

# VILLAGE OF BATH

## HERITAGE CONSERVATION DISTRICT

### *Plan Update*



“What so many fail to understand is the fact that we can have no future  
without having had a past on which to build the present.”  
—Dr H.C. Burleigh

## **ACKNOWLEDGEMENTS**

The Village of Bath Heritage Conservation District Plan represents the hard work and efforts of the conservation of cultural heritage resources in the Village of Bath over the past thirty years. This report is indebted to those individuals.

### **PROJECT TEAM**

Kyle Gonyou, Village of Bath Heritage Conservation District Plan Author

Jim Sova, Project Manager, Planner, Loyalist Township

Murray Beckel, Project Director, Director of Planning and Development Services, Loyalist Township

David Casemore, GIS Support, Planning Technician, Loyalist Township

### **LOYALIST TOWNSHIP HERITAGE COMMITTEE**

Barbara Monk, Chairperson

Councilor Ed Daniliunas

Councilor John Ibey

Andrea Cross

John Dixon

Robert Hammond

Bert Herfst

Gus Panageotopoulos

Warren Sleeth

Virginia Thompson

Denise Wolfe

### **SPECIAL THANKS**

Cynthia Flavell, Fairfield-Gutzeit Society

Andrew Jeanes, Ministry of Tourism, Culture and Sport

Larry Pearson, Director Historic Places Stewardship Section, Alberta Culture

This program is supported by funding provided by the Government of Ontario and Loyalist Township.



# TABLE OF CONTENTS

1. Introduction .....	7
1.1 What is a Heritage Conservation District?.....	7
1.2 Benefits of a Heritage Conservation District.....	7
1.3 Purpose of Update.....	8
2. Village of Bath Heritage Conservation District.....	9
2.1 District Location .....	9
2.2 <i>Red Book</i> (1976) .....	11
2.3 <i>Heritage District Designation Report</i> (1982).....	12
2.4 Designation Bylaw 514-82 .....	12
2.5 <i>Updated Inventory of Heritage Buildings in the Village of Bath, Ontario</i> (2001).....	13
2.6 <i>Heritage Districts Work! Heritage Conservation District Study, Town of Bath</i> (2009) .....	13
3. History, Growth and Development of the Village of Bath .....	15
3.1 Pre-Fur Trade and Madeleine de Roybon d'Allon .....	15
3.2 Loyalist Era.....	17
3.3 The Village of Bath .....	23
3.4 Post-War .....	26
3.5 Summary .....	27
4. Statement of Cultural Heritage Value or INterest.....	28
4.1 Key Heritage Attributes .....	30
5. Goals and Objectives .....	31
5.1 Overall Heritage Conservation District .....	31
5.2 Heritage Resources .....	31
5.3 Village Streetscape & Landscape .....	31
5.4 Process .....	32
5.5 Applicable Policy .....	32
5.6 Amendments .....	32
6. Heritage Conservation District Shall Prevail .....	33
7. Policy .....	34
7.1 Land Use & Development Pattern .....	34
7.1.1 Land Use & Development Pattern Policy.....	34

7.2 Landscape/Streetscape .....	35
7.2.1 Landscape/Streetscape Policy.....	35
7.3 Contributing Resources .....	36
7.3.1 Contributing Resources Policy .....	36
7.4 Non-Contributing Resources.....	37
7.4.1 Non-Contributing Resources Policy.....	37
7.5 New Development .....	38
7.5.1 New Development Policy .....	38
7.6 Adjacency.....	38
7.6.1 Adjacency Policy .....	39
7.7 Archaeological Resources .....	39
7.7.1 Archaeological Resources Policy .....	39
7.8 Demolition .....	40
7.8.1 Demolition Policy.....	40
8. Municipal Policy .....	41
8.1 <i>Official Plan</i> .....	41
8.1.1 <i>Official Plan</i> Recommendations .....	41
8.2 Zoning Bylaw.....	42
8.2.1 Zoning Bylaw Recommendations .....	44
8.3 Signage Bylaw.....	44
8.4 Emergency Response Plan .....	45
8.4.1 Emergency Response Plan Recommendations .....	46
8.5 Heritage Impact Statement .....	46
8.5.1 Heritage Impact Statement Recommendations .....	46
8.6 Heritage Permit.....	47
9. Heritage Permit .....	48
9.1 Applicability .....	49
9.2 Delegated Authority .....	49
9.3 Timeline.....	49
9.4 Fee .....	50
9.5 Heritage Permit & Building Permit.....	50
9.6 Heritage Conservation Easements .....	50

9.7 Case of Emergency or Catastrophe.....	51
9.8 Appeals .....	51
9.9 Contravention of the Ontario Heritage Act .....	52
9.10 Heritage Approvals Process .....	52
10. Implementation .....	56
10.1 Loyalist Township .....	56
10.2 Loyalist Township Heritage Committee.....	56
10.3 Heritage Incentives.....	57
11. Architectural Styles in the Village of Bath .....	58
11.1 Form and Massing.....	58
11.2 Ontario Cottage .....	59
11.3 Georgian.....	60
11.4 Neo-Classical .....	61
11.5 Regency .....	63
11.6 Classical Revival .....	64
11.7 Gothic Revival .....	65
12. Guidelines .....	66
12.1 Introduction.....	66
12.2 Sources .....	67
12.3 The Conservation Approach .....	67
12.4 Guidelines for Heritage Interventions.....	68
12.5 Ministry of Culture, <i>Eight Guiding Principles in the Conservation of Built Heritage Properties</i> (2007).....	70
12.6 Parks Canada, <i>General Standards for Preservation, Rehabilitation and Restoration</i> (2011).....	71
13. Guidelines for Additions and Alterations to Contributing Resources .....	73
13.1 Guidelines for Additions and Alterations to Contributing Resources .....	74
14. Guidelines for Non-Contributing Resources .....	89
14.1 Historical Complementary Guidelines.....	90
15. Guidelines for New Construction and Infill Development .....	91
16. Guidelines for Landscape, Streetscape, and Viewscape .....	108
17. Accessibility .....	110

18. Guidelines for Archaeological Sites .....112  
19. Guidelines for Demolition .....113  
20. Glossary.....114  
21. Selected Sources .....117  
Appendix 1: Criteria for Evaluating Archaeological Potential .....119

# 1. INTRODUCTION

## 1.1 WHAT IS A HERITAGE CONSERVATION DISTRICT?

Designated under Part V of the *Ontario Heritage Act*, a Heritage Conservation District may comprise an area with a concentration of contributing cultural heritage resources with attributed values and historical associations that distinguish it from other area. Cultural heritage resources can include properties, structures, landscapes, views, vistas, among other elements and features, with identified values that warrant protection through conservation policies and guidelines. The primary goal of a Heritage Conservation District is to manage change and to ensure significant cultural heritage resources are conserved. Development can occur within a Heritage Conservation District, but managed and provided with guidelines to encourage compatibility with the identified heritage character of the area.

A Heritage Conservation District acts as a formal recognition of cultural heritage resources in a community. It is locally recognized as an area of special interest, an aesthetically pleasing environment, and containing architecturally significant early structure associated with distinguished individuals and past events. These resources contribute to an understanding and appreciation of cultural identity. The designation of a Heritage Conservation District enables a development and planning process that respects the area's history and identity, conserving what has been identified as significant to the community for future generations.

The significance of a Heritage Conservation District can extend beyond buildings. It can also include streets, landscapes, and other physical and special elements, such as views and vistas between buildings and spaces, as well as the relationship between these elements. It is important that these elements are properly defined and articulated to ensure long-term protection.

## 1.2 BENEFITS OF A HERITAGE CONSERVATION DISTRICT

Cultural heritage is a non-renewable resource. There are many benefits of a Heritage Conservation District. They include:

- Managing change in an appropriate manner;
- Preserving cultural heritage and sense of place;
- Encouraging new development that is compatible with the established character;
- Providing Guidelines to identify what the community wants to see and how to manage change;
- Identify incentives and grants for conservation work;

- Offering advice, resources, and guidance to property owners on building conservation and appropriate alterations; and
- Enhancing community renewal, cultural tourism, and development.

### 1.3 PURPOSE OF UPDATE

The purpose of updating of the Village of Bath Heritage Conservation District Plan is to identify its conformance with current heritage legislation and planning policy. As one of the earliest Heritage Conservation Districts in Ontario, the Village of Bath Heritage Conservation District was at one time considered a leader in heritage conservation; subsequent revisions to the *Ontario Heritage Act* have prompted the requirement of substantial revision of the Village of Bath Heritage Conservation District Plan. This study endeavors to identify any weakness of the existing plan, to recognize gaps in municipal policy, and to strengthen conservation objectives.

A 2009 Ontario Municipal Board ruling found that pre-2005 Heritage Conservation District Plans are valid and those Heritage Conservation District Plans also take precedence over other municipal bylaws (OMB Decision PL060606).<sup>1</sup> In effect, pre-2005 Heritage District Plans were grandfathered under 2005 amendments to the *Ontario Heritage Act*. While these results are reassuring for older Heritage Conservation Districts, weak policy, poorly identified cultural heritage values, and lack of guidelines often hinders their comprehensive application. With some of Ontario's oldest Heritage Conservation Districts nearing thirty-years of age, review and revisions are required.

Similar reviews and updates are being conducted in the Market Square Heritage Conservation District (City of Kingston, designated in 1985) and Meadowvale Heritage Conservation District (City of Mississauga, designated in 1980).

This program is supported by funding provided by the Government of Ontario through the Creative Communities Prosperity Fund.

---

<sup>1</sup> Catherine Nasmith (5 May 2009) "The Road Ahead for Ontario's Heritage Conservation Districts," *Built Heritage News* 142.

## 2. VILLAGE OF BATH HERITAGE CONSERVATION DISTRICT

### 2.1 DISTRICT LOCATION

The Village of Bath is located in Loyalist Township, Ontario, on the north shore of Lake Ontario on the Bay of Quinte. The historic village is bound by natural topographic features: Lake Ontario to the south, Bath Creek to the west, Centennial Park creek to the east and the crest of the hill at Academy Street to the north. Until relatively recently these boundaries have largely contained development since the Village of Bath was laid out by John Davy in 1804. Loyalist Township was created in 1998 from the amalgamation of Ernestown Township, Amherst Island, and the Village of Bath.

The Village of Bath was once known as Second Town, as in the Second Cataraqui Township after Kingston. The name of the settlement changed several times before becoming the Village of Bath in 1818. It was known as Ernestown, with various spellings including Ernest Town, Earnest Town, Ernesttown, and very briefly as Ernestville.

The Village of Bath Heritage Conservation District contains nine properties. The Village of Bath Heritage Conservation District is located at the west-end of the Village of Bath in Loyalist Township. Main Street (Bath Road/Highway 33/Loyalist Parkway) bisects the district with seven properties located on the north side of the road and two located on the south side. First Street also intersects the Village of Bath Heritage Conservation District, with one property to the east, six to the west and two to the immediate south.

At the time of designation in 1982, properties included in the Village of Bath Heritage Conservation District were identified to be of historical and architectural significance to the Village of Bath. They were collectively selected as the Village of Bath Heritage Conservation District due to their integrity, diversity, and contributions to the larger environment. Historical and architectural significance was established and articulated in *History and Architecture, Village of Bath, Ontario* (1976) by Muhammad Arif, Larry Pearson and Godfrey Spragge of the Queen's University School of Urban and Regional Planning. The inventory has become known simply as the *Red Book*.

Two properties that were included in the Village of Bath Heritage Conservation District were not included in the *Red Book* inventory. Exact reasons for their exclusion are unclear, although age-based criteria may be apparent; both structures are dated to the 1850s and of a later stylistic period. Based on the rationale of supporting the scale of the Heritage Conservation District, those properties warranted protection as a contribution to the general historic and architectural character of the district. This is an

early demonstration of contextual value that supports the cultural heritage value of the Village of Bath Heritage Conservation District.

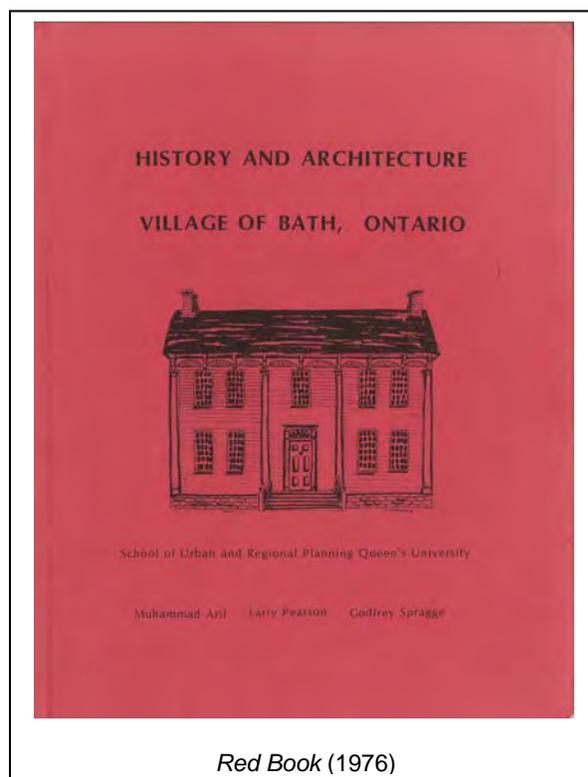


The properties included in the Village of Bath Heritage Conservation District are a mixture of residential, commercial and institutional uses. This reflects the diversity of uses of properties in the history of the Village of Bath, where changes of use and workshops located within the home were very common. Structures were added to and adapted over time, rather than rebuilt or replaced. The E.D. Priest Store (428 Main Street) is presently designated as commercial on the *Loyalist Township Official Plan* (2010); all other properties are designated as low density residential.

## 2.2 RED BOOK (1976)

*History and Architecture, Village of Bath, Ontario* (1976), known colloquially as the *Red Book*, from its red cover, was written by Muhammad Arif, Larry Pearson and Godfrey Spragge of Queen's University School of Urban and Regional Planning. It acted as an inventory of sixty-four buildings of architectural and historical significance in the Village of Bath and environs. June Carruthers, Clerk-Treasurer of the Village of Bath, initiated the project. Her knowledge and interest in local history prompted more comprehensive documentation of buildings for the purpose of heritage conservation under the *Ontario Heritage Act* of 1974.

The School of Urban and Regional Planning at Queen's University conducted the research project. Eleven graduate students contributed investigative historical research, resulting in *Heritage Preservation Study of the Village of Bath* (1976). It was commonly referred to as the *Orange Book*, from its orange cover. Members of the local community, including Dr H.C. Burleigh, George Davy and Charles Young, contributed to the research. The *Orange Book* research was refined and published in the *Red Book*. The Council of the Village of Bath and the Local Architectural Conservation Advisory Committee supported the project. The study received financial assistance from the Province of Ontario through the Wintario fund and Involvement in Municipal Administration. The *Red Book* was printed in 1976, and reprinted in 1978 and 1984.



*Red Book* (1976)

The *Red Book* reflects a period of cultural heritage conservation focusing on architectural preservation, resulting in designation for historical and architectural reasons. Typical of the 1970s and 1980s, this approach is somewhat dated. What sets the *Red Book* apart from other contemporary research projects is the inclusive approach to the Village of Bath. Including not only architectural masterpieces or landmarks, the *Red Book* included early examples of a style and simple vernacular structures, as well as both urban and rural properties. "The Architectural Heritage of Bath: A Stylistic Account" section of the report discusses the lineage of structures in the

Village of Bath, citing origins in the American Revolution and Georgian style, drawing influences from the Neoclassical and Regency periods, with a vernacular twist. Some of these elements developed into what is known as the “Ontario Cottage,” a vernacular structure with gable roof, a centralized door and a symmetrical arrangement of windows across the façade. The Ontario Cottage is prolific in the Village of Bath due to its adaptability and basic construction. Later styles, such as Gothic Revival and Italianate styles had limited influence, as a result of historic and economic circumstances rather than distaste for the style.

### **2.3 HERITAGE DISTRICT DESIGNATION REPORT (1982)**

Six years after the publication of the *Red Book*, under the direction of the Local Architectural Conservation Advisory Committee (LACAC), Muhammad Arif and Godfrey Spragge wrote *Heritage District Designation Report, District I and II, Village of Bath, Ontario*. It built upon the detailed history of the Village of Bath and individual buildings of historic or architectural merit contained in the *Red Book*. The report described two districts suitable for designation under Part V of the *Ontario Heritage Act* (1974), following guidelines produced by the Ministry of Culture and Recreation and the Ministry of Housing (1976).

District I included five properties of historic or architectural significance located on the south side of Main Street between Church Street and Davy Street. These properties were primarily commercial in use. District II included nine properties of historic and architectural significance located on Main Street at First Street and west to Raglan Street. District II comprised residential, commercial, and institutional properties. As the result of opposition from local business owners in District I, only District II was adopted by municipal bylaw in 1982 and received OMB consent in 1983.

### **2.4 DESIGNATION BYLAW 514-82**

The Corporation of the Village of Bath passed Bylaw 514-82 on 4 October 1982 “...to designate an area of the Village of Bath as a Heritage Conservation District under Section 41(1) of the *Ontario Heritage Act* R.S.O. 1990, ch.337, as amended.” Provisions for the establishment of a Heritage Conservation District are contained within the *Official Plan* of the Village of Bath. Properties were included in the designation for reasons of architectural or historic value.

The Village of Bath received approval from the Ontario Municipal Board on 25 October 1983 (OMB Decision M820103). The Clerk of the Village of Bath received no objections to the Heritage Conservation District; the same family owned four of the nine properties with an additional property owned by the municipality.

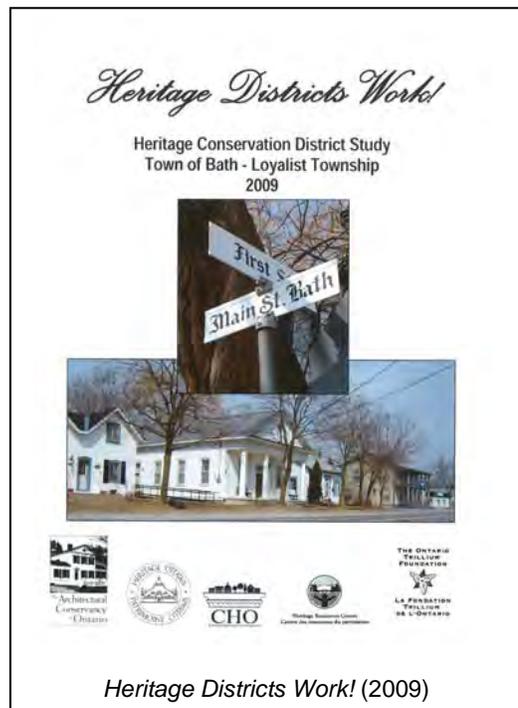
## **2.5 UPDATED INVENTORY OF HERITAGE BUILDINGS IN THE VILLAGE OF BATH, ONTARIO (2001)**

In summer 2001, Neil M. Younger conducted an update of the *Red Book*. The sixty-four properties that were included in the original *Red Book*, as well as the two additional properties included in the Village of Bath Heritage Conservation District, were updated. Site visits were conducted and new photographs were taken. Between 1976 and 2001, twenty-two properties had been designated and three properties had been demolished. Significant improvements had been made to substandard properties. The report identified future candidates for designation, as well as properties at risk. It identified vacant buildings and demolition by neglect as a major concern within the Village of Bath. It is locally known as the *Yellow Book*, from its yellow cover.

## **2.6 HERITAGE DISTRICTS WORK! HERITAGE CONSERVATION DISTRICT STUDY, TOWN OF BATH (2009)**

Dr Robert Shipley of the Heritage Resources Centre at the University of Waterloo conducted a study of Heritage Conservation Districts in Ontario that were designated before 1992. The Ontario Trillium Foundation with the joint efforts of the Architectural Conservancy of Ontario funded this study. Thirty-two districts, including the Village of Bath Heritage Conservation District, were included in the study. The *Heritage Districts Work!* study sought to answer the following research questions:

- Have the goals or objectives set out in the District Plan been met?
- Are residents content living in Heritage Conservation Districts?
- Is it difficult to make alterations to buildings in Heritage Conservation Districts?
- Have property values been impacted by District designation?
- What are the key issues in the District?



Overall results show that Heritage Conservation Districts are successful planning initiatives. There was a high rate of satisfaction among residents of Heritage

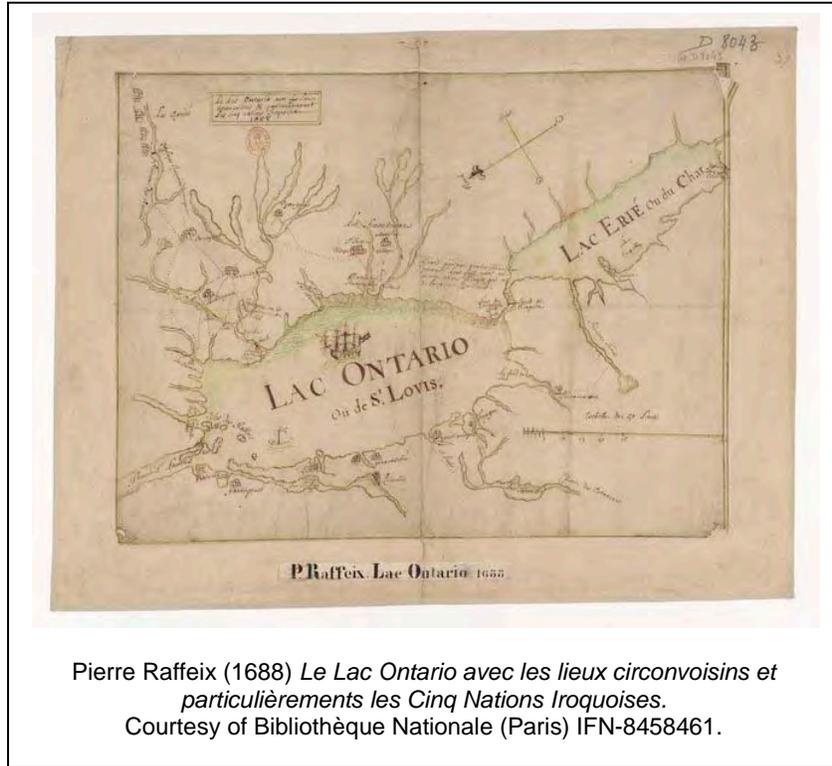
Conservation Districts, although some myths regarding restrictions of designation persist. For example, it was proven that real estate values generally rise more consistently in Heritage Conservation Districts than comparable surrounding areas.

The Village of Bath Heritage Conservation District was found to have some shortcomings. It does not have clearly stated goals or objectives to manage change in the District. While the District scored well in a townscape survey, including coherence, façade quality and quality of conservation, it was weak in conserved elements and neglected historic features. Door-to-door surveys indicated high satisfaction with living in the Heritage Conservation District. With limited development pressure the Heritage Conservation District has been a successful planning initiative.

### 3. HISTORY, GROWTH AND DEVELOPMENT OF THE VILLAGE OF BATH

#### 3.1 PRE-FUR TRADE AND MADELEINE DE ROYBON D'ALLON

The Village of Bath, and its vicinity, may have been the site of First Nations inhabitation prior to European contact given the porosity of Ernestown's shoreline with rivers, creeks and bays along Lake Ontario. Water-based transportation of the Laurentian culture in the Archaic Period (5,000 – 1,000 BCE)<sup>2</sup> enhanced the importance of Ernestown's waterways and bays in early



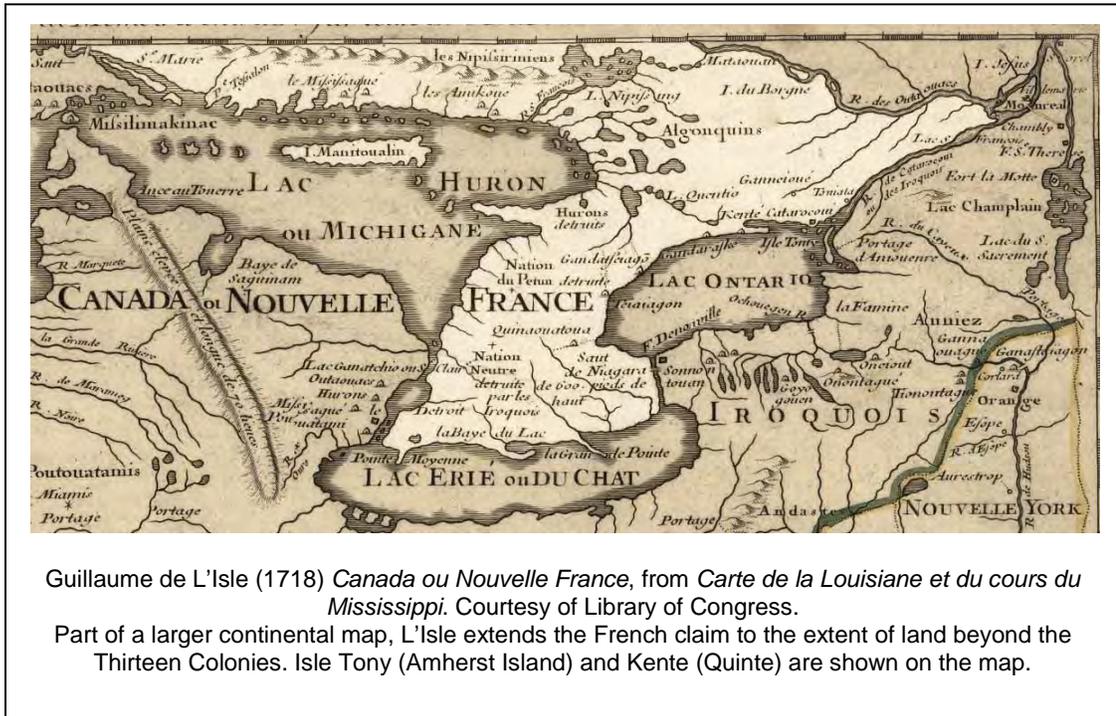
inhabitation—pointing to the future use of the Village of Bath's natural harbour. First Nations groups, including the Iroquois and the Mississauga or Ojibway were known inhabitants of the southern Great Lakes area in the late Woodlands Period. Previous investigation indicates the presence of First Nations groups in the area.<sup>3</sup>

Early evidence from the French period of exploration indicates an Iroquois village in the vicinity of the Village of Bath in 1688. An Oneida longhouse settlement at Ganneyoust (Ganneious) is recorded on a French map showing Lake Ontario and Lake Erie. The settlement was located on a bay between Cata-ra-Kouy (Catarauqui) and Quinte. A series of Iroquois settlements at strategic locations prohibited westward access into the

<sup>2</sup> Turner (1993), p.23.

<sup>3</sup> Prompted by a demolition application, Isaac Hough House (c.1808, 135 Main Street/5824 Bath Road) was moved in 1985. Mrs Maud Lloyd, last resident of the Isaac Hough House, was known to have unearthed arrow heads and other artefacts indicating the presence of First Nations inhabitation on her property. An investigation prior to the move, led by the Catarauqui Archaeological Research Foundation, uncovered artifacts from the Late Archaic Period (3,000 BCE – 1,000 BCE), as well as several stone and pottery tobacco pipes (circa 300 – 1600 AD).

interior for French fur traders and explorers. A lakeshore path from Adolphustown to Kingston may have been an ancient First Nations trail.<sup>4</sup>



Softened tensions between the French and Iroquois between the 1660s and 1680s saw exploration expeditions led by Dollier de Casson, Louis Jolliet and Rene-Robert Cavalier de la Salle, all passing through the Loyalist Township area. During this time of relative peace, Madeleine de Roybon d'Allonne (c.1646-1718) established a small homestead near Parrott's Bay as an outpost of la Salle's command of Fort Frontenac in 1679.<sup>5</sup> In 1684, Governor Joseph Antoine de Febre de la Barre led an unsuccessful campaign against the Iroquois, followed by another campaign in 1687 led by Governor Jacques-Rene de Brissay de Denonville. As retaliation, the Iroquois captured Madeleine de Roybon d'Allon and took her as prisoner to Onondaga territory where Governor Thomas Dongan of New York negotiated for her release. Although she

<sup>4</sup> Turner (1993), p.46.

<sup>5</sup> Fort Frontenac was first established as a fortification and trading post in 1673 by Louis de Baude, Comte de Frontenac. It was destroyed in 1687 and re-established in 1695.

La Salle's seigniory was granted by Louis XIV in 1675. The King of France in his Royal Council "hath granted to him the property of the said Fort called Frontenac, and four leagues of adjacent country, computing at two thousand toises each league, or one thousand toises inland; the islands named Canoukoesnot and Kaounesgo, and the adjacent islands, with rights of hunting and fishing on said Lake Ontario and circumjacent rivers; the whole by title of Fief and in full Seigniory and Justice." La Salle agreed to reimburse the French Crown the sum of ten thousand livres, the amount expended for the construction of Fort Frontenac and to maintain twenty men for nine years to clear the land (H.C. Burleigh Fonds, Queen's University Archives).

petitioned to return to her homestead, she died in Montreal. She was the first permanent European settler in Loyalist Township area. By the end of the seventeenth century, the Ojibway, or Mississauga, pushed into Iroquois territory, who were forced to relocate to the southern shore of Lake Ontario.

### 3.2 LOYALIST ERA

American colonialists, who joined the Royal standard prior to 1783, were displaced by the resolution of the American Revolution and the outcome of the *Treaty of Paris* (1783). Royal Instructions (16 July 1783) from King George III directed lands to be granted to Loyalists, according to rank and status. As Governor of Canada, Sir Frederick Haldimand was obliged to grant land to Loyalists. He ordered all Indian Agents to begin negotiations to purchase land from First Nations, who were not mentioned in the *Treaty of Paris*. The Crawford Purchase (1783) secured lands from the Mississauga First Nations for future British settlement.<sup>6</sup> Sir John Johnston was responsible for resettlement and land distribution along the St Lawrence River and the north shore of Lake Ontario.

With pressure to establish settlement lands for Loyalists, Deputy Surveyor John Collins began to survey Ernestown Township in 1783.<sup>7</sup> It was the Second Town of the Cataraqui Townships, after Kingston Township that was laid out. Named for the fifth son of George III, Ernest Augustus (1771-1851), later King of Hanover, Ernestown Township was the favoured settlement area for Loyalists from



Portrait of Ernest Augustus of Hanover by George Dawe (1828). National Portrait Gallery, London.

<sup>6</sup> Negotiated by Captain William Crawford 9 October 1783, the Crawford Purchase included land from “Toniato or Onagara River (on the St Lawrence River) to a river on the Bay of Quinte within eight leagues of the bottom of the bay including all the islands, extending back from the lake as far as a man can travel in a day” (Surtees (1984)).

<sup>7</sup> Herrington reports that Deputy-Surveyor John Collins surveyed Ernestown Township, then known as the Second Town Cataraqui, with a report bearing the date 7 November 1783 (Herrington (1913) *History of Lennox and Addington*, p.152). The plan for Ernestown Township was not completed until June 1785 (Foster (1996), p.1). Ernestown Township was later amalgamated with the Village of Bath and Amherst Island to form Loyalist Township in 1998.

Jessup's Loyal Rangers who did not receive land grants in the Prescott-Brockville area. While many of Jessup's Loyal Rangers' officers settled in Edwardsburg, Augusta and Elizabethtown Townships to the east, one hundred and thirty-seven men from Jessup's Loyal Rangers and their families arrived and settled in Ernestown Township in July 1784.<sup>8</sup>

Land was granted to Loyalist settlers based on the township model. Concessions and side roads were surveyed with farm lots divided into east and west halves. Two-hundred-acre lots along the lakeshore were most favoured by early settlers, with a total of forty-two lots in the first concession of Ernestown Township.<sup>9</sup> Loyalist settlers were granted these lots; subsequent land acquisitions through grants were located in the interior of the township. It was not uncommon for a landowner to rent land to tenant farmers, to will land to their children, or even to leave the land unoccupied. Settler families were dispersed fairly evenly across the township. By the 1830s, the majority of land in Ernestown Township had been patented, although not necessarily settled.

Unlike other Loyalist settlements, Ernestown Township did not maintain a strict military hierarchy. Lacking the presence of senior military officers to govern the township in the 1780s, Ernestown Township sustained a stronger sense of independence from British governors than other Loyalist settlements, such as Newark (Niagara-on-the-Lake) or Kingston. Formed late in the American Revolution, Jessup's Loyal Rangers did not achieve regimental unity as other units did. With a diverse ethnic and cultural background, including English, Irish Protestants and Catholics, Scottish, and German Palatines, greater divisions within the regiment prompted wider dispersal after the conclusion of the war. Primarily freeholder farmers, settlers from Jessup's Loyal Rangers were often wealthier than members of other regiments from Upstate New York.<sup>10</sup> This is further demonstrated through petitions in the *Upper Canada Sundries*,<sup>11</sup> recording substantial loss of property in the American Revolution for Ernestown settlers. Jessup's Loyal Rangers that settled in Ernestown Township were primarily various ethnic sects of Methodism. This, combined with the sense of autonomy from

---

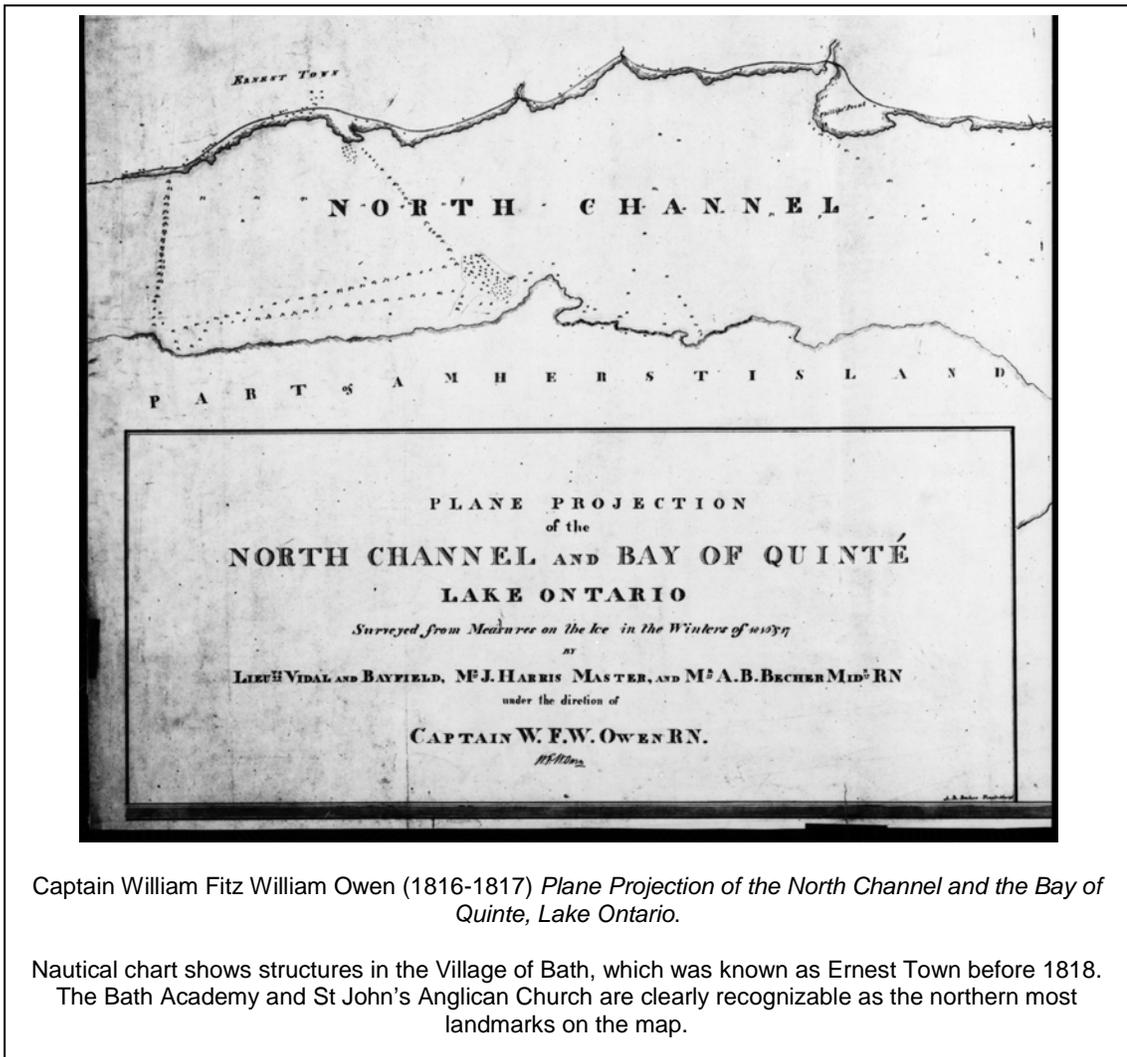
<sup>8</sup> Turner (1993), p.18. The total party of Loyalists totaled four hundred and thirty six (H.C. Burleigh Fonds, Queen's University).

<sup>9</sup> Turner (1993), p.42. The head of a family received 100 acres; each additional family member allotted an additional 50 acres. A single man received 50 acres, a private in the provincial corps 100 acres, and non-commissioned officers received 200 acres. An additional 200 acres were granted to heads of families who had made improvements on their land by 1787, three years after initial settlement. In 1788, all grants to officers were raised to the level of the 84<sup>th</sup> Regiment (Royal Highland Emigrants) so that field officers received 5,000 acres, with 3,000 acres for captains and 2,000 for subalterns. In 1789, the children of Loyalists were allowed to petition for grants of 200 acres on the coming of age of sons and the marriage of daughters through Order-in-Council of the Governor-in-Chief of Quebec.<sup>9</sup>

<sup>10</sup> Turner (1993), p.37.

<sup>11</sup> The *Upper Canada Sundries* are also known as correspondence of the civil secretary, which includes records of petitions for lands and requests for compensation due to war losses. The majority of the records contained in the *Upper Canada Sundries* date from 1766 to 1815, with more limited material to 1838. These records are in the process of more comprehensive indexing and are available at Library & Archives Canada.

the American frontier-land mindset prevailing amongst those who came from Upstate New York and Vermont, imparted a sense of popular freedom and defiance of traditional social order in the Village of Bath. This contrasted with the Anglican influence over colonial capitals, which maintained the strict social divisions of Britain. While Ernestown Loyalists rejected American republicanism, they brought with them American view of education with the establishment of the Bath Academy in 1811, providing education for the middle class not just the elite and aristocrats.



Captain William Fitz William Owen (1816-1817) *Plane Projection of the North Channel and the Bay of Quinte, Lake Ontario.*

Nautical chart shows structures in the Village of Bath, which was known as Ernest Town before 1818. The Bath Academy and St John's Anglican Church are clearly recognizable as the northern most landmarks on the map.

The Village of Bath grew out of the land granted to John Davy in Lot 10 of Ernestown Township at the location of a natural harbour in 1804. There was no plan for a village site in Ernestown Township, but one was created through the promotion of local

landowners.<sup>12</sup> Creeks to the east and west of the Village defined the urban and rural extent of the settlement, as well as the crest of a hill to the north. Lots were laid out along streets that were established parallel and perpendicular to the first concession in close proximity to the waterfront. The first concession became part of Asa Danforth's road in 1798 – 1801 connecting Kingston and York (Toronto) through the Village of Bath's Main Street, with a stagecoach servicing the road connection established in 1812.<sup>13</sup> Settlement started at the important intersection of Main Street and Church Street, where Lots 10 and 11 meet at the First Concession. Development then spread northwards along Church Street to where St John's Anglican Church was established by Reverend John Langhorne in 1793 at the crest of the hill. The village further expanded along Main Street to the west. Oriented towards Main Street, commercial development emphasized the role of the Village as a farmer's depot and transshipment port or regional importance. Commercial structures initially emerged out of the homes of residents of the Village of Bath. Originally known as Ernest Town, the settlement was renamed Bath under the *Bath Bill*, through petition of Benjamin Fairfield and thirty other freehold farmers to Isaac Fraser, member of the Provincial Government in 1818.<sup>14</sup>

With a sense of genteel civility, the economic success of important families in the Village of Bath was demonstrated in their homes. Of vernacular origins, designs

---

<sup>12</sup> Turner (1993), p.20. Settlement grew to include parts of Lot 9 and Lot 11 in the First Concession of Ernestown Township.

<sup>13</sup> The Danforth Road is now known as Main Street in the Village of Bath, Bath Road, Highway 33 or as Loyalist Parkway. Prior to 1798, all lot holders along 'the Front' were responsible for clearing and maintaining a roadway along the First Concession. Danforth built a rudimentary road in the forty-foot road allowance. It was considered to be one of the best roads in early Upper Canada, as mail carriers and stagecoaches consistently used it. The Bath Road was impassible in the winters up into the 1940s (H.C. Burleigh, *There Were Days Like That*, H.C. Burleigh Fonds, Queen's University).

<sup>14</sup> The *Bath Bill* was the petition of Benjamin Fairfield and thirty others who petitioned Isaac Fraser, member of the Provincial Government, to establish a town. Land belonging to John Davy had been surveyed into town lots and streets by John Ryder and land in William Fairfield's estate was divided south of the First Concession in 1816. The *Bill Bath* acted to "constitute the Town of Bath in the Midland District, and to provide for laying out and surveying of Town lots and Streets, a Market Place therein, and for regulating the Police thereof."

Benjamin Fairfield's petition included a description of what would be come known as the Village of Bath. "The said Village has a good harbour which is already established as a Port of Entry and Clearance, with commodious shipyard for the building of vessels, and a good safe shore for the construction of wharves for the loaded and unloaded of vessel, That from the situation of the said Village upon the Lake, and in relation to a populous and productive country around it, the produce of which will naturally be thence exported to market in exchange for goods, wares and merchandise there imported, it seems destined to be a place of considerable commercial business. That it already contains an Episcopal Church, the Meeting place of a Presbyterian Congregation, although they have not yet a Church erected here, an Academy, a Post Office, a Social Library, Inns for the accommodation of travelers, Stores and Shops and is increasing in business, population and business" (H.C. Burleigh Fonds, Village of Ernestown, Pap. & Rec., Vol. XXIII, p.43, Queen's University Archives).

The *Bath Bill* was passed by the Legislative Assembly 10 March 1818 and discharged by Legislative Council on 4 November 1818. It included property in the First Concession of Ernestown Township, lots six through twelve including the broken front. (*Kingston Gazette* (7 April 1818), p.1, col.5; Foster (1996), p.5).

brought together architectural style and practicality, pragmatism essential to a frontier settler but reflected the status of the families they housed. The tradition of frame construction was brought to Upper Canada from the homesteads lost in the American Revolution. Early structures demonstrate respect for Georgian Classicism through symmetry and proportions. More colloquially, the vernacular structure of the Ontario Cottage maintains these characteristics as simple, one-and-a-half storey gable-roofed frame structures with a respect for balance that was popular with Loyalist settlers. This style persisted well into the nineteenth century due to its adaptability.

The natural harbour of the Village of Bath lent itself to the Great Lakes transportation network. The British Navy closely regulated commercial trade on the Great Lakes following the passing of the *Inland Navigation Act* (1788). The early years of the nineteenth century saw the growth of industry, especially shipbuilding. Lake Ontario was the hub of commercial activity and trade connections between the Canadian colonies and the United States after the American Revolution, with the Village of Bath as an important trading post. Trading routes that followed the coastline of Lake Ontario stopped at the numerous wharfs in the Village of Bath, taking advantage of its natural harbour.

The Flight of the *Royal George* was an important episode of the War of 1812 on the Great Lakes. On 9 November 1812, the *HMS Royal George*, a twenty-two gun corvette – the largest ship on the Great Lakes – was pursued by the *USS Oneida* and six gunboats. The *Royal George* was able to evade conflict, and slipped undetected into the North Channel along



Re-enactment of the Flight of the *Royal George* (2 July 2012).  
Courtesy of Philip Henderson, CBC News.

the Village of Bath. The next day, the *Royal George* led the *Oneida* to Kingston, where local batteries pummeled the American warship.

Peace and resolution of border issues with the Americans fostered increased continental trade post-War of 1812. The steamship *Frontenac*, the first steamer on the

Great Lakes, was launched from the Village of Bath's shipbuilding yards in September 1816. Proclaimed as an Official Port of Entry in 1817, the Village of Bath facilitated transshipment of grains and other goods between Upper Canada and the United States, the backbone of colonial development. William Canniff described Ernestown Township and its village contemporary to the War of 1812:

*The land being food, and the settlers industrious, as a general thing, the time was not long, when the township became the best cultivated, and the most wealthy, not alone around the Bay of Quinte but in the whole of Western Canada. The richness of soil, and lying more immediate at the mouth of the Bay, contributed to its prosperity, and a village before many years sprung up, which for a time rivaled Kingston itself, in respect to rapid increase of inhabitants, the establishment of trade, building of ships, and from the presence of gentlemen of refinement and education, and in the foundation of a library and a seminary of higher education.*<sup>15</sup>



G.A. Cuthbertson, *The Frontenac, Freshwater* (1930)  
Special Collections, Toronto Reference Library, Courtesy Bob Townsend.

The Golden Age of the Village of Bath dates from this period of lake-based transportation and transshipment. Subsequent transportation development bypassed the Village of Bath including the Kingston Road (King's Highway/Highway 2) (1816 – 1817, macadamized 1837 – 1838) and the Grand Trunk Railway (1856).

Citizens of the Village of Bath played an important role in the development of early Canadian government. Benjamin Fairfield (341 Main Street) served as member of the Legislative Assembly in 1818.<sup>16</sup> Barnabas Bidwell, former teacher at the Bath Academy, was elected as representative in the Provincial Government in 1820. But

<sup>15</sup> William Canniff (1869, reprinted 1971) *History of the Settlement of Upper Canada*, p.443.

<sup>16</sup> Foster (1996), p.42. *Kingston Gazette*, 27 January 1818.

Bidwell was considered a foreign alien, and thus ineligible. His son Marshall Spring Bidwell was put forward as candidate in 1822 to serve in the Provincial Government. He served until 1835 as a dual constituent with Peter Perry serving Lennox and Addington County.<sup>17</sup> George Ham (formerly of 353 Main Street) served as Lieutenant Colonel in the militia during the Upper Canada Rebellion (1837). Marshall W. Forward was one of nine Upper Canadians arrested in connection with the destruction of the steamer *Sir Robert Peel* in the Upper Canada Rebellion in 1837-1838.<sup>18</sup> Henry Lasher (147 Church Street) served on the Midland District Municipal Council in 1842-1843. A merchant, tavern owner and moneylender, Benjamin Seymour (estate at the east end of Academy Street) was member of the Provincial Assembly from 1844 – 1854. He won with his platform of responsible government, appealing to Methodists in the area. Following his time at the Provincial Assembly, Seymour was appointed to the Legislative Council of the Province of Canada in 1855, and after Confederation he was appointed one for the first senators of the Dominion of Canada.<sup>19</sup>

### 3.3 THE VILLAGE OF BATH

Fifty-nine was an important milestone for the Village of Bath. In that year the Village of Bath was incorporated as a municipality in the County of Lennox, Addington and Frontenac.<sup>20</sup> It was accepted as a place of respectable residence with all the necessary amenities.

By 1864, the Town of Napanee eclipsed the Village of Bath, and had asserted itself as the county seat and



AN AEROPLANE VIEW OF BATH, ONT.  
COPYRIGHT, CANADA, 1920, BY MC CARTHY AERO SERVICE LIMITED, TORONTO

An Aeroplane View of Bath, Ontario, McCarthy Aero Service (1920).  
Loyalist Township files.

<sup>17</sup> Foster (1996), p.50.

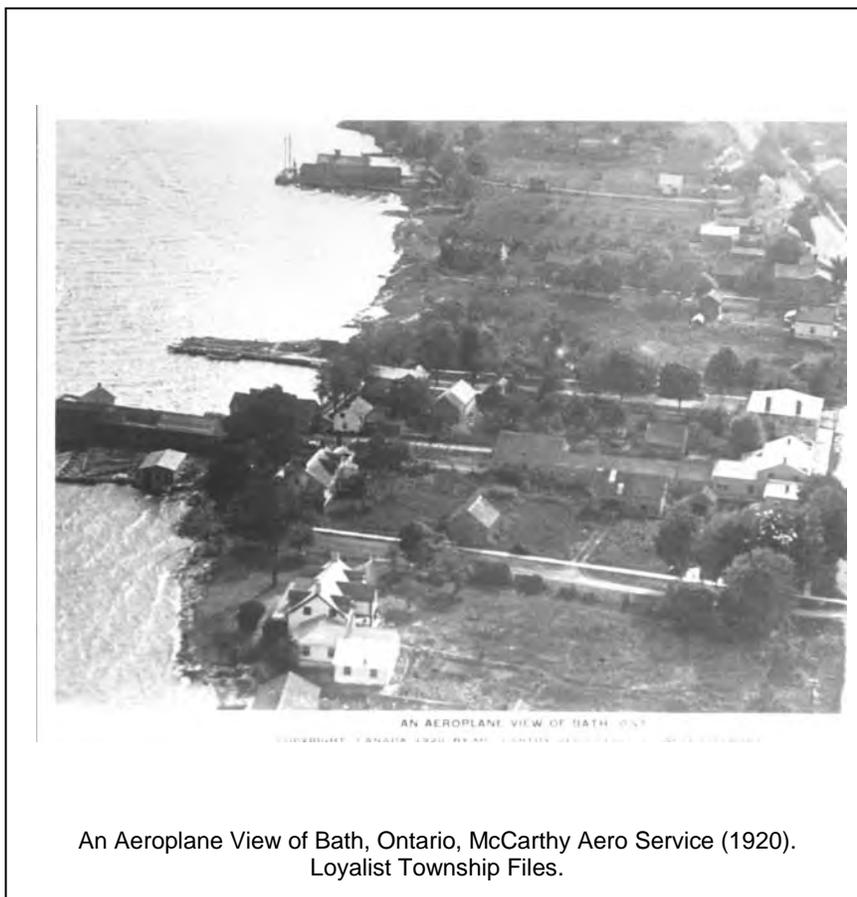
<sup>18</sup> Foster (1996), p.52.

<sup>19</sup> Foster (1996), p.52.

<sup>20</sup> Frontenac County official separated from Lennox and Addington County on 1 January 1864.

the site of administration and governance. The Village of Bath had established itself as a site of regional importance in the late-eighteenth and early-nineteenth centuries, building on Lake Ontario-based transportation and transshipment as well as the establishment of some of the first schools and churches in Upper Canada. As populations flocked to railway towns in a mid-nineteenth century fashion, the Village of Bath did not receive the industrial development to foster such growth. Instead, the Village of Bath maintained its service institutions, including banks and the Post Office, re-defining itself as a local service centre. Communities such as Wilton, Odessa and Newburgh experienced a similar shift; however the Village of Bath's early origins set it apart from other villages.

Population began to decline in the 1860s.<sup>21</sup> By 1865, the Village of Bath was no longer an Official Port of Entry from the United States. Despite proposals for a railway passing through the Village of Bath in the 1870s, there was limited development until the post-war period of the twentieth century. In an era when towns and villages replaced wood frame buildings with brick buildings, the Village of Bath did not.



Little evidence of significant development in the Village of Bath

---

<sup>21</sup> Turner (1993), p.125. The 1861 *Census* shows the population of the Village of Bath at 754 people; by 1911, the population was 347 people. Turner argues that the pre-1812 population of Ernestown Township matched the post-1931 population (Turner (1993), p.19). Population losses of this magnitude were not uncommon in Eastern Ontario during this period. Napanee and Newburgh lost 24% and 45% of their populations in the same era. However, the burden of municipal operations on the small Village of Bath was of greater impact as a distinct and independent municipality.

dates from this period, beyond the construction of a few structures to replace those destroyed by fire. Structures in the Village of Bath were adapted and reused; homes became shops, and shops became libraries and bakeries.

By the mid-nineteenth century, farm families in Ernestown Township moved beyond subsistence farming. Barley Days in the 1860s – 1890s saw a boom of export to the United States that counter-acted the effects of rural depopulation. Agriculture and animal husbandry remained the dominant industry until after WWII, producing wheat, peas, and barley, as well as pork and dairy products. Many cheese factories opened across Eastern Ontario. Industrial production in the Village of Bath was limited to potash, which was produced by soaking ashes and was used in soap production and fertilizer.<sup>22</sup> Extensive cash crop agriculture was limited due to shallow topsoil, combined with clay and limestone bedrock that characterizes eastern Ontario.

Weekly mail service arrived in the Village of Bath in 1820,<sup>23</sup> the telephone arrived in 1889, where the exchange was located at the Post Office.<sup>24</sup> Many married women had telephone service in their own name, as some men perceived it as a “female convenience.”<sup>25</sup> The automobile arrived in the Village of Bath in 1914, ushering in a new age of transportation.<sup>26</sup> Horses maintained a presence in the Village well into the 1930s. In 1931, the Village of Bath was serviced by hydro, and water facilities were added in 1959.<sup>27</sup>

Two disastrous fires struck Main Street in the early half of the twentieth century. On 1 May 1901, a fire struck the north side of Main Street, east of Second Street.<sup>28</sup> The fire destroyed double-storey verandah structures that were characteristic of the Village of Bath’s Main Street. A second fire hit the north side of Main Street, east of Lodge Street on 26 December 1942. The entire streetscape of Main Street between Lodge and Davy Streets was destroyed; only two properties escaped the blaze: the J.J. Johnson House (180 Lodge Street) and Mrs Grace Amey’s (173 Lodge Street). Over \$100,000 in damages were incurred.<sup>29</sup>

The majority of development in the Village of Bath dates from the period prior to 1864. By that point, the Village of Bath had reached its fullest physical extent. A significant amount of built form evidence from this period survives and demonstrates qualities

---

<sup>22</sup> John Clark exchanged house and field ashes for goods at his store in Bath in 1820 (Foster (1996), p.31). William Johnston, of 433 Main Street, was listed in the 1851 *Census Returns* as a potash maker.

<sup>23</sup> *Kingston Chronicle*, 25 August 1820.

<sup>24</sup> Foster (1996), p.101. Minutes, Municipal of Bath, 6 May 1889.

<sup>25</sup> Lennox & Addington Historical Society (2006) “Ernestown Rural Telephone Company.”

<sup>26</sup> Bath Historical Recording Group (1984), p.36.

<sup>27</sup> Bath Historical Recording Group (1984), p.81.

<sup>28</sup> Bath Historical Recording Group (1984), p.82.

<sup>29</sup> *New York Times*, 27 December 1942.

unique to the Village of Bath. Vernacular in origin, structures are wood frame with gable pitched roofs and a strong sense of symmetry. Photographic evidence from the mid- to late-nineteenth century indicated the dominance of double verandah structures along Main Street. Of this type, only the E.D. Priest Store/Masonic Lodge (428 Main Street) has persisted in its original glory.<sup>30</sup> Historic evidence of the Fairfax Store (394 Main Street) and Belfour House (395 Main Street) previously had double verandahs, although they have been subsequently removed. Very few structures in the Village of Bath have maintained their original use throughout their history; structures have been changed and adapted over time to better suit the needs of their owner or inhabitant. Development was largely restricted to the village streets as laid out by John Davy in 1804 within the topographical boundaries of the creeks to east and west, the crest of the hill to the north and Lake Ontario to the south.

### 3.4 POST-WAR

After 1950, the Village of Bath and Ernestown Township were propelled into a period of unprecedented growth. The establishment of industrial operations along the waterfront, as well as the Bath Institution medium-security facility (1972) and Millhaven Institution maximum-security facility (1971), prompted new residential growth. Primarily concentrated in Amherstview in the 1950s – 1970s, new residential estate development has been seen on the periphery of the Village of Bath in the late 1990s and into the 2000s. With this growth came the expectation of new social services, schools and roads resulting in increased township administration. Loyalist Township was created out of the amalgamation of Ernestown Township, the Village of Bath and Amherst Island in 1998.

There was little development within the historic Village of Bath. Several properties were built upon, constructing typical 1960's ranch style homes, primarily concentrated along the reclaimed waterfront of the Village of Bath. The new Royal Bank Building (375 Main Street), the Post Office (400 Main Street, constructed 1972), and the now vacant Food Store (408 Main Street, constructed before 1981) are of unsubstantial modern quality, out of scale, context, and proportion with neighbouring historic structures. A new elementary school was constructed north of the Village of Bath in 1978, and the Bath Academy (352 Academy Street) served as municipal offices until April 2004.

Two estate developments, approved under the former Village of Bath *Official Plan* (1993), were started in the 1990s. Both are outside of the historic boundaries of the Village of Bath; one is located to the east and one is located to the west. Eventually the two will connect, forming a ring road around the historic Village of Bath. Development pressure outside of the historic boundaries has helped maintain the cohesive feel of the

---

<sup>30</sup> Fire in 1901 struck the block.

old Village of Bath. As the Kingston Road (King's Highway/Highway 2) (1816 – 1817, macadamized 1837 – 1838) and the railroad (1856) spared the Village of Bath, so do these suburban expansions.

### **3.5 SUMMARY**

The physical extents of the old Village of Bath have been contained by Centennial Park Creek to the east, Bath Creek to the west, the crest of the hill at Academy Street to the north and Lake Ontario to the south as natural topographic barriers. Since the time when John Davy laid out lots in 1804, there has been little alteration to the street pattern of the Village of Bath; while some structures have been destroyed over time, many remain. Characterized by vernacular frame structures, the Village of Bath has maintained a cohesive and distinct feel as a collective ensemble unit through setbacks close to the street and the low-scale massing of primarily single-detached structures that incorporate eclectic styles and architectural references. Unlike other lake-side towns, the Village of Bath emphasizes the commercial Main Street as its centre of life, more reflective of an early nineteenth century village. Every property in the Village of Bath has a story with a history coloured with former uses and past inhabitants.

## 4. STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Demonstrative of a long evolution of inhabitation, the area of the Village of Bath is steeped with historical associations. The bays and natural harbours of Lake Ontario's northern shoreline contain evidence of First Nations inhabitation, a French era homestead (1679 – 1687) and United Empire Loyalist settlement (1784). Each successive generation left its mark, only the most recent of which is visible today.

The Village of Bath is located in Loyalist Township, Ontario, on the north shore of Lake Ontario on the Bay of Quinte. Natural topographic features bind the historic village. Lake Ontario to the south, Bath Creek to the west, Centennial Park creek to the east and the hill at Academy Street to the north. These boundaries have largely contained historic development in the Village of Bath since the time when John Davy established the street grid in 1804.

Settlement developed in a grid pattern oriented towards Lake Ontario on the first concession in Ernestown Township, where the Main Street became part of Asa Danforth's road in 1798 – 1801 (also known as Bath Road/Highway 33/Loyalist Parkway). Settlers brought a rational sensibility of frontiersmen and farmers from their experiences in the American colonies. Unlike other Loyalist units from the War of 1812, the one hundred and thirty-seven men from Jessup's Loyal Rangers that settled in the area did not maintain strict military hierarchies and brought American-style pragmatism to the Canadian colony. Their homes can be characterized as vernacular wood-frame structures that emphasized qualities of proportion and symmetry. This style was influenced by the Georgian period and combined with pre-Revolutionary American adaptations. Later stylistic influences include the Neoclassical, Regency, and Classical Revival, with limited expression of the Gothic Revival or Italianate influences. The Village of Bath has preserved an excellent record of early nineteenth century vernacular buildings.

Early significance of the Village of Bath was rooted in lake-based transportation systems. Schooners, used for transportation of people and goods, would stop at the natural harbour and take advantage of the wharfs and warehouses along the shoreline. The waters adjacent to the Village of Bath hosted an important episode in the War of 1812: the Flight of the *Royal George*. Following peace between the British and Americans in North America, trade relations resumed. The steamship *Frontenac*, the first steamer on the Great Lakes, was launched from the Village of Bath's shipbuilding yards in September 1816. The Royal Navy closely monitored trade on the Great Lake, proclaiming the Village of Bath an Official Port of Entry in July 1817. Establishing itself as an early centre of regional importance, the Village of Bath promoted the establishment of early churches, schools, and social institutions. The community was an early supporter of governmental reform.

In 1864, the Town of Napanee was appointed the county seat for Lennox and Addington County. Unlike the Village of Bath, the Town of Napanee was already serviced by the Kingston Road, now Highway 2, (1816 – 1817, macadamized 1837 – 1838) and the Grand Trunk Railway (1856), and was home to industry including saw and lumber mills. Slowly, the Village of Bath transitioned from a regional to a local service centre, and maintained its shops, bank, and post office. In a period when many towns and villages replaced wooden structures with brick buildings, the Village of Bath maintained many of its original or early structures and adapted them to suit new uses. The built environment provides evidence of the period of significance between 1784 and 1864.

The transportation revolution with road and rail-based systems led to a shift in the Village of Bath. Integrity was maintained by a strong local focus that has continued to conserve early vernacular wooden structures of significant cultural heritage value. While use of structures has changed over time, the essential urban landscape and street morphology has not been significantly altered since established in 1804. Natural topographic elements have constrained development in the historic village for nearly two hundred years. This has helped the Village of Bath achieve a distinct cohesiveness in scale and proportion. It has evolved over time, with significant elements documenting the process of change. Recognized as a local area of special interest, the cultural heritage resources of the Village of Bath contribute to an understanding of a former way of life in Loyalist Township.

The Village of Bath Heritage Conservation District contains nine properties. Main Street (Bath Road/Highway 33/Loyalist Parkway) bisects the Heritage Conservation District with seven properties location on the north side of the road and two located on the south side. One property is located to the east of First Street, six are located to the west and the remaining two are located to the immediate south of the terminus of First Street. The Village of Bath Heritage Conservation District is located in the west-end of the Village of Bath and represents the common mixture of uses, including residential, commercial and institutional properties, demonstrative of the mixture of historic uses in the Village of Bath. These contributing resources all date from the period of significance.

#### 4.1 KEY HERITAGE ATTRIBUTES

Key attributes that express the cultural heritage value of the Village of Bath as a dynamic, evolved Heritage Conservation District include:

- Natural topographic boundaries that have contained development in the historic village;
- Street grid and morphology that has not been significantly altered since 1804;
- Physical evidence of period of significance (1784 to 1864);
- Vernacular wooden structures;
- High degree of integrity of heritage resources;
- Landmark buildings of local and regional significance;
- Massing, scale, and proportions that characterize an early nineteenth century village;
- Eclectic mixture of vernacular architectural styles, dominated by Georgian, Neoclassical, Regency, Classical Revival styles, and limited examples of Gothic Revival and Italianate influence;
- Heritage attributes of individual properties;
- Mature landscaping with tree-lined streets;
- Spatial relationship between all buildings in the Heritage Conservation District to each other, the streets, open spaces, as well as to adjacent areas; and
- Legacy of rehabilitation and adaptive reuse of heritage resources.

## 5. GOALS AND OBJECTIVES

The following goals and objectives establish the direction to guide change management in the Village of Bath Heritage Conservation District. These should be interpreted to provide a framework for the protection, conservation, and management of the Village of Bath's unique cultural heritage value and supporting heritage attributes.

### 5.1 OVERALL HERITAGE CONSERVATION DISTRICT

Goal: To ensure the long-term protection, conservation, and management of cultural heritage resources in the Village of Bath, including buildings, landscapes, and historical associations, as well as their contributions by:

- A. Updating the existing Village of Bath Heritage Conservation District to reflect contemporary legislative requirements and current best practice;
- B. Recognizing and enhancing the contributions of individual properties in the Village of Bath to an understanding of the evolution of a United Empire Loyalist settlement from 1784 to present;
- C. Acknowledging and understanding the contributions of individual properties to the larger context of the Village of Bath and area; and
- D. Providing guidelines to assist property owners to manage change in ways that do not negatively impact cultural heritage value, but enhance overall contributions to the cultural heritage values of the Village of Bath Heritage Conservation District.

### 5.2 HERITAGE RESOURCES

Goal: To encourage the maintenance and preservation of heritage resources including existing buildings and structures of historic and/or architectural value, as well as their contributions to the streetscape/landscape (contextual value) by:

- A. Ensuring renovations, alterations and additions to any property within the Village of Bath Heritage Conservation District do not negatively impact, but enhance the overall character of the Village of Bath;
- B. Requiring new constructions to be compatible in design and construction with the existing historic character of the Village of Bath Heritage Conservation District;
- C. Avoiding inappropriate alteration and destruction of contributing heritage resources; and
- D. Developing policy to address contributing resources, non-contributing resources, new development, adjacency, archaeological resources, and demolition.

### 5.3 VILLAGE STREETScape & LANDSCAPE

Goal: To maintain and enhance the unique cultural heritage value of the Village of Bath as a historic village settlement by:

- A. Recognizing the contributions of individual properties in the Heritage Conservation District to the larger context, landscape, and viewscape of the Village of Bath;
- B. Appreciating the contributions of natural topographic features that define the physical extent of the historic Village of Bath, and to a lesser extent the Village of Bath Heritage Conservation District;
- C. Maintaining the low-density character of the Village of Bath, with a mixture of residential, institutional and commercial properties in appropriate locations; and
- D. Ensuring that heritage conservation goals are supported by municipal policy, including the *Official Plan*, zoning bylaws and designations.

#### **5.4 PROCESS**

Goal: To ensure that the approvals process for heritage conservation efforts in the Village of Bath is an effective and easily understood process by all users by:

- A. Clearly articulating classes of alterations requiring or not requiring a Heritage Permit;
- B. Providing support to property owners in the Heritage Permit process; and
- C. Identifying potential sources of funding, grants or rebate programs to assist property owners in completing heritage conservation work.

#### **5.5 APPLICABLE POLICY**

Notwithstanding these Guidelines, the following govern property standards and construction, and are applicable to heritage-designated properties:

- *Provincial Policy Statement*;
- Requirements of the *Planning Act*;
- *Ontario Building Code* and its Regulations or applicable heritage-standard equivalencies;
- Loyalist Township's *Official Plan* and municipal bylaws, including the Property Standards Bylaw and Zoning Bylaws; and
- Easements and covenants held by the Ontario Heritage Trust.

#### **5.6 AMENDMENTS**

This Heritage Conservation District Plan may be amended by bylaw after consultation with the Loyalist Municipal Heritage Committee, circulation to potentially affected parties, public notices, and where applicable, approval by the Ontario Municipal Board. Minor administrative and technical amendments may be implemented by a resolution of Council.

## 6. HERITAGE CONSERVATION DISTRICT SHALL PREVAIL

Potential conflicts or inconsistencies may arise within the planning framework where existing policy does not conform to the objectives of the Heritage Conservation District Plan. In situations of disagreement between the Village of Bath Heritage Conservation District Plan and Loyalist Township municipal policy, the Heritage Conservation District Plan shall prevail.

Subsection 41.2 of the *Ontario Heritage Act* bestows priority of the provisions of a Heritage Conservation District Plan over public works practices and other municipal bylaws:

1. *Despite any other general or special Act, if a Heritage Conservation District Plan is in effect in a municipality, the council of the municipality shall not,*
  - a. *Carry out any public work in the Heritage Conservation District that is contrary to the objectives set out in the plan; or*
  - b. *Pass a bylaw for any purpose that is contrary to the objectives set out in the plan.*
2. *In the event of a conflict between a Heritage Conservation District Plan and a municipal bylaw that affects the designated Heritage Conservation District, the Heritage Conservation District Plan prevails to the extent of the conflict, but in all other respect the bylaw remains in full force.*

## **7. POLICY**

The Village of Bath possesses an eclectic mixture of architectural styles, building types, and strong associations with local and regional history, all of which contribute to its unique cultural heritage value. Designation of the Village of Bath Heritage Conservation District formally acknowledges these contributions and ensures careful management in the future. While designation intends to preserve heritage attributes it is not intended to freeze or stop change.

This plan provides guidance for the management of future change. Acting in accordance with this Plan will help to ensure that future change proceeds in a sympathetic and suitable manner to the identified cultural heritage value in the Village of Bath Heritage Conservation District.

The following policies establish the direction to guide change management in the Village of Bath Heritage Conservation District. They are intended to provide a framework for the protection, conservation, and management of the Village of Bath's unique cultural heritage value and supporting heritage attributes, particularly in the historic sections and their immediately adjacent vicinities.

### **7.1 LAND USE & DEVELOPMENT PATTERN**

The Village of Bath developed early in the history of Ontario. Based on an 1804 plan on land owned by Peter Davy, the Village of Bath grew along west and north from the intersection of Main Street and Church Street in an area dictated by local topography. Residential and institutional properties filled the secondary streets, with mixed-use commercial properties primarily along Main Street. This mixture of uses is reflected in the Village of Bath Heritage Conservation District through the inclusion of residential, institutional, and commercial properties.

Structures in the Village of Bath are principally single detached units in typology and low density in nature, emphasizing the relationship between structure and landscape. Setback is typically short along Main Street and increasing as one moves further north from Lake Ontario. Structures are between one and two-storeys in height, most commonly topped with a gable pitched roofs. Raised basements, shallow roofs, and large picture windows are uncommon and out of character in the Village of Bath.

#### **7.1.1 LAND USE & DEVELOPMENT PATTERN POLICY**

- A. Street grid and lot patterning shall be maintained to conserve the physical extent of the Village of Bath as bound by natural topographic elements;
- B. Existing diversity of uses within the Village of Bath shall be maintained, including mixed-use commercial along Main Street and low density residential in other areas;

- C. New land uses shall be appropriately located to support the heritage character of the Village of Bath;
- D. Rehabilitation and adaptive reuse of existing heritage buildings should be encouraged wherever feasible;
- E. Guidelines (**Sections 12-19**) shall be followed to ensure that additions or alterations to contributing resources and new developments support the cultural heritage value of the Village of Bath; and
- F. New or expanded parking shall be located at the rear of a property or in a location that does not detract from heritage character or negatively impact heritage attributes of a property.

## **7.2 LANDSCAPE/STREETSCAPE**

The landscape and streetscape of the Village of Bath has evolved over the past two hundred and twenty-eight years. Foraged out of Canadian wilderness, the landscape has been significantly altered by human hands. Through the addition of permanent homes, the Village of Bath has grown near to the limit of the grid of the early village plan. Landscape/streetscape elements include streets, sidewalks, lighting, street signs, street furnishings, and open space. Changes to these elements can significantly impact the cultural heritage value of the Village of Bath Heritage Conservation District.

### **7.2.1 LANDSCAPE/STREETSCAPE POLICY**

- A. Street grid and lot patterning shall be maintained to conserve the physical extent of the Village of Bath as bound by natural topographic elements;
- B. Existing road right-of-ways and widths of paved surfaces should not be increased unless required for reasons of public health and safety;
- C. New construction should be brought to the street, in line with adjacent structures; to emphasize a continuous streetscape characteristic of a historic village;
- D. Landscaping elements should be complementary to the existing landscape of the Heritage Conservation District;
- E. Landscaping should be used to screen parking areas and soften the impact of new development on contributing resources;
- F. A unified signage program should be developed to identify the Village of Bath Heritage Conservation District, as well as individually designated properties elsewhere in the Village of Bath; and
- G. Street furnishings, including benches, garbage cans, bicycle racks and other components, should be consistent throughout the Village of Bath and be of a style that compliments the heritage attributes of the Heritage Conservation District. *The Village of Bath Community Improvement Plan (2012)* illustrates suitable examples.

