



# The **LEAMINGTON**

## MUNICIPAL HERITAGE ADVISORY COMMITTEE

**WELCOME**

to the

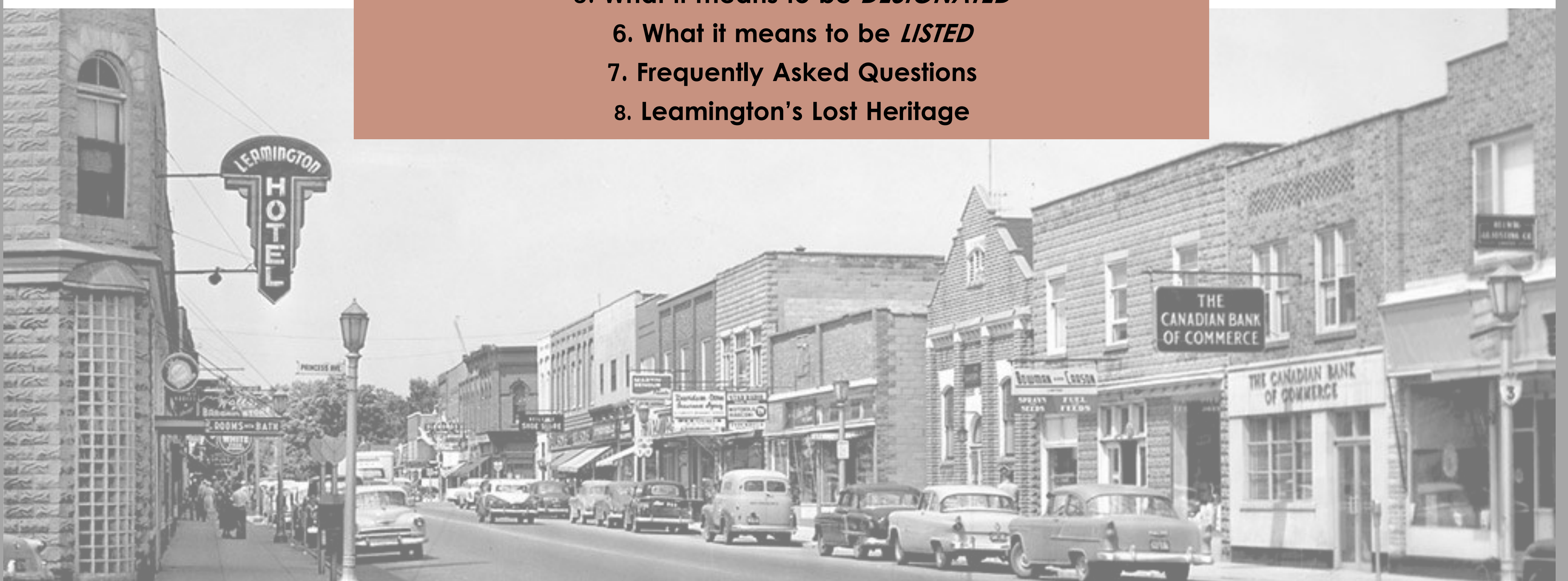
**Public Information Open House**

This event is intended to inform the public, residents and property owners about the benefits of preserving and maintaining heritage in the community. Heritage can be found among such things as buildings, sites, landscapes, monuments, bridges, cemeteries, marine archaeological sites, documents, photographs, and even stories. Leamington's Register of Heritage Properties was adopted by Council on September 26, 2016 (RES-292-16). The Register is the official list or record of properties that have been identified as being of cultural heritage value or interest situated within the municipality and will be kept current and publicly accessible.

Invitations to the Public Information Open House were sent directly to the owners of heritage properties that are either listed or designated on the Register. As well, invitations were sent to the owners of heritage properties that are considered to be potential additions. Notices were placed in the local newspaper inviting residents at large to attend and obtain information on the Ontario Heritage Act and the Register. This Public Information Open House will offer an opportunity to learn more about Leamington's Register of Heritage Properties and the process and potential benefits of listing or designating heritage properties in Leamington. There will be an opportunity to provide feedback and have any questions answered.

**You will find the following information on the display boards:**

- 1. Welcome Message**
- 2. Heritage Conservation Tools under the Ontario Heritage Act**
- 3. Levels of Heritage Conservation**
- 4. The Register of Heritage Properties**
- 5. What it means to be *DESIGNATED***
- 6. What it means to be *LISTED***
- 7. Frequently Asked Questions**
- 8. Leamington's Lost Heritage**



**PLEASE**

**View the displays • Ask questions • Provide comments**



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## MUNICIPAL HERITAGE ADVISORY COMMITTEE

### THE LEAMINGTON MUNICIPAL HERITAGE ADVISORY COMMITTEE (LMHAC)

The Leamington Municipal Heritage Advisory Committee (LMHAC) was established by Leamington Municipal Council to advise on matters relating to heritage conservation, including designations. The LMHAC consists of six members which are appointed by Council and one member of Council to serve on the committee for a four year term. As a Committee of Council, meetings are held once a month and are open to the general public. New members are welcome at any time.

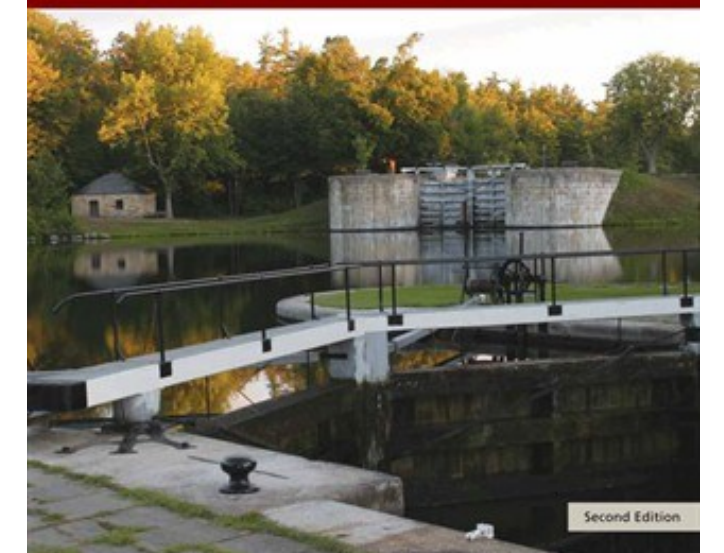
### HERITAGE CONSERVATION RESOURCES

**The Ontario Heritage Act:** The *Ontario Heritage Act, R.S.O. 1990* came into force in 1975. Its purpose is to give municipalities and the provincial government powers to preserve the heritage of Ontario. Its primary focus is to protect heritage properties and archaeological sites. Under the OHA, municipalities are given many tools to preserve heritage within their communities including:

- Passing By-laws to designate individual properties or districts;
- The ability to establish a Municipal Heritage Advisory Committee; and
- Creating and maintaining a heritage register.

**Ontario Heritage Tool Kit:** The Ontario Heritage Tool Kit is a series of guides for municipal councils, municipal staff, Municipal Heritage Committees, land use planners, heritage professionals, heritage organizations, property owners and others. It was designed to help them understand the heritage conservation process in Ontario. It explains the *Ontario Heritage Act*, the *Planning Act*, and related programs.

**The Standards & Guidelines for the Conservation of Historic Places in Canada:** The first ever pan-Canadian benchmark for heritage conservation practice in this country. It offers results-oriented guidance for sound decision making when planning for, intervening on and using historic places. This document establishes a consistent, pan-Canadian set of conservation principles and guidelines that will be useful to anyone with an interest in conserving Canada's historic places.



### WEBSITES

**Canada's Historic Places:** The Canadian Register of Historic Places (CRHP) provides a single source of information about all historic places recognized for their heritage value at the local, provincial, territorial and national levels throughout Canada. [www.historicplaces.ca](http://www.historicplaces.ca)



**Ontario Heritage Trust:** Pursuant to the *Ontario Heritage Act, R.S.O. 1990*, the Ontario Heritage Trust (OHT or "Trust") has a broad, province wide mandate to identify, protect, promote and conserve Ontario's heritage in all of its forms. The Trust serves as the heritage trustee and steward for the people of Ontario. In this capacity, it is empowered to conserve provincially significant cultural and natural heritage, to interpret Ontario's history, to educate Ontarians of its importance in our society, and to celebrate the province's diversity. [www.heritagetrust.on.ca](http://www.heritagetrust.on.ca)





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## MUNICIPAL HERITAGE ADVISORY COMMITTEE

### Levels of Heritage Protection Available to Municipalities Under the Ontario Heritage Act

PROTECTION LEVEL

#### HIGHEST

##### Heritage Designation

Part IV of the Ontario Heritage Act Council can pass by-laws under the Ontario Heritage Act designating individual properties of cultural heritage value or interest. Heritage designation can provide long-term protection to a single property, a portion of a property (exterior, interior, landscape features), or more than one property. Designation can prohibit demolition, structural alterations, and land changes, and alterations to specified exterior, interior fixture, and landscaping.



#### HIGH

##### Heritage Conservation Districts/Area

Under Part V of the Ontario Heritage Act, municipalities with designated heritage conservation districts undertake studies and develop plans to guide change in these areas. Municipalities can now incorporate heritage district plans into their official plan (or a secondary plan) to integrate heritage conservation into mainstream planning. Owners of property in designated heritage conservation districts must also obtain council's approval for alterations, new construction or demolition.

#### MODERATE

##### Heritage Easements

Under the Ontario Heritage Act, council can pass by-laws entering into easements or covenants – voluntary legal agreements – with heritage property owners. Easement agreements set out requirements for maintaining a property or specific heritage features of a property. To protect heritage features that are important to the community, easement agreements can in some circumstances be required in return for granting municipal planning approvals or exemptions, such as density bonuses. The agreement is registered on the title to the property and is binding on future owners. Entering into an easement agreement assures owners that their heritage properties will be protected over the long term.

#### LOW

##### Heritage Register

Following the amendments to the Ontario Heritage Act in 2005, municipalities must keep a Register of Heritage Properties in the municipality that are of cultural heritage value or interest. A heritage register is an official list of heritage properties that have heritage value or character for a community. The register has legal status and can provide short-term protection to listed heritage resources. A register allows a local government to:

- Temporarily withhold approval for an action that would lead to alteration of a listed heritage property;
- Temporarily withhold a demolition permit;
- Require an impact assessment to determine the effect of a proposed development on a heritage property, before the development takes place.

A heritage register can be used to delay, but not deny a demolition or development permit.

#### NONE

##### Heritage Inventory

A heritage inventory is a list of heritage resources that may have heritage value or character for a community. Although an inventory is often used as a planning aid, it does not have legal status until it, or a portion of it, is adopted as a heritage register by a resolution of the local government. A heritage inventory cannot be used to delay or deny a demolition or alteration permit.

### LEVELS OF HERITAGE CONSERVATION

#### HIGHEST- Heritage Designation

Designation can prohibit demolition, structural alterations, and land changes, and alterations to specified exterior, interior fixture, and landscaping.

#### HIGH- Heritage Conservation Districts/Area

Owners of property in designated heritage conservation districts must also obtain council's approval for alterations, new construction or demolition.

#### MODERATE- Heritage Easements

To protect heritage features that are important to the community, easement agreements can in some circumstances be required in return for granting municipal planning approvals or exemptions, such as density bonuses. The agreement is registered on the title to the property and is binding on future owners. Entering into an easement agreement assures owners that their heritage properties will be protected over the long term.

#### LOW- Heritage Register

A heritage register can be used to delay a demolition permit for up to 60 days to allow the time for the municipality to evaluate the property.

#### NONE- Heritage Inventory

A heritage inventory cannot be used to delay or deny a demolition or alteration permit.



# The **LEAMINGTON**

## MUNICIPAL HERITAGE ADVISORY COMMITTEE

### THE REGISTER OF HERITAGE PROPERTIES

Section 27 of the Ontario Heritage Act (OHA) requires the Clerk of every municipality to keep a current, publicly accessible register of properties of cultural heritage value or interest situated in the municipality. The municipal register, referred to as the Register, is the official list or record of cultural heritage properties that have been identified as being important to the community. The register has legal status and can provide short-term protection to listed heritage resources.

The Register is intended to be a dynamic document that is revised and updated as needed and as local resources and information becomes available. Properties can be added or removed from the Register by Council, in consultation with the Leamington Municipal Heritage Advisory Committee (LMHAC).

A register allows a local government to:

- Temporarily withhold a demolition permit (for 60 days);
- Require an impact assessment to determine the effect of a proposed development on a heritage property, before the development takes place.

Leamington's Register of Heritage Properties was adopted on September 26, 2016 (RES-292-16). It contains four properties that are designated under Part IV of the Ontario Heritage Act and roughly 270 properties that are listed as having heritage potential. Two versions of Leamington's Register of Heritage Properties can be found online at [www.leamington.ca](http://www.leamington.ca)

#### BASICS OF A MUNICIPAL REGISTER OF CULTURAL HERITAGE PROPERTIES

1	The Ontario Heritage Act requires that the register include all properties that are protected by the municipality (under section 29) or by the Minister of Culture (under section 34.5). OHA, ss. 27(1.1) For these properties there must be: <ul style="list-style-type: none"> <li>• a legal description of the property;</li> <li>• the name and address of the owner; and</li> <li>• a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes.</li> </ul>
2	The Ontario Heritage Act allows a municipality to include on the register property that is not designated but considered by the municipal council to be of cultural heritage value or interest. There must be sufficient description to identify the property. OHA, ss. 27(1.2)
3	A municipality may consider including properties on the register that are protected by heritage conservation easements and/or recognized by provincial or federal jurisdictions.
4	The rationale or selection criteria used to survey the community and compile the register should be clearly stated.
5	The recorder(s) undertaking the survey of properties should have knowledge of the heritage of the community and some training in identifying and evaluating cultural heritage properties.
6	Information about all properties should be recorded in a consistent and objective way.
7	Not all cultural heritage properties are old. Many recent structures hold cultural heritage value or interest in their design, craftsmanship, function, ownership or for other reasons.
8	Using physical condition as a determining factor in whether or not to list a property on the register is not advised. A property may be in an altered or deteriorated condition, but this may not be affecting its cultural heritage value or interest.
9	A commitment to maintaining and revising the register through historical research and analysis of the listed properties will give the register more credibility in local heritage conservation and planning.
10	The register should be readily available to municipal staff and officials, property owners and the public.
11	The register can be a valuable tool for land-use planners, educators, tourism, and economic developers. For example, it can be used to plan Doors Open events, educational programs, celebrate historic events and anniversaries, promote a community and encourage innovative development.





# The **LEAMINGTON** MUNICIPAL HERITAGE ADVISORY COMMITTEE

## HERITAGE DESIGNATION

The Register must include all properties that have been designated under Part IV and Part V of the Ontario Heritage Act by the municipality. Section 29 of the Ontario Heritage Act enables municipalities to pass bylaws for the protection (designation) of individual properties that have cultural heritage value or interest to the municipality. Heritage designation is a protection mechanism with long-term implications for the alteration and demolition of a cultural heritage property. A designated property cannot be demolished or altered in such a way as to affect the heritage attributes of the property, without the approval from Council.

## DESIGNATED PROPERTIES IN LEAMINGTON

**34 Clark Street West– Selkirk Home:** It was built in 1889 by Leamington pioneer and politician John McRobbie Selkirk who held several positions in the early town, including town clerk (16 years), postmaster (45 years), justice of the peace (42 years), public magistrate (31 years) and treasurer (47 years). Also he served as the town's first Bell telephone manager, was on the Public School Board and was prominent in the founding of the Knox Presbyterian Church.

**41 Oak Street West– CNR Station:** Prior to the automobile, trains were integral to the early growth of Leamington. The MCR station on Talbot St. West was a part of Leamington's first railway line and it has been steeped in history. Lewis Wigle, MP of Essex South at the time, procured federal grant to have the railway built from Sir John A. MacDonald's government. It became the only railway line ever to extend territory to territory since it ran only from Leamington to Comber. The station was erected in 1887 and used batten and board construction which is rare since only a few of this style remain in existence.

**13 Russell Street– Brown House:** One of Leamington's grandest residences, this home was built in 1897. The property was first sold by Wm. H. Robinson in 1884 to Wm. C. Coulson and by 1897 John Piggott and Sons had bought it and then sold it to Samuel Roach and A. D. (Aldolphus) Brown. The Brown family resided there until 1974 when it was sold and transformed into a steakhouse. Featuring a combination of Queen Anne Revival and Chateau style architecture of the late 1800s, the house had the distinction of being the first in Leamington to offer indoor plumbing.

**135 Talbot Street East– Wigle House Tavern:** The Wigle's Motel on Talbot St. E. is the oldest known surviving building from Leamington's earliest history. Uncle Leonard Wigle settled on the property around 1835 and built a log cabin which soon became a tavern and stopping point for travelers along the Talbot Trail. By 1850, he replaced the original cabin with the Georgian-style building which still stands on the spot today. Until the 1870s, it was where the original Mersea Township council held their meetings and until 1854 served as the post office. For well over a century it was a popular spot for accommodations and dining. It was owned by the Wigle family for nearly 150 years.



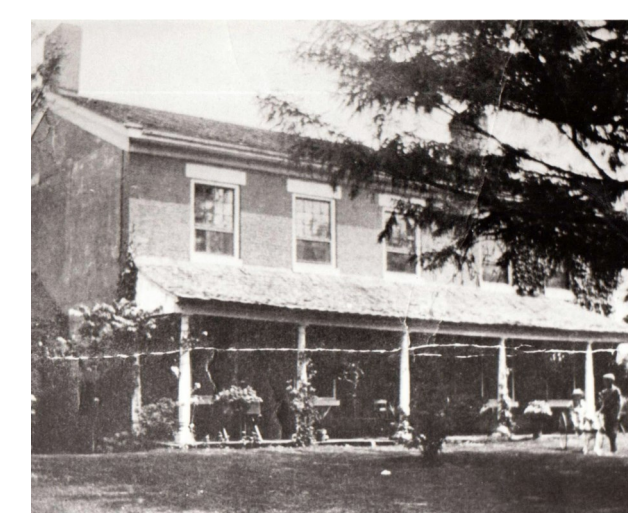
34 Clark Street West–  
Selkirk Home

13 Russell Street–  
Brown House



41 Oak Street West–  
CNR Station

135 Talbot Street East–  
Wigle House Tavern





# The LEAMINGTON MUNICIPAL HERITAGE ADVISORY COMMITTEE

## LISTED HERITAGE PROPERTIES

The *Ontario Heritage Act, R.S.O. 1990* also allows a property that has not been designated, but that the municipal Council believes to be of cultural heritage value or interest, to be placed on the register. This is commonly referred to as "listing".

Listing a property of cultural heritage value or interest on the Register of Heritage Properties is the first step a municipality should take in the identification and evaluation of a property that may warrant some form of heritage conservation, recognition and/ or long-term protection such as designation. In many cases, listed (non-designated) properties are candidates for protection under section 29 of the *Ontario Heritage Act*.

The Register is a tool that can be used by the Municipality to flag properties that may have heritage potential before a demolition permit might be issued by the Building Department. Demolition requests for non-designated (also known as "listed") properties on the Register can be delayed for up to 60 days to allow the time for the municipality to evaluate the property and decide whether further protection is warranted. The purpose is to provide protection against the issuance of a demolition permit without careful review of the heritage significance before an irreversible decision is made.

### LISTING AND EVALUATION IN THE MUNICIPAL DESIGNATION PROCESS

1	<b>REGISTER OF CULTURAL HERITAGE PROPERTIES</b> A property the municipal Council believes to be of cultural heritage value or interest is listed on the municipal register of cultural heritage properties.
2	<b>RESEARCH AND ANALYSIS</b> When a property on the register becomes a candidate for protection under section 29 of the Ontario Heritage Act, research about the property's history and cultural associations, and a physical site analysis are undertaken. <ul style="list-style-type: none"> <li><b>Community Context</b> Knowledge of the history, achievements and aspirations of the community gives perspective to what cultural heritage value or interest may be held by the property.</li> <li><b>Historical Research</b> Historical research involves consulting land records, maps, photographs, publications, archival materials and other documentation to learn the history and cultural associations of the property. A preliminary site visit can be useful in formulating research questions about the property.</li> <li><b>Site Analysis</b> A site analysis can involve photographs, measurements, observation and analysis of the physical characteristics of the property. The historical research findings compared with the physical evidence should ensure collaboration in the known information about the property.</li> </ul>
3	<b>EVALUATION</b> Within the context of the heritage of the community, the findings of the historical research and site analysis are used to evaluate the property for Design/Physical Value, Historical/Associative Value and Contextual Value in accordance with Ontario Regulation 9/06.
4	<b>STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST</b> Prepare a statement of cultural heritage value or interest and a description of the physical features or heritage attributes of the property that support that heritage value or interest.
5	<b>CONSERVATION AND PROTECTION</b> Depending on the outcome of the evaluation, the property may warrant long-term protection under section 29 of the Ontario Heritage Act, or other heritage conservation and land-use planning measures.





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### FREQUENTLY ASKED QUESTIONS

QUESTION #1: What are heritage values?

QUESTION #2: Why list property on the Register of Heritage Properties?

QUESTION #3: If I put my property on the Register of Heritage Properties, will I still have sole ownership or does the Municipality have a say in my property?

QUESTION #4: How can a property be designated?

QUESTION #5: Can I renovate my home if it is listed on the Register of Heritage Properties?

QUESTION #6: Can I renovate my home if it is designated under the Ontario Heritage Act?

QUESTION #7: What is the incentive to list or designate my home under the Ontario Heritage Act?

QUESTION #8: If I designate my property will the insurance premiums go up?





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### BRIEF HISTORY

Leamington was incorporated as a village in 1876 and in 1890 it became an incorporated town. The community was named after the Royal Leamington Spa in England, after having originally been called "Gainesville". It was a crossroads hamlet with roughly 300 residents and was known for its lumber products and tobacco farms. Fish were plentiful in Lake Erie, so much so that it was the cheapest food available. In 1908 the H. J. Heinz company came to Leamington, bringing many jobs to the area and contributing to Leamington's growth. Below are a few examples of heritage structures that Leamington has lost. Historical information was taken from the book "Leamington's Heritage 1874-1974".

### LOST HERITAGE

#### Leamington High School, Talbot Street West

Leamington's first high school was located in Lewis Wigle's home which was purchased by the first high school Board (appointed in June 1895) for \$5000. The very ornate brick building of three storeys was heated by hot air and was remodelled to provide four class-rooms. It opened January 7th, 1896. The enrolment on the opening day was 56 students but this climbed to 105 by the end of the year. In 1908 four additional rooms and an office were built at the rear of the Wigle house (seen in this photo). By 1920 the enrolment had risen to 170 students and by 1922 it was found that the growing attendance could not be accommodated in the original structure. And in September of 1922, the building was dismantled and a new Leamington High School (1923-1953) was constructed. Leamington District Secondary School (1953-2017) on Talbot Street West sits opposite of the old Wigle property.



#### House of Refuge and Industry, 175 Talbot Street East

The original Essex County Home for the Aged was built on Leamington's eastern outskirts in 1900. The grand structure, which looked like a miniature castle, cost about \$50 000 and was designed to accommodate 35 persons. It was officially called the 'House of Refuge and Industry'. The surrounding 65 acres of land was used for industrial farming and operated until the late 1950s when it was abandoned and most of the property was leased. In 1955 an addition was built at a cost of \$200 000 and the name was changed to the Sun Parlor Home For Senior Citizens. The county then decided to replace the structure with a \$1 000 000 wing which would provide accommodation for some 170 residents. So in 1962, the original old home was demolished.

**THANK YOU** for attending our Public Information Open House hosted by the LMHAC. We appreciate you taking the time to come and learn about all the benefits that heritage conservation has to offer the community of Leamington. Please feel free to complete our survey and leave a comment in the space provided. We would love to hear your opinions as well as any stories, photographs, and/ or documents you may have, regarding people or properties in Leamington, that could be beneficial to the Register.

**HAVE A GOOD DAY!**