



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Laura Loney, Manager of Heritage Planning

**DATE:** November 21, 2024

**REPORT NO.:** PD-2024-072

**SUBJECT:** Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 10295 10 Side Road

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### RECOMMENDATION:

THAT Report No. PD-2024-072 dated November 21, 2024 and titled “Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 10295 10 Side Road” be received;

AND FURTHER THAT Council state its intention to designate the property at 10295 10 Side Road, Esquesing, known as Stewart’s Castle, legally described as “PT LT 11, CON 5 ESQ, AS IN 248579; HALTON HILLS/ESQUESING”, under Part IV, Section 29 of the Ontario Heritage Act as recommended by Heritage Halton Hills;

AND FURTHER THAT the Town Clerk proceed with serving a Notice of Intention to Designate as mandated by Section 29(3) of the Ontario Heritage Act;

AND FURTHER THAT once the 30-day objection period has expired, and if there are no objections, a designation by-law for the property at 10295 10 Side Road be brought forward to Council for adoption.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- Staff have completed a Research & Evaluation Report for the property in accordance with the Town’s Council-approved Heritage Register Prioritization Strategy to respond to changes to the *Ontario Heritage Act* through *Bill 23, More Homes, Built Faster Act, 2022*, with further amendments made through Bill 200, the *Homeowner Protection Act*; the current Owner has also requested designation of their property.

- The subject property meets Ontario Regulation 9/06 criteria for designation under Part IV of the *Ontario Heritage Act*, and,
- Staff are recommending that Council state its intention to designate the property.

## **BACKGROUND AND DISCUSSION:**

The subject property is located at 10295 10 Side Road in the Town of Halton Hills. It is situated on a rectangular lot that extends northwest from 10 Side Road, running parallel to Fourth Line. The property features a two-storey Georgian farmhouse and a barn, both set within a pastoral agricultural landscape.

The property was listed on the Town's Heritage Register during Phase 3 of the Town's Heritage Register process (2016) and was identified as a good example of Georgian-style architecture.

The property at 10295 10 Side Road has been researched and evaluated by staff as part of the Town's Council-approved Heritage Register prioritization strategy to respond to *Bill 23, More Homes, Built Faster Act, 2022*<sup>1</sup>, and at the request of the current property owner (the "Owner").

On April 25, 2023, the Owner requested designation of their property. Staff began the research and evaluation of the subject property in Spring 2024 and on January 3, 2024, notified the Owner that the Research and Evaluation Report for the subject property had begun. Staff again notified the Owner that the Research and Evaluation Report for the property would be reviewed at the November 20, 2024, meeting of Heritage Halton Hills.

Heritage Halton Hills reviewed the final Research & Evaluation Report for the property at its meeting of November 20, 2024.

Following discussion, the following motion was carried:

### Recommendation No. HHH-2024-0061

THAT Heritage Halton Hills Committee recommend Council issue a Notice of Intention to Designate for the property at 10295 10 Side Road for designation under the *Ontario Heritage Act*.

The property has been identified as a representative example of Georgian architecture, with significant historical and associative value due to its connections with the Stewart families, as well as the Huffman and Seynuck families. The property has also been identified as contextually significant.

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<sup>1</sup> Bill 23 stipulates that municipalities have a two-year window to determine whether properties on the Heritage Register warrant designation under the Ontario Heritage Act. If not so designated after two years, properties must be removed from the Heritage Register. On June 6, 2024, Bill 200 (the Homeowner Protection Act) received Royal Assent, extending the 2-year timeline prescribed by Bill 23, giving municipalities, including the Town of Halton Hills, until January 1, 2027, to either issue a NOID for a listed property or to remove it from the Heritage Register.

As described in the Research & Evaluation Report, the identified heritage attributes of the property include:

- The location, setting, and agricultural context of the property at 10295 10 Side Road in the Town of Halton Hills;
- The scale, form, and massing of the two-storey Georgian farmhouse, including its symmetrical front elevation;
- The materials used in the construction, including locally sourced and fired red brick, and limestone;
- The front (southeast) elevation, including:
  - The symmetrical design divided into five bays with graduated fenestration, including two rectangular window openings on either side of the central entrance and five vertically aligned rectangular window openings on the second storey;
  - Limestone windowsills and lintels;
  - Central entrance set within a flatheaded opening, flanked by sidelights and capped with a limestone lintel;
  - Hipped roof with wooden modillions along the cornice;
  - Symmetrically placed chimneys flanking the front elevation;
- The side (southwest) elevation, including:
  - Rectangular double-hung sash windows with limestone sills and lintels, symmetrically placed on either side of the centrally located chimney on the right wing; and,
  - Wooden modillions along the cornice.

The rear elevation, and side (northeast) elevation, and interiors have not been identified as heritage attributes of the property as part of this report. The northeast side elevation and rear elevation are currently unobservable and inaccessible from the public right of way. However, further investigation may provide an opportunity to identify additional heritage attributes.

Based on the identified cultural heritage value of the property, and as the property meets criteria for designation per Ontario Regulation 9/06 criteria, staff are recommending that Council designate the property under Part IV of the *Ontario Heritage Act*.

#### **STRATEGIC PLAN ALIGNMENT:**

This report identifies natural areas and heritage as one of the Town's Strategic priorities.

#### **RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

Heritage Halton Hills was consulted in the preparation of this report.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Bronwyn Parker, Director of Planning Policy

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer