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May 2, 2025 via email

Mayor Hegadorn and Members of Council
Loyalist Township
263 Main Street, Odessa
Ontario, Canada K0H 2H0

RE: Request to Remove Listed Property 4661 Bath Road (HWY 33)

Dear Mayor Hegadorn and Members of Council,

The Frontenac Heritage Foundation is a not-for-profit charitable organization dedicated to the preservation of structures and sites of cultural and historical value across the Frontenac region. Founded in 1972, we recently celebrated our fiftieth year of advocacy work, continuing to provide input on various projects and development applications proposed across the broader region.

We are writing today regarding the request to remove the listed property at 4661 Bath Road from the Township's heritage register, which will be considered by Council at its meeting of May 13, 2025.

This property was identified as having potential heritage value by a Cultural Heritage Resource Assessment (WSP) in support of the Amherstview West Secondary Plan. It is one of five properties identified by the Assessment.

The subsequent Cultural Heritage Evaluation Report (WSP) found that one of the barns ("Barn 2") likely dates from at least 1797, a conclusion with which members of the Foundation Board broadly agree, based upon the early Loyalist settlement of the property, the proportions and materials of the structure, and its location within the historic homestead.

However, it is not clear whether this barn is a "very early" example of an English Barn, or whether it might be an example of the earlier "Dutch Barn", a type of barn associated with the early settlement of New York State, as discussed in *The Barn: A Vanishing Landmark in North America*, by Eric Arthur and Dudley Witney. The Cultural Heritage Evaluation Report does not consider the original interior layout of the barn or discuss the significance of the 1866 addition – not replacement – of the original structure.

It is important to note that 1797 represents the date of land registration, but Loyalist settlement began over a decade earlier. Robert Clark Sr was chosen to build and manage the mills (saw

and grist) at both Kingston Mills and Napanee in 1783-84 with government supplies and Loyalist labour.

According to Playter's 1862 *History of Methodism in Canada*, Clark also built the first Methodist church in Ernestown in 1792, the same year and to identical plans as the Old Hay Bay Church, a national historic site. He was appointed the first Magistrate of Ernestown Township, and he was granted prime lands along the Lake Ontario shoreline. It is likely that Barn 2 was constructed as early as 1784, given Clark's importance to the new settlement and his access to materials and labour.

This means that Barn 2 is the probably the oldest in the province, the first substantial agricultural building to be built in the province, and the last remaining agricultural structure from the Township's early Loyalist settlement.

This property was added to the register on February 14, 2022 and the heritage listing was upheld on December 19 2023, despite objections from the owner. The *Ontario Heritage Act* provides tools to municipal councils that are not reliant on the preferences of property owners, with good reason: the early built heritage of Ontario represents a cultural heritage legacy and a finite resource. The conservation of cultural heritage resources is an activity that is undertaken with the broader public interest in mind.

It is not clear why the Township did not move forward with designation of the property, in light of the recommendations of the WSP reports. The Amherstview West Background Analysis Report, dated November 2024, states that "In January 2024, the Township's Municipal Heritage Committee did not recommend designation of the currently listed properties in the Secondary Plan Study Area. As such, the properties identified as having Cultural Heritage Resources in the Secondary Plan Study Area will not have protections under the Secondary Plan." This is odd, because based on Heritage Committee Agendas and Minutes, it appears there was no Heritage Committee meeting in January 2024.

It is important to note that a lack of protections under the Secondary Plan, which is governed by the *Planning Act*, does not preclude or otherwise impact designation under the *Ontario Heritage Act*.

We urge the Mayor and members of Council to defer approval of the request for de-listing at the May 13th Council meeting. It is our understanding that approval of this request would allow the near-immediate demolition of the barns, subject to a request for a demolition permit under the Ontario Building Code.

While ideally these barns would be conserved in their historic location, it would be preferable to consider relocation of Barn 2 rather than allowing its demolition. At a minimum, however, this barn must be thoroughly documented prior to – and during – demolition, to ensure that its heritage value is fully understood for future generations.

Thank you for your consideration of these concerns.

Sincerely,

Kristine Hebert, President, Frontenac Heritage Foundation

cc.Andrea Furniss, Manager of Development Services

cc. Architectural Conservancy Ontario Attn: Deb Crawford, president@acontario.ca)

cc. Ontario Heritage Trust marketing@heritagetrust.on.ca

c.c Andrea Gummo, Director Frontenac Heritage Foundation

Ron Tasker, Director Frontenac Heritage Foundation

Shirley Bailey, Vice President and Secretary Frontenac Heritage Foundartion