



## REPORT

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

**FROM:** Caylee MacPherson, Planner – Development Review & Heritage

**DATE:** February 6, 2025

**REPORT NO.:** PD-2025-006

**SUBJECT:** Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act – 13718 22 Side Road, Esquesing

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### RECOMMENDATION:

THAT Report No. PD-2025-006 dated February 6, 2025 and titled “Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 13718 22 Side Road, Esquesing” be received;

AND FURTHER THAT Council state its intention to designate the property at 13718 22 Side Road, Esquesing, known as the Samuel Kennedy House, legally described as “PT LT 22, CON 8 ESQ, PTS 1-4 20R5905 EXCEPT PTS 1,5 20R1611; HALTON HILLS”, 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 13718 22 Side Road, Esquesing 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 at 13718 22 Side Road, Esquesing in accordance with the Town’s Council-approved Heritage Register Prioritization Strategy to respond to *Bill 23, More Homes, Built*

*Faster Act, 2022* with further amendments made through Bill 200, the *Homeowner Protection Act*;

- 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 property at 13718 22 Side Road is located along the southeast side of 22 Side Road and features the original one-and-a-half storey frame dwelling with horizontal grey cladding, stone foundation, a hipped-gable roof, and a two-storey addition along the rear (northeast) elevation. 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 representative example of a Georgian style building.

The property at 13718 22 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>

On September 4, 2024, the current property owners were mailed a designation information package with a covering letter from staff, identifying that this work was being undertaken and encouraging them to contact staff to discuss further. After receiving the information package, the property owners contacted staff and indicated their support for designation. On January 6, 2025, staff sent a notice via email confirming the Research and Evaluation Report for the subject property would be reviewed at the January 15, 2025, meeting of Heritage Halton Hills.

Heritage Halton Hills reviewed the final Research & Evaluation Report for the property at its meeting of January 15, 2025.

Following discussion, the following motion was carried:

### Recommendation No. HHH-2025-0004:

THAT Heritage Halton Hills recommend Council issue a Notice of Intention to Designate for the property at 13718 22 Side Road for designation under the *Ontario Heritage Act*.

The Samuel Kennedy House has been identified as a representative example of a rare and early-nineteenth-century vernacular Loyalist Georgian cottage in the community of Esquesing, which features a hipped-gable roof, frame construction, sidelights flanking the entryway, symmetrical 5-bay façade, and flatheaded window openings throughout.

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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.

The property has historical and associative value, as the property has associations with the Kennedy Family. Samuel Kennedy moved to Esquesing alongside his brothers in 1821, later constructing the extant dwelling in 1826 for his wife and children. Samuel worked as a farmer and served in many Town roles including acting as a warden, assessor, pound keeper, and a path master. The property is also associated with William Tost, a local resident who worked as a blacksmith and carriage maker in the village, later opening his own shop along Main Street in Glen Williams. The property was also owned by local business owners Henry P. Lawson, who owned several sawmills, a lime kiln, and lumbering operations, and Morris Saxe, who owned a dairy creamery and founded the Canadian Jewish Farm School. Additionally, the property was once owned by Benson Case, who was a WWI Veteran and scholar from the University of Toronto, who was involved in many local community groups such as the Georgetown Horticultural Society, the Halton Museum Board, and the Silverwood Women's Institute.

The property is physically, visually, and historically linked to its surroundings, and has remained in its original location since 1826. The barn adjacent to the house represents the original agricultural uses of the property from the early-nineteenth to mid-twentieth centuries.

As described in the Research & Evaluation Report, the identified heritage attributes of the property at 13718 22 Side Road include:

- The setback, location, and orientation of the existing building along 22 Side Road in Esquesing;
- The scale, form, and massing of the existing c.1826, one-and-a-half storey residential building with hipped-gable roof and wood materials;
- The front (southwest) elevation, including:
  - o Four flatheaded window openings along the first storey with wood windows;
  - o Flatheaded entryway flanked by sidelights;
- The side (southeast and northwest) elevations, including:
  - o Flatheaded window openings with wood windows at the first and second storey;
- Interior features, including:
  - o Wooden front door with the American Colonial lock box; and,
- Accessory barn structure, including:
  - o Existing stone foundation.

The rear addition has not been identified as a heritage attribute as part of this report.

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 preparation of this report.

**FINANCIAL IMPLICATIONS:**

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

Reviewed and approved by,

Laura Loney, Manager of Heritage Planning

Bronwyn Parker, Director of Planning Policy

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer