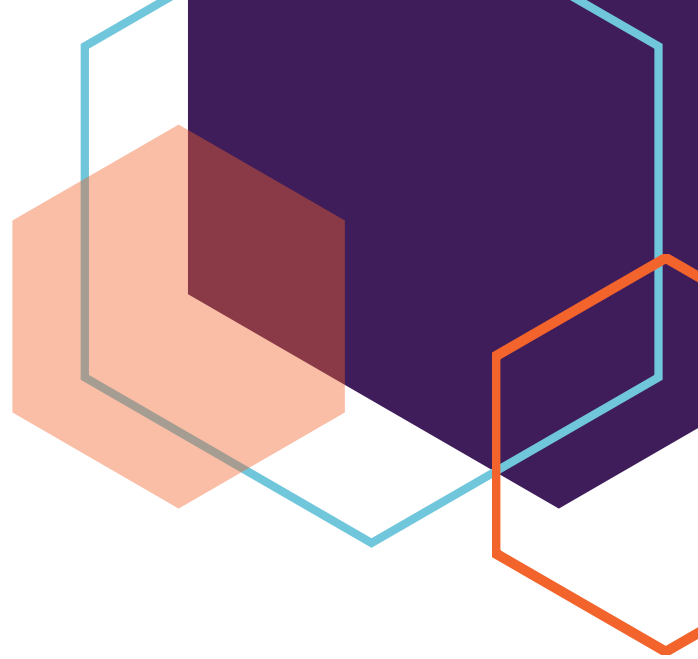
Second Floor





# Appendix D

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Meeting Date: May 2, 2022

Subject: Notice of Intention to Designate - 12909 Kennedy Road, Ward 2

Submitted By: Sally Drummond, Senior Heritage Planner, Strategic Policy Planning

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## **RECOMMENDATION**

That a Notice of Intention to Designate the property at 12909 Kennedy Road under Part IV, Section 29 of the Ontario Heritage Act, be issued; and

That should no objections be received during the mandatory 30-day public objection period following publication of the Notice of Intention to Designate, a by-law be enacted for the purpose of designating 12909 Kennedy Road pursuant to the Ontario Heritage Act.

## **REPORT HIGHLIGHTS**

- 12909 Kennedy Road (the Property) is listed as a non-designated property on the Town of Caledon's municipal Heritage Register. Its cultural heritage resources are comprised of a c.1860s stone farmhouse, two late 19<sup>th</sup> century barns, farm laneway, and mature trees.
- The 2007 Cultural Heritage Survey report for the Mayfield West Secondary Plan noted the Property merits consideration for designation under section 29 of the *Ontario Heritage Act* (the "Act").
- The Property is adjacent to the Mayfield West Secondary Plan area, and within the subject lands of Proposed Official Plan Amendment 2021-0009 (POPA), which proposes to redesignate the lands for urban use. The POPA was deemed complete on January 31, 2022.
- Recent amendments to the Ontario Heritage Act now prohibit Council from passing a Notice of Intention to Designate a property after 90 days have lapsed following a prescribed planning event, such as receipt of a complete POPA application, subject to exceptions prescribed in Ontario Regulation 385/21.
- Under the provisions of Ontario Regulation 385/21, the lifting of Caledon's pandemic-related declaration of emergency on March 21, 2022, triggered the 90-day timeline for Council to pass a Notice of Intention to Designate the Property at 12909 Kennedy Road.
- Since that date, staff have pursued the exceptions to the 90-day timeline prescribed in Ontario Regulation 385/21 without success.
- Consequently, in light of the cultural heritage significance of the Property and in order to meet the timelines prescribed in section 29 (1.2) of the Act, staff recommend that Council approve a Notice of Intention to Designate 12909 Kennedy Road under section 29 of the Act.
- Protection of the Property through designation under the Act would ensure the appropriate consideration and incorporation of its heritage attributes within any future development of the lands. The designation by-law would be amended through the development approvals process to reflect the area and heritage attributes to be protected within the broader development.

- This report serves as consultation with Heritage Caledon as required by the Act before Council issues notice of its intention to designate a property.

## **DISCUSSION**

### **Background**

The property at 12909 Kennedy Road (Schedule A) is identified as being of high significance on the Town's Built Heritage Resources Inventory. It is currently listed as a non-designated property on the Town's Heritage Register under section 27 of the Act (Resolution 2020-007).

The Property is located adjacent to the Mayfield West Secondary Plan area (Phase 1). It was identified in the Cultural Heritage Survey report completed as part of the Mayfield West Secondary Plan as meriting consideration for designation under section 29 of the Act.

The Property is within the subject lands of Proposed Official Plan Amendment 2021-0009, which proposes to redesignate the lands for urban use. This application was deemed complete on January 31, 2022.

The Town's Official Plan encourages the retention and incorporation of significant cultural heritage resources within such development areas. However, the POPA 2021-0009 application fails to acknowledge the Property or to address its retention.

Amendments to the Act proclaimed July 1, 2021, have introduced restricted timelines in which Council must act to designate heritage properties following certain planning events, including receipt of a complete POPA application. Under Section 29 (1.2) of the Act, Council now has only 90 days following such events in which to pass a Notice of Intention to Designate a property, subject to three exceptions prescribed in Ontario Regulation 385/21. These exceptions include where the property owner has agreed to waive the Act's restrictions or extend the restrictive time period, or during the period in which a municipality has declared an emergency to exist.

As such, Council's lifting of Caledon's pandemic-related state of emergency on March 21, 2022, has now triggered the 90-day timeline in which Council must pass a Notice of Intention to Designate the Property at 12909 Kennedy Road. The Act prohibits Council from passing such a Notice after the 90 days have lapsed.

Staff have approached the owner of the Property requesting consideration of the waiving or extension of the Act's restrictive timelines, but without success. The only remaining option for the Town to ensure protection of the Property's heritage resources is for Council to pass a Notice of Intention to Designate.



Protection of the Property by means of heritage designation would ensure the appropriate consideration and incorporation of its heritage attributes within any future development of the lands. Refinement of the area to be protected would occur through the development approvals process, and the heritage designation by-law subsequently amended to reflect such changes.

As noted below, the Act provides two opportunities during the designation process for the Property owner, or others, to object to the designation of the Property.

### **Designation Process**

The Act enables municipalities to pass by-laws to designate properties of cultural heritage value or interest. Designation of individual properties under Section 29 of the Act is a way of publicly acknowledging a property's value to a community and ensures the conservation of important places for the benefit and enjoyment of present and future generations. It also allows municipalities to conserve and manage properties through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

In determining whether a property is of cultural heritage value or interest, the municipality is required to consult Ontario Regulation 9/06 "Criteria for Determining Cultural Heritage Value or Interest", prescribed under Section 29(1)(a) of the Act. A property may be designated if it meets one or more of the following criteria:

1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark.

## **12909 Kennedy Road – Ward 2**

The Property is a 91-acre parcel of land within the west part of Lot 22, Concession 2 EHS, geographic Chinguacousy Township, Town of Caledon, on the east side of Kennedy Road south of Old School Road. It contains a farm complex comprising a c.1860s cut stone farmhouse, two late 19<sup>th</sup> century Central Ontario timber frame barns and other modern agricultural outbuildings, laneway, and mature vegetation in front of the farmhouse. The Property is south of the historic villages of Victoria and Campbell's Cross, northeast of the historic village of Edmonton (Snelgrove) and adjacent to the historic Dixon's Union Church and Cemetery.

The cultural heritage value of the Property was evaluated against Ontario Regulation 9/06. The resultant Heritage Designation Report (Schedule B) determined that the Property retains design/physical, historical/associative and contextual value and merits designation.

Designating a property under section 29 of the Act requires a Notice of Intention to Designate to be served on the owner and Ontario Heritage Trust and published in a local newspaper. The Notice of Intention to Designate 12909 Kennedy Road for the owner and the Ontario Heritage Trust shall include the following Statement of Cultural Heritage Value or Interest; an abbreviated version would be published in the local newspapers:

### *Statement of Cultural Heritage Value or Interest*

The historical or associative value of 12909 Kennedy Road, a property within the west part of Lot 22, Concession 2, EHS, Chinguacousy Township, is found in its direct association with several early and prominent Chinguacousy families, Norris, Snell and Newhouse, and its longevity of occupancy/ownership by the Russell family. The farm was likely developed by Irish immigrants Robert and Mary Norris from 1852 to 1877, and by William Snell and his wife Margaret Newhouse to c.1900. William and Mary Russell, tenants on the property by 1901, became owners in 1907 and the property has remained in the Russell family to the present day. The survival of the stone farmhouse in near original condition with two late 19<sup>th</sup> century barns, and their connection to the adjacent former Primitive Methodist church and cemetery, contributes to an understanding of the character and evolution of the farming community in this area.

The design or physical value of this property rests with the one and a half storey, c.1860s-70s Gothic Revival style stone farmhouse with one storey rear frame wing; with the two late 19<sup>th</sup> century Central Ontario, gable roofed barns set perpendicular to each other south of the farmhouse, the larger being a bank barn with a saltbox form on a stone foundation; and with the traditional, long laneway running east/west from Kennedy Road between the house and the barn complex. The farmhouse, built for Robert and Mary Norris likely in the 1860s or early 1870s, is a remarkable example of domestic building in stone. Displaying a high degree of craftsmanship, the farmhouse combines limestone for the trim and

several colours of field stone for the walls, producing a dichromatic palette. Welsh arches around most windows, a stepped arch around the pointed-arch window in the centre gable, quoins, and tooled cut stone around the doors and windows show the mason's skill. The contrast between the narrower coursing of the cut stone walls on the front facade and the larger pattern of the rubblestone walls elsewhere is visually interesting. The high quality of the masonry suggests the handiwork of a Scottish-trained mason or team of masons. The design of the bank barn with its salt box form may be the product of an enlargement and addition for convenience as farming practice evolved, representative of the continuing adaptive reuse of an agricultural building. The long, east/west laneway between the barn complex and Kennedy Road is a good example of a traditional farm lane.

Contextually, this property is important in defining, maintaining or supporting the rural agricultural character of this area. It is physically, functionally, visually, and historically linked to its surroundings as a 91-acre parcel of land within the original 100 acres of the farmstead. The farmstead together with the adjacent historic church and cemetery severed from the original farm lot, creates an interesting late 19<sup>th</sup> century landscape.

#### *Description of Heritage Attributes*

The heritage attributes of this property are the stone farmhouse, two Central Ontario barns, and the laneway. The farmhouse interior is excluded. For the reasons given in the Statement of Cultural Heritage Value or Interest, the farmhouse, barns, and laneway support the historical or associative, design or physical, and contextual values of this property. The principal characteristics of these attributes are as follows:

#### Farmhouse

- 1.5 storey massing and rectangular form of the main stone dwelling
- 1 storey massing and rectangular form of rear frame wing with porch
- Gable roof form with front centre gable of the main stone dwelling
- Gable roof form of the rear wing
- 3-bay façade of the west façade (front) with a centre door opening flanked by a window opening on each side
- All components of the front entry and door opening, including the transom light
- All two over two pane sash windows and segmentally arched window openings
- All components of the paired, multipane sash windows and wood trefoil trim in the pointed centre gable window opening
- Limestone rubblestone foundation with tooled mortar
- All components of the masonry, including coursed stone and limestone trim details on front facades, and larger rubble stone on side and rear facades, and pointing styles



Bank Barn

- Overall form, massing, and design elements as a bank barn
- Builder's hardware (locks, hinges, latches, etc.), siding, framing, stonework, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn
- Medium pitched gable roof and saltbox form
- All window and door openings related to its function as a barn
- All 19<sup>th</sup> century rubblestone work including walls and buttresses
- All components of the timber framing

Barn

- Overall form, massing, and design elements as a barn
- Builder's hardware (locks, hinges, latches, etc.), siding, framing, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn
- Medium pitched gable roof
- All window and door openings related to its function as a barn
- All components of the timber framing

Laneway

- The existence of an east/west laneway between the road allowance and the farmhouse and agricultural outbuildings

Vegetation

- The existence of mature coniferous and deciduous trees grouped between the farmhouse and Kennedy Road and along the laneway

**Recommendation**

Given the significance of the Property as outlined in the Statement of Cultural Heritage Value or Interest, and in order to meet the timelines prescribed in section 29 (1.2) of the Act following receipt of a complete application for POPA 2021-0009, Heritage staff recommend that Council issue a Notice of Intention to Designate 12909 Kennedy Road under section 29 of the Act.

Protection of the Property through designation under the Act would ensure appropriate consideration and incorporation of its heritage attributes within any future development of the lands. The Notice of Intention to Designate would apply to the entire 91-acre property, however the area protected by heritage designation would be refined through the future development approvals process. The designating by-law would be amended accordingly to reflect the refined area.

This report serves as consultation with Heritage Caledon as required by the Act before Council issues notice of its intention to designate a property.

Should no objections be received during the mandatory 30-day public objection period following publication of the Notice of Intention to Designate, Council may pass a by-law designating the Property. If objections to the Notice of Intention to Designate are received, the matter would be referred to Council for a decision on whether to proceed with designation.

Amendments to the Act proclaimed July 1, 2021, require that the designating by-law be passed within 120 days of the publication of the Notice of Intention to Designate, and further that a mandatory 30-day public objection period follow public notice of the passing of the designating by-law. If objections are received to the designating by-law, the matter is referred to the Ontario Land Tribunal. Should no objections to the by-law be received, the by-law will be registered on title to the property.

### **FINANCIAL IMPLICATIONS**

If Council proceeds with designating the Property, the Notice of Intention to Designate and the subsequent Notice of Passing of By-law will be advertised on the Town Page and in local newspapers.

The advertising costs will be funded under the Corporate Communications advertising operating budget. Costs associated with the registration of the designation by-law will be funded by Legal Services' operating budget.

If a designation by-law is registered on the title of the Property, the property owner will be eligible to apply for the annual Designated Heritage Property Grant (DHPG) program, which offers matching grants of up to \$4,000 for the conservation of a property's heritage attributes.

### **COUNCIL WORK PLAN**

#### **Connected Community**

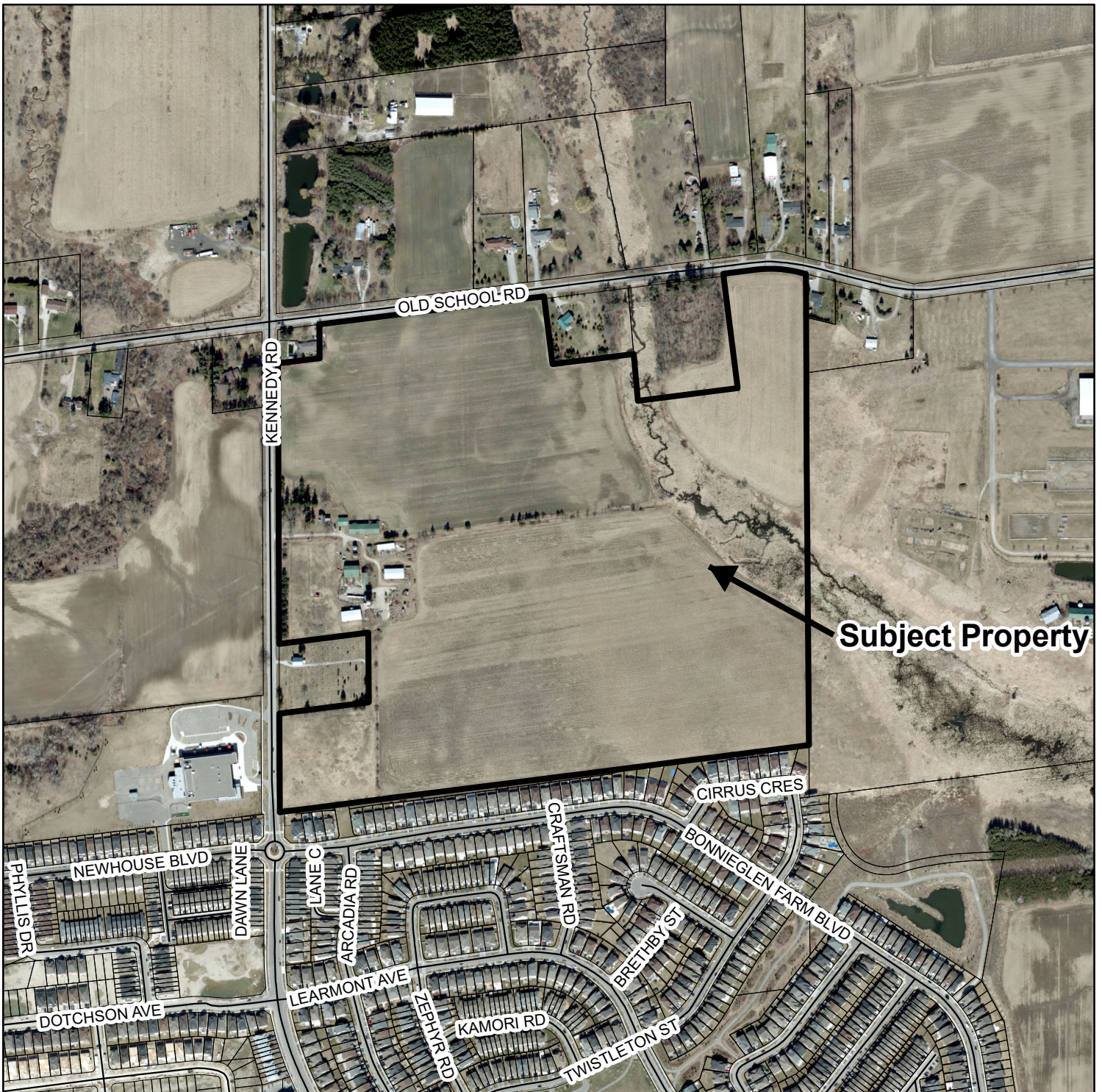
This report supports the Council Work Plan by contributing to the preservation of Caledon's built heritage.

### **ATTACHMENTS**

Schedule A: Location Map for 12909 Kennedy Road, Ward 2

Schedule B: Heritage Designation Report, 12909 Kennedy Road, Ward 2





## Heritage Map

12909 Kennedy Road

## LOCATION MAP



Date: April 19, 2022



# Heritage Designation Report

## 12909 Kennedy Road

Part West Half, Lot 22, Concession 2 EHS, Chinguacousy Township, as in RO494856  
Except Parts 1 to 6 on 43R-17020; Town of Caledon; Regional Municipality of Peel

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### 1.0 REPORT OBJECTIVE AND METHODOLOGY

The property known municipally as 12909 Kennedy Road is within the west half of Lot 22, Concession 2 EHS, geographic township of Chinguacousy, as in RO494856 Except Parts 1 to 6 on 43R-17020; Town of Caledon; Regional Municipality of Peel (PIN 14235-1092 (LT))

This Heritage Designation Report ("Report") is an evaluation of the subject property as a candidate for designation under section 29 of the *Ontario Heritage Act* (OHA). This evaluation requires the application of *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*. The findings of this Report can be applied to the consideration of a heritage conservation easement agreement under section 37(1) of the OHA.

The findings and recommendations of this report reference the documentary research presented in the 2007 Cultural Heritage Survey Report prepared by Unterman McPhail Associates for the Mayfield West Secondary Plan, and the design and physical descriptions presented in the 2012 Heritage Designation Report for 12701 Hurontario Street prepared by Paul Dilse.

### 2.0 EVALUATION CRITERIA

*Ontario Heritage Act Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*, sets the minimum standard for criteria to be used by municipalities when evaluating the cultural heritage value or interest of a property being considered for designation under section 29 of the OHA. One or more of the criterion in the categories of Design or Physical Value, Historical or Associative Value, and Contextual Value must be met for the property to be designated. These categories were applied in compiling this Heritage Designation Report.

### 3.0 SUBJECT PROPERTY

#### 3.1 Description

The Property is a 91.1971 acre parcel of land within the west part of Lot 22, Concession 2 EHS, geographic Chinguacousy Township, Town of Caledon, on the east side of Kennedy Road south of Old School Road. It contains a farm complex comprising a c.1860s cut stone farmhouse, two late 19<sup>th</sup> century Central Ontario timber frame barns and other modern agricultural outbuildings, laneway, and mature vegetation in front of the farmhouse. The Property is south of the historic

villages of Victoria and Campbell's Cross, northeast of the historic village of Edmonton (Snelgrove) and adjacent to the historic Dixon's Union Church and Cemetery. This is a rural area of agricultural cultivation next to an area of urban development immediately to the south.

The farm complex is centred on the west side of the lot, fronting onto Kennedy Road. There is a c.1860s cut stone farmhouse on a small rise facing Kennedy Road. The gravel laneway leads east from Kennedy Road on the south side of the farmhouse to the grouping of agricultural outbuildings to the rear and south of the farmhouse.

### **3.2 Heritage Status**

This property is listed by Council Resolution 2020-007 on the Town of Caledon Register of Cultural Heritage Properties as prescribed by section 27 of the OHA. It is described as an 1875-1899 "Gothic Revival style farmhouse with a cut stone exterior."

## **4.0 HISTORICAL OR ASSOCIATIVE VALUE**

### **O. Regulation 9/06**

The property has historical value or associative value because it,

- i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
- ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
- iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

### **4.1 Chinguacousy Township**

The Township of Chinguacousy was surveyed into lots and concessions starting in 1819 and is the largest township in the historic County of Peel. It is divided by Hurontario Street (also referred to in early documents as Centre Street) and has concessions designated as East or West of Hurontario Street ("EHS/WHS"). In 1821, the population of Chinguacousy was 412 and the census enumeration for 1842 tabulated the population at 3,965 people occupying about 75,000 acres, 26,266 of which were under cultivation. *Smith's Canadian Gazetteer* published in 1846 describes Chinguacousy as follows:

This is one of the best settled townships in the Home District, containing excellent land, and many good farms. The timber is principally hardwood, with a small portion of pine intermixed; the land mostly rolling. The River Credit runs through the south and west of the township, and the Etobicoke River through the east and centre. Excellent wheat is grown in this and the adjoining townships. There are one grist and seven saw mills.

The Town of Caledon was established on January 1, 1974, as an amalgamation of Albion, Caledon, and the northern half of Chinguacousy townships.

## 4.2 Property Chronology

Isaac Lighthouse received the Crown Patent for all 200 acres of land on Lot 22, Concession 2 EHS, Chinguacousy Township in April 1822. He sold the entire 200-acre lot to John Barnhart in 1825 and Barnhart sold it back to Lighthouse in January 1829. Christopher Rowe bought the west half of Lot 22, Concession 2 EHS from Lighthouse in June 1829. Irish immigrant Robert Norris bought the 100 acres of the west half of Lot 22 from Rowe in February 1852. The Norris family remained on the farm until 1877.

*Tremaine's Map of the County of Peel, Canada West*, published in 1859, shows Robert Norris as the owner of the west half of Lot 22, Concession 2 EHS, together with 50 acres across the road on the east half of Lot 22, Concession 1 EHS. No buildings are shown on either property at this time. In 1860, Robert Norris and his wife sold one half acre of land in the southwest of the lot to the Trustees of the Primitive Methodist Church. The publication "Early Churches in Chinguacousy and Toronto Gore" notes a frame church had been built there in 1855.

The 1861 Census Return notes 32-year old farmer Robert Norris, his wife Mary and children Jane, Arthur, Robert and two domestics John Graham and Harriet Puckering as the residents of a one and-a-half storey log house. Property records indicate that Robert Norris took out a mortgage for \$1,285.50 in 1865, possibly for construction of the stone dwelling.

The 1871 Census Return notes Robert Norris (age 59), his wife Mary (41) and children Martha (17), Arthur (15), Robert (13), twins Leonard and Levi (10), John (6), Mary (4) and Liles (2).

The 1873-74 Peel directory notes Robert Norris on Lot 22, Concession 2 EHS. The 1877 *Illustrated Historical Atlas* also notes Robert Norris on the west half of Lot 22 with a farmstead and orchard in the location of 12909 Kennedy Road. The Dixon's Union Church and Cemetery was located to its immediate south. Robert and Mary Norris sold the west half of Lot 22, Concession 2 EHS to William Snell in October 1877 for \$5400.

William Snell was born locally in 1850, the son of early Chinguacousy Township settlers Elias and Elizabeth Snell. He is recorded as part of his widowed father's household in the 1881 Census Return, and married Margaret Newhouse later in the year on September 6, 1881. Margaret Newhouse was born in the Snelgrove area in 1861, the daughter of Cornelius Newhouse and Mary Sinclair who resided on nearby Lot 23, Concession 1 EHS. Cornelius was the son of Antoine Maisonneuve, who anglicized the family name to Newhouse. Margaret Snell's sister Mary Newhouse married Hugh Craig and lived for many years at 12304 Heart Lake Road.

The Snells had two daughters, Mary Susan and Luella. William Snell died in 1886 and is buried in the Dixon Union Cemetery beside the farmstead. By 1891 when the Census recorded data about dwelling houses again as it had in 1861, the Return notes widow Margaret Snell and daughters 8-year old Susan and 6-year old Luella as the residents of a two storey 7-room stone house in Chinguacousy Township. Land records indicate Margaret Snell sold 1 ½ acres to the Primitive Methodist Church in 1902, likely for cemetery use.



According to the obituary in *The Conservator* (December 28, 1922), Margaret Snell moved from the Kennedy Road farmstead to Brampton where she resided for a number of years. She then moved to Toronto to live with her daughter Mrs. H. D. Robertson.

The 1901 Census Return notes William and Mary Rusel [Russell] and son 20-year old Arthur and 16-year old daughter Mary as the tenants of a 8-room stone house on 99 acres of land on Lot 22, Concession 2 EHS.

Land records show that Margaret Snell sold the west half of Lot 22, except for the church and burial property, to Robert and Arthur Russell in September 1907 for \$5300. The 1911 Census Return notes that brothers Robert Russell and Arthur Russell, both farmers, together with sister Mary Russell, were located on Lot 22, Concession 2 EHS. The Russell family had immigrated to Canada from England in 1887. The 1917 Guidal map notes Robert Russell as the owner of the west half of Lot 22, Concession 2 EHS. Arthur Russell bought the half interest in Lot 22 from Robert Russell in January 1928. Norman S. Russell bought the west half of Lot 22 in 1956. The property remains in Russell family ownership to the present day.

The historical or associative value of this property is found in the direct association with several early Chinguacousy families, including Norris, Snell and Newhouse (by marriage), and the longevity of its ownership/occupancy by the Russell family. The ability of Irish immigrants Robert and Mary Norris by about the 1860s or early 1870s to erect a substantive Gothic Revival style stone dwelling in replacement of their first log dwelling is representative of their success in establishing a new life in Chinguacousy. William Snell and Mary Newhouse, who owned the property for 30 years, were members of prominent families in the immediate area. The owner/occupancy of the property by the Russell family for over a century has provided continuity with the early agricultural history of the area. The survival of the impressive stone farmhouse in near original condition with two late 19<sup>th</sup> century barns, and their connection to the adjacent former Primitive Methodist church and cemetery, contributes to an understanding of the character and evolution of the farming community in this area.

## **5.0 DESIGN OR PHYSICAL VALUE**

### **O. Regulation 9/06**

The property has design value or physical value because it,

- i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
- ii. displays a high degree of craftsmanship or artistic merit, or
- iii. demonstrates a high degree of technical or scientific achievement.

Census Records confirm the existing stone farmhouse had been erected by 1891. It is likely to have been built in the 1860s or possibly early 1870s by Robert and Mary Norris to replace their earlier log dwelling. The 1871 census indicated the family lived in multiple dwellings, suggesting the log and subsequent stone house may both have been extant at that time. The farmhouse's centre gable and symmetrical three bay façade is representative of the Ontario Cottage style

prevalent throughout the nineteenth century, and the characteristic Gothic Revival features of its window and door treatment also point toward a construction date for the farmhouse in the 1860s-1870s.

The farmhouse consists of two parts – the main part in stone which stands one and a half storeys tall, and a one-storey frame rear wing with a south-facing porch. The main house is rectangular in form with a medium pitch gable roof with centre front gable. The front door is headed by the original transom light opening. There is a variety of windows in the front facade –segmentally arched windows flank the front door, and a pointed-arched window graces the front centre gable; the gable window entails a pair of slender sash topped by a wood arch decorated with a raised trefoil motif. Segmentally arched windows are found on the end gables, two on each storey. Most windows retain their original two over two pane sash (one of the lower front windows is currently boarded up).

The main dwelling is a remarkable example of domestic building in stone. Displaying a high degree of craftsmanship, the farmhouse combines limestone for the trim and several colours of cut stone for the walls, producing a dichromatic palette. Welsh arches around most windows, a stepped arch around the pointed-arch window in the centre gable, quoins, and cut stone around the doors and windows show the mason's skill. The contrast between the narrower coursing of the cut stone walls on the front facade and the larger pattern of the rubblestone walls elsewhere is visually interesting. The high quality of the masonry suggests the handiwork of a Scottish-trained mason or team of masons. Generally, cut stone masonry is a rare vernacular building technique in Central Ontario where brick prevails. The craftsmanship and aspects of the detailing are similar to that of the late 19<sup>th</sup> century stone farmhouse on the west half of Lot 21, Concession 1 EHS, possibly reflecting the work of the same stone mason.

The cluster of agricultural outbuildings are located to the rear and south of the farmhouse, accessed by the laneway on the south side of the dwelling. The two remaining historic outbuildings entail a rectangular, salt-box form bank barn on a stone foundation and smaller rectangular, gable-roofed barn set perpendicular to it to the east. As was typical throughout Central Ontario, the bank barn was large, accommodating livestock in the stone stables and crop storage in the timber-framed loft above. An earthen bank accessing the loft was on the barn's north side. The design of the bank barn with its salt box form may be the product of an enlargement and addition for convenience as farming practice evolved, representative of the continuing adaptive reuse of an agricultural building.

## **6.0 CONTEXTUAL SETTING**

The farmhouse sits on a slight rise, facing Kennedy Road and was historically reached by a long gravel lane skirting to the south of the farmhouse. The laneway leads to the cluster of agricultural outbuildings set to the rear and south of the farmhouse. The front lawn of the farmhouse is well populated with mature trees and partially screening the farmhouse from view; some of the coniferous trees form a linear windbreak on the north edge of the lawn. To the south of farm complex is Dixon's Union Church and Cemetery property.

Contextually, this property is important in defining, maintaining or supporting the rural agricultural

character of this area. It is physically, functionally, visually, and historically linked to its surroundings as a 91.1971 acre parcel of land within the original 100 acres of the farmstead. The farmstead together with the adjacent historic church and cemetery severed from the original farm lot, creates an interesting late 19<sup>th</sup> century landscape.

## **7.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST**

The farmhouse built for Robert Wilson by 1891 is a remarkable example of domestic building in stone. Displaying a high degree of craftsmanship, the farmhouse combines reddish-brown Credit Valley sandstone with grey limestone to produce a dichromatic palette in keeping with its High Victorian Gothic style. Welsh arches, a stepped arch around a pointed-arch window, quoins, a cut-stone foundation wall and an unusual heart motif show the mason's skill. The contrast between the cut-stone walls in front and on the south and the rubblestone walls elsewhere is visually interesting. The high quality of the masonry suggests the handiwork of a Scottish-trained mason or team of masons – a probable choice for the Wilson family who had emigrated from Scotland to pioneer in Chinguacousy Township.

Delicately carved bargeboard trimming gable ends, original window sash and interior woodwork add to the farmhouse's historic character.

In addition to the excellence of the stonework and the survival of authentic wooden features, the farmhouse is valuable for the stories it can tell. It tells the story of a Scottish immigrant family of the pioneer era who prospered and built a permanent house in the late nineteenth century. The next story in the farmhouse's past is associated with the Allan McLean family and the disruption caused by the tragedy of the First World War. The farmhouse was also central in the lives of subsequent farming families, including the Newhouse family who lived here for over 50 years.

As the farm surrounding it disappears in contemporary residential building, the farmhouse is a tangible reminder of the rural landscape.

## **8.0 DESCRIPTION OF HERITAGE ATTRIBUTES**

The heritage attributes of this property are the stone farmhouse, two Central Ontario barns, and the laneway. The farmhouse interior is excluded. For the reasons given in the Statement of Cultural Heritage Value or Interest, the farmhouse, barns, and laneway support the historical or associative, design or physical, and contextual values of this property. The principal characteristics of these attributes are as follows:

### Farmhouse

- 1.5 storey massing and rectangular form of the main stone dwelling
- 1 storey massing and rectangular form of rear frame wing with porch
- Gable roof form with front centre gable of the main stone dwelling
- Gable roof form of the rear wing



- 3-bay façade of the west façade (front) with a centre door opening flanked by a window opening on each side
- All components of the front entry and door opening, including the transom light
- All two over two pane sash windows and segmentally arched window openings
- All components of the paired, multipane sash windows and wood trefoil trim in the pointed centre gable window opening
- Limestone rubblestone foundation with tooled mortar
- All components of the masonry, including coursed stone and limestone trim details on front facades, and larger rubble stone on side and rear facades, and pointing styles

#### Bank Barn

- Overall form, massing, and design elements as a bank barn
- Builder's hardware (locks, hinges, latches, etc.), siding, framing, stonework, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn
- Medium pitched gable roof and saltbox form
- All window and door openings related to its function as a barn
- All 19<sup>th</sup> century rubblestone work including walls and buttresses
- All components of the timber framing

#### Barn

- Overall form, massing, and design elements as a barn
- Builder's hardware (locks, hinges, latches, etc.), siding, framing, flooring, doors, sashes, and other components original to the late 19<sup>th</sup> century state of the barn
- Medium pitched gable roof
- All window and door openings related to its function as a barn
- All components of the timber framing

#### Laneway

- The existence of an east/west laneway between the barn and the road allowance

#### Vegetation

- The existence of mature coniferous and deciduous trees grouped between the farmhouse and Kennedy Road and along the laneway

## **9.0 CONCLUSION**

Based on the findings of the Report, it is concluded that the property at 12909 Kennedy Road is a suitable candidate for protection under section 29 of the Ontario Heritage Act.

## **SOURCES**

Dilse, Paul. "Cultural Heritage Impact Statement on the Robert Wilson Farmstead", 18 July 2012.

Unterman McPhail Associates. "Cultural Heritage Survey Report, Built Heritage Resources & Cultural Heritage Landscapes, Mayfield West Secondary Plan, Town of Caledon", December, 2007.

## 12909 Kennedy Road

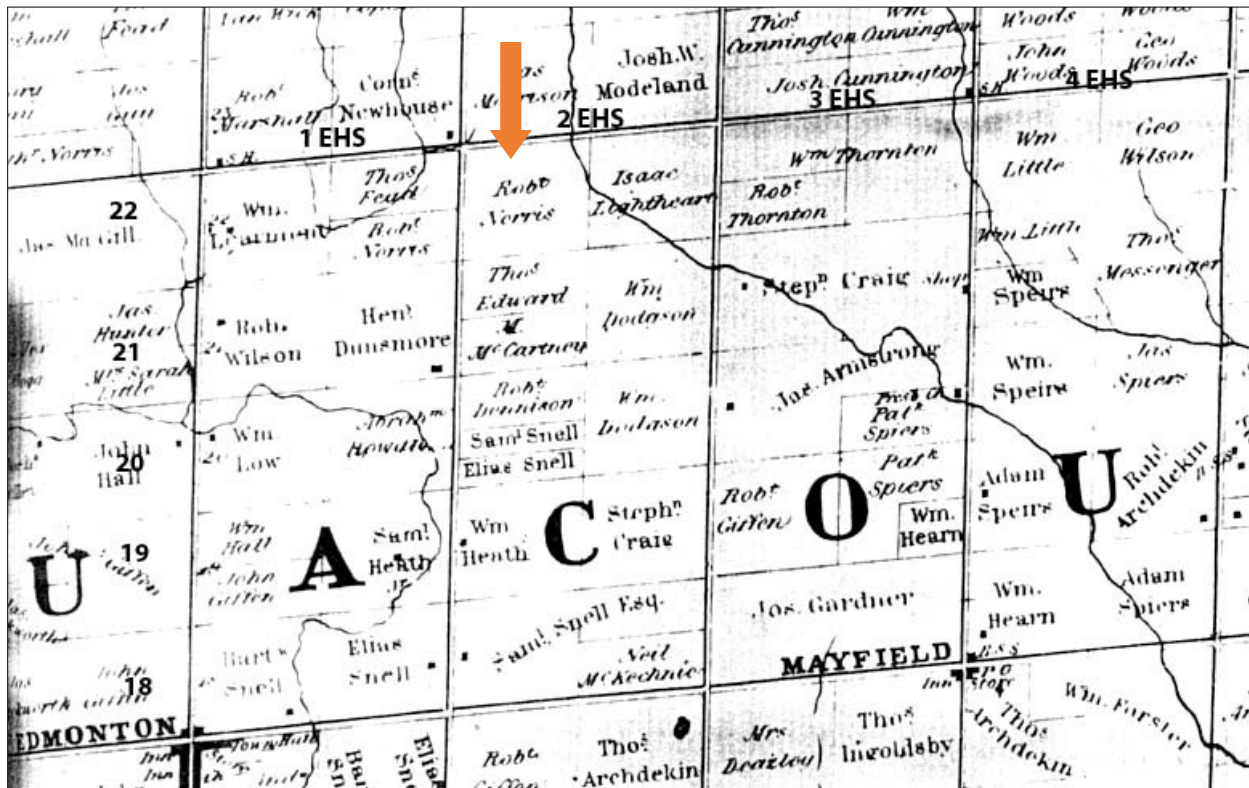
Schedule B to Staff Report 2022-0225



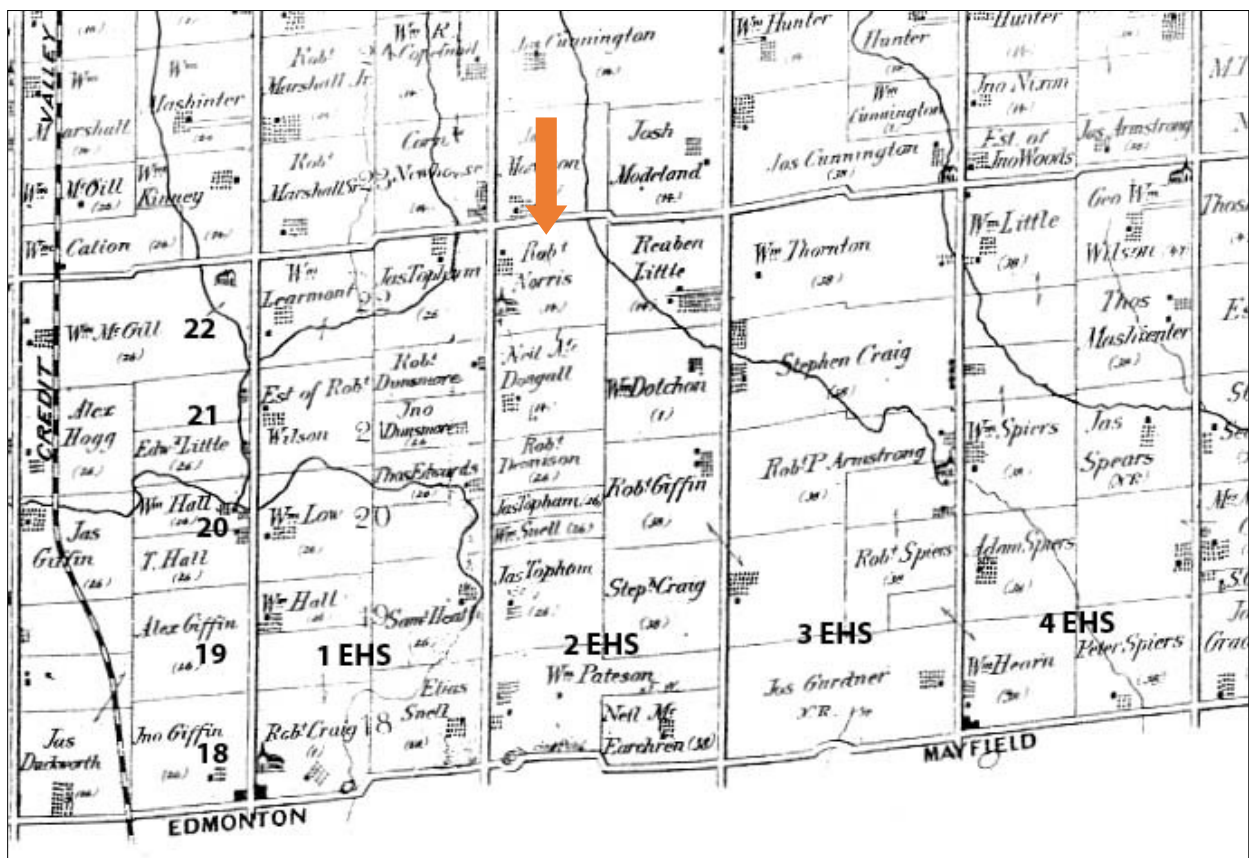
**Aerial views of 12909 Kennedy Road indicating location of the farmhouse and outbuildings, and adjacent church/cemetery property.**







Detail from Tremaine's Map of Peel County (1859) indicating Robert Norris as owner of west half of Lot 22, Concession 2 EHS



Detail from Chinguacousy Township, *Illustrated Historical Atlas of Peel County* (1877) indicating building, orchard, church and cemetery on west half of Lot 22, Concession 2 EHS





Above: South side façade of farmhouse, showing rear wing and modern farm buildings

Below: Front and south side façade of farmhouse







**Above: Laneway from Kennedy Road**

**Below: Two late 19th century barns amid modern farm outbuildings**







Above: Dixon's Union church and cemetery, with 12909 Kennedy in background

Below: View from Kennedy Road toward 19th century barns and other agricultural structures



# Appendix E

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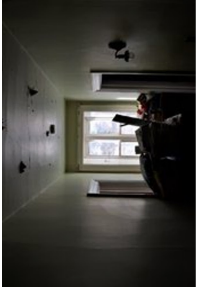
Interior of barn 3



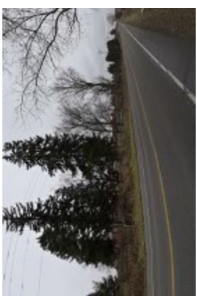
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Stitch 1



Upstairs Hall Corrected



View down Kennedy Road



View to House from Cemetery



YAMD0983



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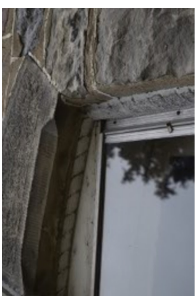
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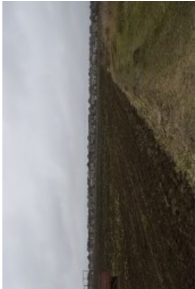
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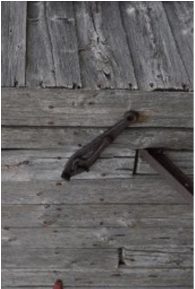
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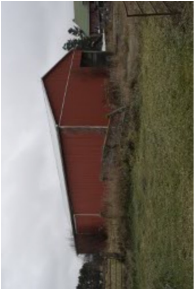
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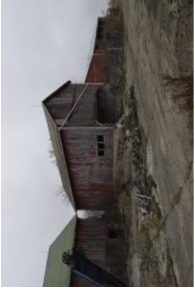
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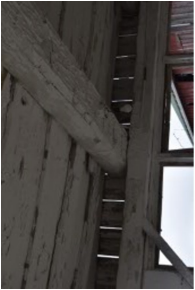
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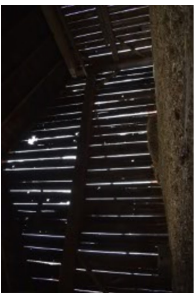
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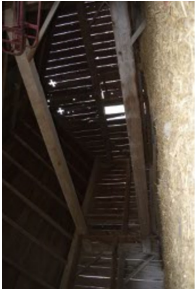
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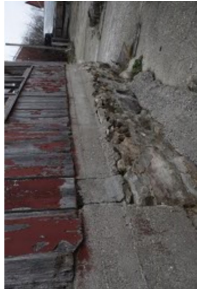


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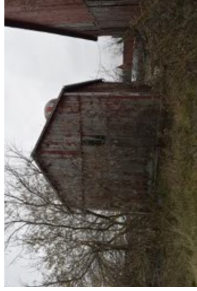




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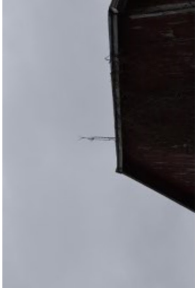
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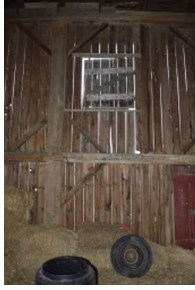
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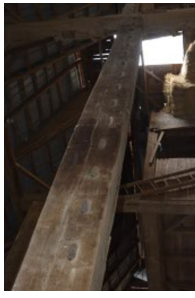
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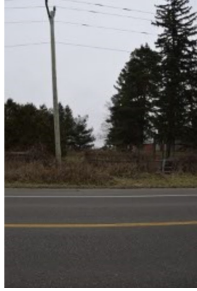








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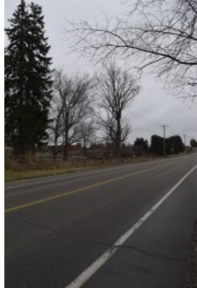
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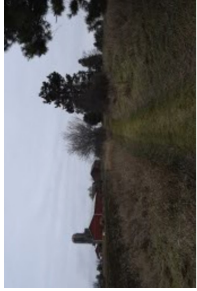
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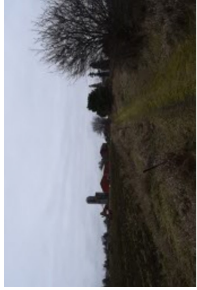
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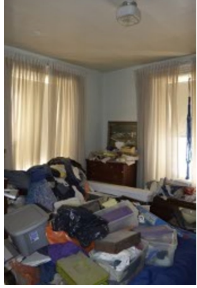
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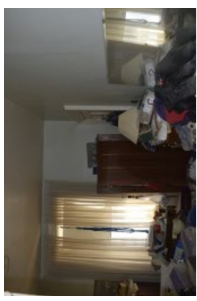
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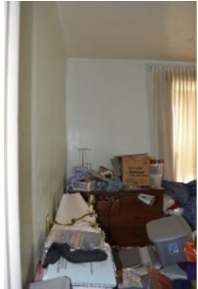
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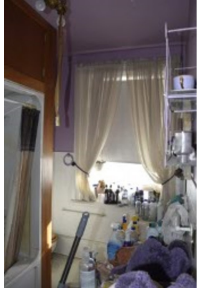
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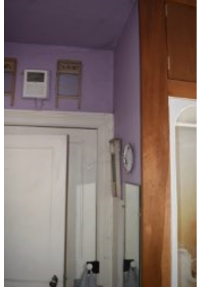
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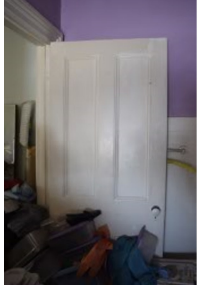
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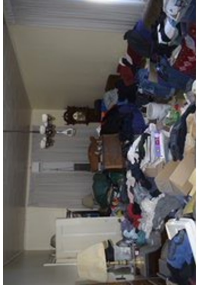
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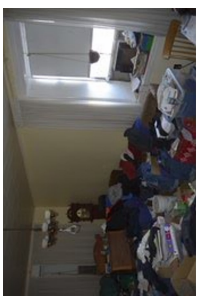
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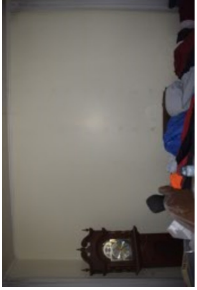
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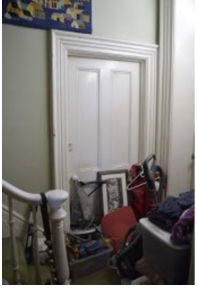
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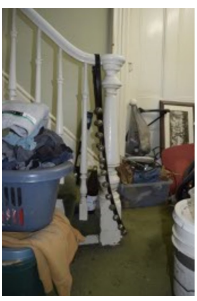
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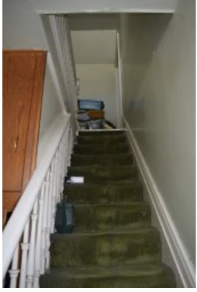


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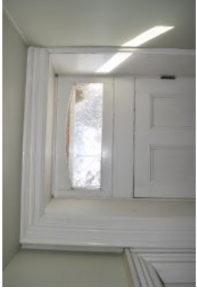




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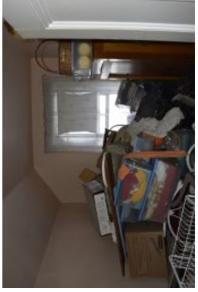
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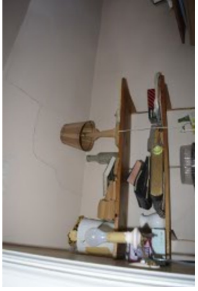
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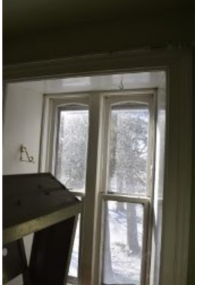
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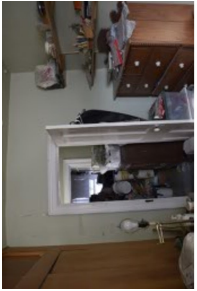
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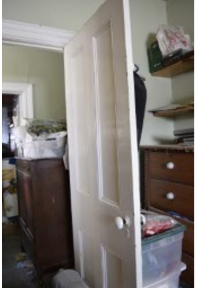
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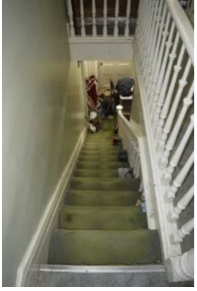
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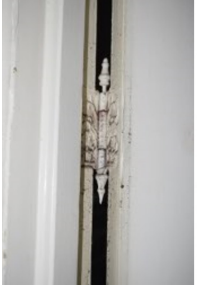
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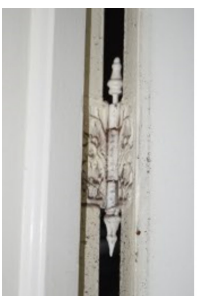
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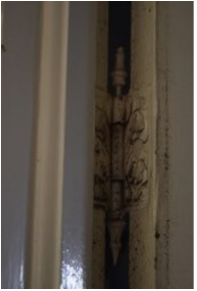
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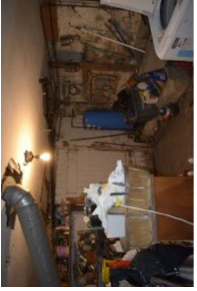
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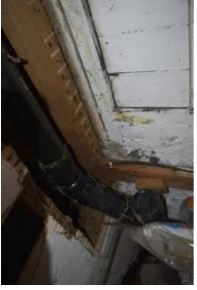
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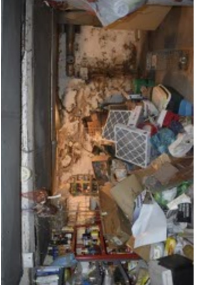
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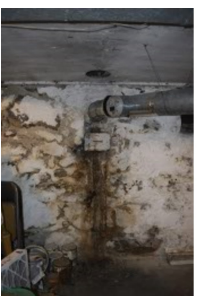
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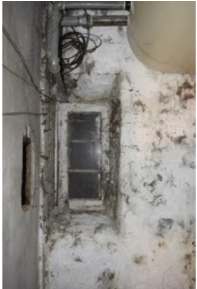


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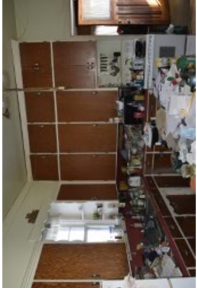




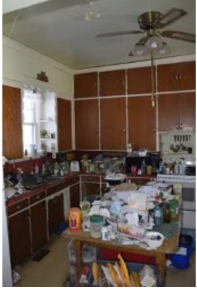
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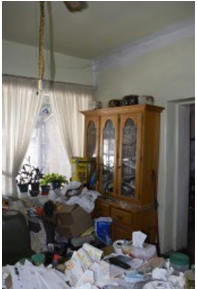
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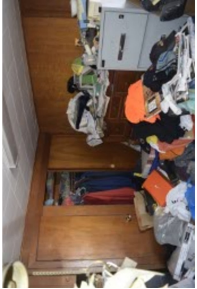
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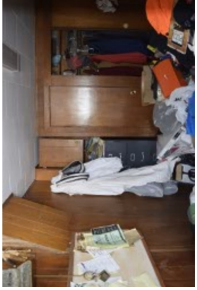
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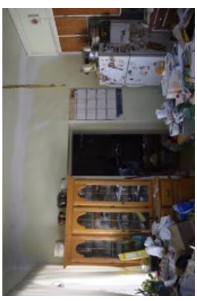
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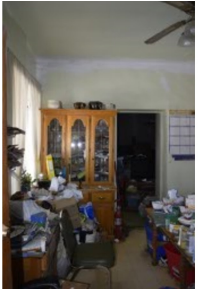
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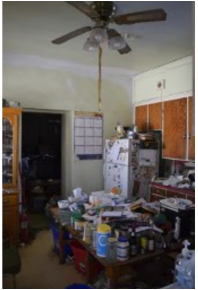
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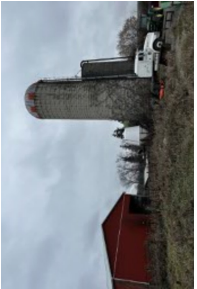
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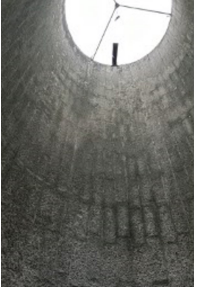
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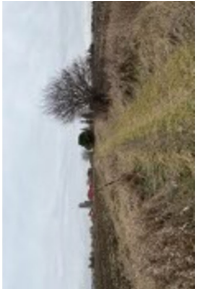
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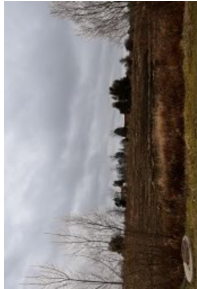
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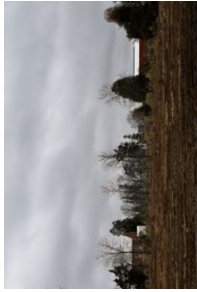
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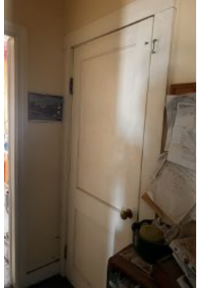
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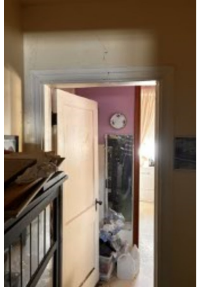
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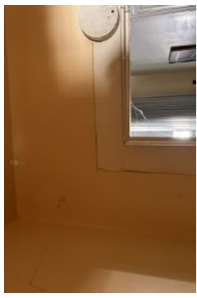
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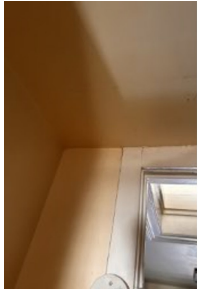
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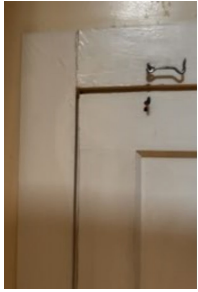
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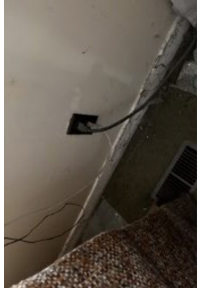
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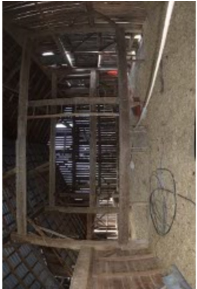
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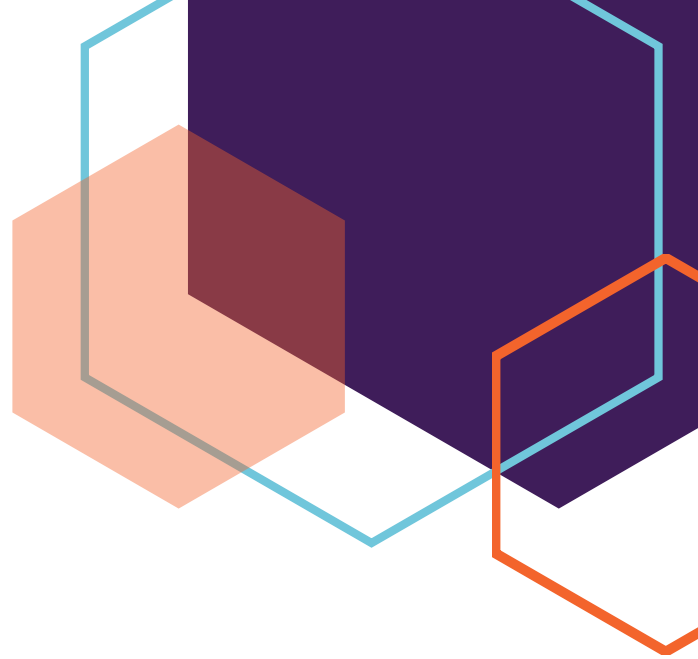
Interior of Barn



Interior of barn 2

# Appendix F

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# 12909 Kennedy Road, Caledon Barn Condition Assessment



Prepared by:



176 Speedvale Avenue West, Guelph, ON  
TE-41938-23

June 6, 2023

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# 1. Introduction

Tacoma Engineers has been retained by Trend 12902 Kennedy Developments Inc. to complete out a structural condition assessment of two historic barns located at 12909 Kennedy Road, Caledon, Ontario. A site visit to document the existing conditions was carried out by Will Teron, P.Eng., on April 20, 2023.

This report is being completed in support of a Heritage Impact Assessment (HIA) process being led by Parslow Heritage Consultancy Inc. (PHCI). For clarity and efficiency, the complete property background information and statements of cultural significance are not repeated in its entirety but an excerpt is included below. Reader should be aware of the findings presented in the HIA.

The purpose of the assessment is to document existing conditions, document any immediate concerns and identify schematic options related to the HIA recommendations. This report includes a summary of our findings including:

- Descriptions of the major structural systems;
- Observed structural conditions and areas of potential concern;
- Potential risks to the buildings now and in the future; and
- Preliminary options for future use of the buildings

# 2. Building Context

From the HIA Introduction,

*The Subject Property is located on the east side of Kennedy Road, between Old School Road to the north and Bonnieglan Boulevard to the South. The property is approximately 90 acres in size, containing a one-and-a-half storey stone residence, two late 19th century barns, and a series of modern farm outbuildings. The Subject Property surrounds Dixon's Primitive Methodist Church c.1875, which resides on property donated to the church by a previous owner of Lot 22, Concession 2 ECR. The church property includes Dixon's Union Cemetery.*

*12909 Kennedy Road is a Listed property under Section 27 of the Ontario Heritage Act. 12909 Kennedy Road has been previously subject to a Town of Caledon Staff Report (2022-0225) as a component of a Notice of Intention to Designate 12909 Kennedy Road under Section 29 of the Ontario Heritage Act.*

From the HIA Draft Statement of Heritage Value,

## *Bank Barn*

- Overall form, massing, and design elements as a bank barn
- Builder's hardware (locks, hinges, latches, etc.), siding, framing, stonework, flooring, doors, sashes, and other components original to the late 19th century state of the barn
- Medium pitched gable roof and saltbox form
- All window and door openings related to its function as a barn
- All 19th century rubblestone work including walls and buttresses
- All components of the timber framing

## *Barn*

- Overall form, massing, and design elements as a barn



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- *Medium pitched gable roof*
- *All window and door openings related to its function as a barn*
- *All components of the timber framing*

From the HIA Mitigation and Conservation Alternatives,

*Restoration and reinterpretation of the timber frame barns. Barns are a rapidly disappearing heritage attribute of the rural agricultural lifeway that preceded today's ever expanding urban populations. While continued use as they were constructed is unrealistic, barns offer an ideal opportunity for adaptive reuse. Barns can be adapted for use as community spaces, providing an opportunity to showcase the construction skills of past generations while showcasing the timber resources that previously dominated southern Ontario. Barns can be repurposed as event spaces, maker's markets, wedding venues, entertainment spaces, restaurants, and even private residences.*

From the HIA Recommendations,

*Every attempt be made to integrate both barns into the proposed redevelopment of the area. While both barns have been identified as heritage attributes there is a significant difference in condition between the two structures. The bank barn was found to be in better overall condition and is the structure that has the greater heritage provenance given the inclusion of the inscribed foundation stone. It is recommended that both barns be subject to structural inspection by a qualified engineer who has previous and documented experience in the assessment of timber frame construction and field stone foundations. It may not be feasible to preserve both structures, but salvaged materials from the second barn could be used to restore and maintain the bank barn.*

### 3. Scope and Methods

This report is based on a visual inspection only and does not include any destructive testing. Where no concerns were noted, the structure is assumed to be performing adequately. The structure is assumed to have been constructed in accordance with good building practices common at the time of construction. No further structural analysis or building code analysis has been carried out as part of this report unless specifically noted.

Note that many buildings have concealed elements, such as below grade foundations, framing behind finishes or equipment and/or inaccessible areas. These barriers preclude a direct visual assessment of portions of the structural systems.

Unfortunately, no building drawings (original or as-built) were available for these buildings.

The Ontario Building Code, through Structural Commentary L, allows for the evaluation based on past performance. From the Commentary: Buildings and components designed and built according to earlier codes than the benchmark editions, or designed and built in accordance with good construction practice when no codes applied, are considered to have demonstrated a satisfactory capacity to resist loads (other than earthquake loads), provided the following conditions are met:

- careful examination by a professional engineer does not reveal any evidence of significant damage, distress or deterioration;

- the structural system is reviewed, and critical details are examined and checked for load transfer;
- the building has demonstrated satisfactory performance for at least 30 years; and
- there have been no changes within the past 30 years that could significantly increase the loads on the building or affect its durability, and no such changes are contemplated.

Given that these barns will no longer be used for agricultural occupancies, any change of use would be considered significant and therefore the Commentary L criteria have not been satisfied. Any Change of Use would require a comprehensive architectural and structural analysis to design the new code compliant provisions.

## 4. Definitions

The following is a summary of definitions of terms used in this report describing the condition of the structure as well as recommended remedial actions.

- **Condition States<sup>1</sup>:**
  1. Excellent – Element(s) in “new” condition. No visible deterioration type defects present, and remedial action is not required.
  2. Good – Element(s) where the first signs of minor defects are visible. These types of defects would not normally trigger remedial action since the overall performance is not affected.
  3. Fair – Element(s) where medium defects are visible. These types of defects may trigger a “preventative maintenance” type of remedial action where it is economical to do so.
  4. Poor – Element(s) where severe or very severe defects are visible. These types of defects would normally trigger rehabilitation or replacement if the extent and location affect the overall performance of that element.
- **Immediate remedial action<sup>1</sup>:** these are items that present an immediate structural and/or safety hazards (falling objects, tripping hazards, full or partial collapse, etc.). The remedial recommendations will need to be implemented immediately and may include restricting access, temporary shoring/supports or removing the hazard.
- **Priority remedial action<sup>1</sup>:** these are items that do not present an immediate hazard but still require action in an expedited manner. The postponement of these items will likely result in the further degradation of the structural systems and finishes. This may include interim repairs, further investigations, etc. and are broken down into timelines as follows:
  1. **Short-term:** it is recommended that items listed as short-term remedial action are acted on within the next 6 months (**before the onset of the next winter season**).
  2. **Medium-term:** it is recommended that items listed as medium-term remedial action are acted on within the next 24 months.
  3. **Long-term:** it is recommended that items listed as long-term remedial action are acted on within the next 5-10 years. Many of these items include recommendations of further review/investigation.

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<sup>1</sup> Adapted from “Structural Condition Assessment”, 2005, American Society of Civil Engineers/Structural Engineering Institute

- **Routine maintenance<sup>1</sup>:** these are items that can be performed as part of a regularly scheduled maintenance program.

In addition to the definitions listed above, it should be noted that the barns in question are listed on the municipal heritage register. The Standards and Guidelines for the Conservation of Historic Places in Canada provide direction when a structural system is identified as a character-defining element of an historic place. They also provide direction on maintaining, repairing, and replacing structural components or systems. Refer to the General Guidelines for Preservation, Rehabilitation, and Restoration to further inform the development of more detailed remedial actions.

## 5. Structural Conditions

The two subject buildings are best described as one-storey timber framed structures with walk-out livestock basements. The exterior of both buildings is characterized by rubble stone foundations and the wide plank wood siding.

### 5.1. Bank Barn

#### Construction

The bank barn is a traditional turn of the century heavy timber Ontario livestock and hay storage barn. The lower level was equipped as a dairy operation and the upper level as hay storage plus a small granary & poultry coup. The rectangular shaped footprint consists of a 60x30 timber frame with a 60x15 'lean-to' portion for a gross floor area of 2700 sf (250 m<sup>2</sup>). For the purpose of this report, the front elevation (upper level bank doors) faces north.





The primary building structural system includes:

- Foundation: Mass masonry foundation wall. Mixed quarried limestone and field granite in a random coursing with rubble core.



- Sills: Heavy timber sills bearing on the mass masonry foundations foundation.
- Framing: Heavy timber portal frames (bents) on a 12' grid. 6 bents in total – 2 gable bents, 2 interior full bents, 2 interior partial bents. The full bents flank the central drive aisle and the partial bents have no tie beams included. Bents based on 12x12 hand-hewn and rough sawn columns, 10x12 primary beams, and smaller secondary members. All original joinery is mortise & tenon with hard wood dowels. The ridge is approximately 25'-0" above finished floor and eaves at 17'-6" above finished floor. The lean-to has an eave height of approximately 10'-0".



- Walls: Heavy timber intermediate wind posts supporting wall girts supporting rough sawn 'barn board' 1x10 planking. Planking is gapped to provide natural ventilation. Corner diagonal bracing installed at most orthogonal framing



connections.

- Roof (as documented from grade): Purlins (estimated at 7x8), spanning between portal frames. Purlins support 6" diameter round rafters installed at approximately 3'-0" o.c.





- Floors: 2 primary floor beams, 12x12 (or replaced as 7-2x12) members with spans ranging from approximately 10'-0" to 13'-0". Beams supported on a random series of 5" diameter steel posts bearing on the concrete slab on grade/dairy curbs. Floor joists typically 8"-10" diameter round log, flat topped and end notched to 6" deep. Floor framing has typically been 'whitewashed' from the underside.



### Conditions

Overall, the barn was found to be in fair to poor condition with numerous locations where age related structural defects were identified. The most significant structural observations are summarized below:

- The foundations were generally in poor condition with the general condition characterized by cracked and failed mortar. Localized displacement, vertical and horizontal displacement was also identified. In an isolated location, a partial masonry wall collapse was documented.
- Within the lower level, the former dairy area, localized wood rot and decay was identified. This defect, which would be defined as a poor condition state, was not widespread but occurred at a few critical areas including beam bearing at the perimeter walls.



3. Similarly, the floor planking had areas of decay and displacement identified. A complete review could not be completed due to interior coatings, overlay sheathing and stored material/debris.
4. The building enclosure, including siding, doors and window do not provide a sound barrier to weather and wildlife. Evidence of water related decay and wildlife damage was visible.
5. While the timber frame is generally intact, there is evidence of members being removed during the life of the structure. This includes gravity bearing elements as well as lateral bracing elements.
6. Separation and displacement of timber joints was identified. This was typically at the interface between primary building columns and primary building beams.
7. Note that mortices, notches and other timber working indicates that many of the framing members had been recycled from previous buildings. This was not uncommon as long-span large beams and columns were difficult to acquire or fabricate from raw materials.

### Assessment

The condition state noted above relates to the barn as it exists today – a farm building (agricultural occupancy) located on land dedicated to farm. These criteria are based on the definition of a farm building within the National Building Code of Canada result in significant relaxations of code criteria for low human occupancy farm structures. From the HIA and previous discussions, we understand the lands surrounding the bank barn will be re-developed as a residential sub-division and the bank barn building will no longer serve as a farm building. As such, any future use will be deemed a Change of Use and the more restrictive criteria of the Ontario Building Code for commercial or assembly occupancy will apply.

Based on the assumption that any future use would no longer satisfy the definition of farm building, the following options are available:

1. Install shoring and bracing to stabilize the building and secure the building against unauthorized access. This temporary option could make the building more durable and preserve the physical building for future uses. This is effectively mothballing the building until other uses are identified and funds are made available. Based on our experience and the existing poor conditions, this option may only provide a temporary delay until option 3 or 4 is required.
2. Undertake a comprehensive adaptive re-use/re-purposing analysis and restoration project. Based on our experience, re-purposing farm buildings into public assembly occupancy uses is possible but represents a significant effort and substantial financial resources. Unfortunately, some of the heritage fabric will be lost when the building is updated to adequately accommodate current climatic loads (snow and wind loads increased 25-40%), for modern commercial live loads, and life safety systems for assembly occupancies. Likely work will include: reinforcing the roof walls and floors; installation of bracing and/or shearwalls; replacing irregular decking/cladding; installation of new exit doors, stairs and other means of egress; installation of electrical and plumbing systems; and possible installation of fire detection and suppression systems. All Change of Use require municipal building

- permits to ensure full compliance with modern codes. Although many projects start into this process, unfortunately few proceed to completion after assessing the detailed feasibility analysis.
3. Carefully deconstruct the building, with the goal of future reconstruction at another site. Prior to and during deconstruction, fully document the existing building, including historic use of materials as well as the means and methods of construction. Deconstructed materials are to be stored in an orderly, safe and durable manner to minimize the challenges associated with reconstruction. For information, there remain contracting firms with experience with this type of barn deconstruction work – many are associated with the Mennonite communities of Waterloo County.
  4. Carefully demolish the building while salvaging most of the historic materials. The result here is the recycling of historic building timbers as a individual building material rather than as a re-constructed building. Recycling may include using keeping members as heavy timber or re-sawing members into other wood products (furniture, flooring, etc.).

#### Recommended Actions

The following **immediate** remedial actions are recommended:

- Restrict all access to the building to minimize the hazards related to unauthorized access.
- Install temporary measure to enclose the perimeter to minimize environmental and wildlife entry. This minimizes the risk of demolition by neglect.

The following **short-term** remedial actions are recommended:

- Undertake an adaptive re-use analysis to determine if it is feasible to re-purpose the bank barn as an assembly or other public facility. We recognize that this could take time as access to public commitment and funds would likely be required.

The following **medium-term** to **long-term** remedial actions are recommended:

- Following the re-use feasibility analysis and if a public entity is able to obtain funds for the purchase and adaptive reuse of the barn, undertake option 2 (comprehensive upgrades and re-purposing).
- If public support is not available, implement option 3 (deconstruct for future reconstruction) or option 4 (demolish for salvage) as appropriate.

## 5.2. Barn

### Construction

The barn is a traditional turn of the century heavy timber Ontario livestock and hay storage barn. The lower level was equipped as a hog (pig) operation and the upper level as farm storage. The rectangular shaped footprint consists of a 24'x48' timber frame structure with a gross floor area of 1150 sf (107 m<sup>2</sup>). For the purpose of this report, the front elevation (left photo) faces north.



The primary building structural system includes:

- Foundation: Mass masonry foundation wall. Mixed quarried limestone and field granite in a random coursing with rubble core. On the interior, a cast-in-place concrete curb has been constructed. Sills: Heavy timber sills bearing on the mass masonry foundations foundation.





- Framing: Heavy timber portal frames (bents) on a 6' grid. 4 bents in total – 2 gable bents, 2 interior full bents. Bents based on 12x12 hand-hewn and rough sawn columns, 10x10 primary beams, and 8x8 & 6x8 secondary members. All original joinery is mortise & tenon with hard wood dowels. The ridge is approximately 15'-0" above finished floor and eaves at 10'-0" above finished floor.



- Walls: Heavy timber intermediate wall girts supporting rough sawn 'barn board' 1x10 planking. Girts span between primary barn portal frames. Planking is gapped to provide natural ventilation. Corner diagonal bracing installed at most orthogonal framing connections.



- Roof: Simply supported 3"x 6" rafters installed at approximately 3'-0" o.c. Bearing in rafter pockets along the eave beams.



- Floors: Primary floor beams/joists, 10x10 (random 8" to 12") spanning the full width of the barn. Floor framing has typically been 'whitewashed' from the underside. The floor includes loose laid planking with local areas of loose laid plywood.



### Conditions

Overall, the barn was found to be in poor condition with numerous locations where age and environmental exposure related structural defects were identified. The most significant structural observations are summarized below:

1. The foundations were generally in poor condition with localized areas of failures and poorly implemented repairs. Significant sill rot was identified on the east elevation.
2. The south elevation end wall at the lower level has been completely removed. This removal has eliminated the required lateral resistance for the structure above.
3. Within the lower level, widespread wood rot and decay was identified as well as cracked beams and braces.
4. The main level flooring is in very poor condition and represents a safety hazard.
5. The building enclosure, including siding, doors and window do not provide a sound barrier to weather and wildlife. Evidence of water related decay and wildlife damage was visible.
6. While the timber frame is generally intact, there is evidence of members being removed during the life of the structure. This includes gravity bearing elements as well as lateral bracing elements.

#### Assessment

As with the bank barn, the condition state noted above relates to the barn as it exists today – a farm building (agricultural occupancy) located on land dedicated to farm. These criteria are based on the definition of a farm building within the National Building Code of Canada result in significant relaxations of code criteria for low human occupancy farm structures. From the HIA and previous discussions, we understand the lands surrounding the bank barn will be re-developed as a residential sub-division and the bank barn building will no longer serve as a farm building. As such, any future use will be deemed a Change of Use and the more restrictive criteria of the Ontario Building Code for commercial or assembly occupancy will apply.

Overall, this barn is in poor condition, and it is not likely feasible that a restoration could be completed without losing the majority of the heritage fabric. Based on the widespread damage identified, very significant portions would require full replacement including the foundation, portions of the primary framing, the floor and the roof as well as the wall enclosure. In our opinion, this barn is beyond practical restoration and should be demolished. As with the bank barn the options include:

1. Install shoring and bracing to stabilize the building and secure the building against unauthorized access. These temporary measures are recommended to provide short-term safety and to mitigate risks.
2. Carefully demolish the building while salvaging as much of the historic materials as is feasible to repurpose. The result here is the recycling of historic building timbers.



### Recommended Actions

The following **immediate** remedial actions are recommended:

- Restrict all access to the building to minimize the hazards related to unauthorized access.
- Install temporary measure to enclose increase building stability.

The following **short-term** to **medium-term** remedial actions are recommended:

- Demolish the barn while salvaging as much historic material as is possible.

## 6. Conclusions

Based on our visual condition assessment and subsequent engineering analysis of the two historic barns, it is our professional opinion that the buildings are in poor condition and practical rehabilitation is not feasible.

Theoretically, the bank barn could be re-engineered to modern building standards and adaptively re-used as a public facility. While the preservation of historic barns is important, the overall redevelopment of the property takes the barn out of its agricultural context. This loss of connection coupled with the likely loss of significant heritage building fabric during renovation, makes the barn a poor candidate for rehabilitation. Unless there is a significant public commitment to an adaptive re-use project, de-construction is the most feasible option.

The second barn is also in poor condition and efforts to restore would be more damaging and costly than noted above. In our opinion, demolition of this barn is the most feasible option.

Please contact the undersigned with any further questions or comments.



Per

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