### **7.3 CONTRIBUTING RESOURCES**

Properties in the Village of Bath have been identified as “contributing resources” and “non-contributing resources.” Contributing resources are those cultural heritage resources that are seen to support or define the identified heritage character of the Heritage Conservation District. Cultural heritage resources can include properties, structures, landscapes, views, and vistas, among other elements. All of the properties within the Village of Bath Heritage Conservation District have been identified as contributing resources to its heritage character.

The Heritage Permit application shall be used to identify classes of alterations for contributing resources requiring approvals, as well as applicable guidelines. Interior alterations do not require a Heritage Permit unless interior elements are included as heritage attributes in the designation. A Heritage Impact Statement, pursuant to Section 5.5.1.J of the Loyalist Township *Official Plan* and Section 2.6.3 of the *Provincial Policy Statement*, may be required for development with the potential to impact any heritage attribute of the Heritage Conservation District. Mitigative measures and/or alternative development approaches may be required in order to conserve heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

Each contributing property has a Statement of Contribution, which is a brief demonstration of how the heritage resource supports the cultural heritage values, character, and integrity of the Heritage Conservation District as identified in the Statement of Significance.

All nine properties in the Village of Bath Heritage Conservation District have been identified as contributing resources.

#### **7.3.1 CONTRIBUTING RESOURCES POLICY**

- A. Significant built heritage resources shall be conserved;
- B. Preservation, rehabilitation, and restoration of contributing resources should be encouraged in the understanding, planning, and intervention stages of the conservation process;
- C. Interior alterations shall be permitted provided interior elements are not included as heritage attributes;
- D. Minor exterior alterations and additions to contributing resources may be permitted providing such alterations do not negatively impact heritage attributes;
- E. Minor exterior alterations and additions for the purpose of accessibility shall be permitted providing such alterations are designed in a manner that does not negatively impact heritage attributes;
- F. Major alterations to the exterior façade are not permitted. Such alterations should only be considered where the intent is to restore heritage attributes of the contributing resource;

- G. Additions or alterations to contributing resources should be sympathetic, subordinate, distinguishable, and contextual in relation to the existing contributing resource;
- H. Interventions or alterations for energy efficiency should be encouraged, but shall not compromise or negatively impact heritage attributes of contributing resources; and
- I. Heritage Impact Statement may be required to assess the impact of development on the Village of Bath Heritage Conservation District.

## **7.4 NON-CONTRIBUTING RESOURCES**

Properties in the Village of Bath have been identified as “contributing resources” and “non-contributing resources.” Non-contributing resources are those resources that are not seen to support or define the identified heritage character of the Heritage Conservation District. Non-contributing properties in the Heritage Conservation District are subject to certain conservation requirements, but are not eligible for heritage grants or other incentive programs.

The Heritage Permit application can be used to identify classes of alterations for non-contributing resources requiring approvals, as well as applicable guidelines. Mitigative measures and/or alternative development approaches may be required in order to conserve heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

There are no non-contributing properties in the Village of Bath Heritage Conservation District.

### **7.4.1 NON-CONTRIBUTING RESOURCES POLICY**

- A. Alterations or additions to non-contributing properties shall be permitted provided those alterations or additions do not negatively impact heritage attributes of Heritage Conservation District or adjacent contributing resources;
- B. Minor exterior alterations and additions for the purpose of accessibility shall be permitted;
- C. Efforts to improve elements or attributes that contribute to the cultural heritage value of the Village of Bath Heritage Conservation District should be encouraged. These efforts should be based in historical evidence and documentation and encourage a historically complementary built environment; and
- D. Eventual replacement of non-contributing resources with contributing resources is encouraged.

## 7.5 NEW DEVELOPMENT

Although there are no vacant lots within the Village of Bath Heritage Conservation District, policies for new developments are included under consideration of future expansion or a second Heritage Conservation District.

A Heritage Impact Statement, pursuant to Section 5.5.1.J of the Loyalist Township *Official Plan* and Section 2.6.3 of the *Provincial Policy Statement*, may be required for development with the potential to impact any heritage attribute of the Heritage Conservation District. Mitigative measures and/or alternative development approaches may be required in order to conserve heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

### 7.5.1 NEW DEVELOPMENT POLICY

- A. Heritage Impact Statement may be required to assess the impact of development on the Village of Bath Heritage Conservation District;
- B. Guidelines (**Sections 12-19**) shall be followed to ensure that new development supports the cultural heritage value of the Village of Bath;
- C. Different guidelines may be applicable for new commercial or residential structures to ensure compatibility with the identified cultural heritage value of the Heritage Conservation District and its context;
- D. New development shall be sympathetic, subordinate, distinguishable, and contextual in relation to existing heritage resources;
- E. New development lots created out of a severance should only occur where all resulting lots are of similar size and depth to existing adjacent lots; and
- F. New development shall be compatible in scale, massing, proportions, setback, and finishes that support the cultural heritage value of the Heritage Conservation District.

## 7.6 ADJACENCY

*Development and site alteration may be permitted on adjacent lands to protected heritage property 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 (Provincial Policy Statement, s.2.6.3).*

Properties adjacent to the Village of Bath Heritage Conservation District will be subject to policies to ensure that significant heritage attributes are not adversely impacted by development (*Provincial Policy Statement*, Policy 2.6.3). The Loyalist Township *Official Plan* defines adjacent, in the context of heritage, as “those lands contiguous to a protected heritage property; those lands that are separated from a protected heritage property by a narrow strip of land used as a right-of-way, walkway, green space or

park; those lands which comprise part of the heritage attributes (for example, viewplanes, streetscapes) of a protected heritage property.”

A Heritage Impact Statement, pursuant to Section 5.5.1.J of the Loyalist Township *Official Plan* and Section 2.6.3 of the *Provincial Policy Statement*, may be required for development with the potential to impact any heritage attribute of the Heritage Conservation District. Mitigative measures and/or alternative development approaches may be required in order to conserve heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

### **7.6.1 ADJACENCY POLICY**

- A. Evaluation of additions and alterations to properties adjacent to the Village of Bath Heritage Conservation District will be required to demonstrate that heritage attributes will be conserved;
- B. Heritage Impact Statement may be required to assess the impact of development on areas defined as adjacent to the Village of Bath Heritage Conservation District.
- C. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration;
- D. Development adjacent to contributing resources shall be sympathetic, subordinate, distinguishable, and contextual in relation; and
- E. Adjacent development will be subject to guidelines for alterations and additions or new development.

### **7.7 ARCHAEOLOGICAL RESOURCES**

The Village of Bath is known to have archaeological potential from previous investigations and discovery of artifacts. Its location on the north shore of Lake Ontario satisfies Loyalist Township’s *Official Plan* and the Ministry of Tourism, Culture and Sport’s criteria for archaeological potential (Section 5.5.1.d). Archaeological remnants constitute a valuable record of past human settlement. An archaeological assessment and the mitigation of any adverse impacts to significant archaeological resources are required to be completed prior to development.

#### **7.7.1 ARCHAEOLOGICAL RESOURCES POLICY**

- A. Archaeological impact assessment and impact mitigation reports are required to be undertaken by a professionally qualified archaeologist licensed under the *Ontario Heritage Act*;
- B. Archaeological impact assessment and impact mitigation reports are to include implementation and impact mitigation measures which may form part of a development agreement; and
- C. The appropriate government agencies shall be consulted when an identified human cemetery, or marked or unmarked human burial is affected by land use

development. The provisions of the *Ontario Heritage Act* and the *Cemetery Act* shall apply.

## **7.8 DEMOLITION**

The primary objective of the Village of Bath Heritage Conservation District is to ensure the long-term protection, conservation, and management of attributes contributing to the cultural heritage value of the Village of Bath. This is achieved through the preservation and protection of contributing resources. It is recognized that a rare situation may arise where demolition is necessary, such as fire or other catastrophes. As heritage designations are registered on title, demolished properties in the Village of Bath Heritage Conservation District would be subject to the policies and guidelines contained within this plan for new development.

The repeal of the designation bylaw for an individual property is required prior to the approval of a demolition permit. The amendment of the designation bylaw for a Heritage Conservation District is required prior to the approval of a demolition permit for a contributing resource in a Heritage Conservation District.

### **7.8.1 DEMOLITION POLICY**

- A. Demolition of contributing resources is strongly discouraged;
- B. The repeal of a designation bylaw for an individual property is required prior to the approval of a demolition permit. The amendment of a designation bylaw for a Heritage Conservation District is required prior to the approval of a demolition permit for a contributing resource in a Heritage Conservation District;
- C. Demolition of a non-contributing resource may be permitted following the submission of a complete application;
- D. Where demolition of a contributing resource is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for demolition as well as solicit the advice of qualified heritage professionals;
- E. Relocation should be considered only as a last resort before demolition;
- F. Demolition approval shall require consultation with Loyalist Municipal Heritage Committee and approval from Council;
- G. Documentation prior to demolition, including a written report, photographs, or samples, may be required to create a historic record of the building and its attributes; and
- H. Architectural material salvage for reuse should be encouraged if demolition of a contributing resource is approved. Salvage material should be prioritized for use on the same site if possible, or appropriate neighbouring sites if required.

## 8. MUNICIPAL POLICY

A thirty-year legacy of heritage conservation has been demonstrated through the continued support of the Village of Bath Heritage Conservation District. Only through its careful management has the integrity of contributing resources been preserved for future generations. As with updates to provincial legislation, municipal policy must be updated to reflect current heritage best practice.

Section 41(2)(d) of the *Ontario Heritage Act* requires a Heritage Conservation District Plan to “make recommendations as to any changes that will be required to the municipality’s Official Plan and to any municipal bylaws including any zoning bylaws.” The *Village of Bath Heritage Conservation District Review* highlighted several areas that required further consideration before proceeding with an updated Heritage Conservation District Plan.

Overall, municipal policy was seen as generally supportive of heritage conservation. The *Official Plan* outlines basic policies for individual designations, Heritage Conservation District designation, and management of archaeological resources. However, language utilized in these policies is not up-to-date with provincial legislation and requires revision. General intent is the same, however, word usage differs.

### 8.1 OFFICIAL PLAN

The Loyalist Township *Official Plan* (2010) provides a policy framework to manage physical development and its effects on the social, economic and natural environment. Throughout the *Official Plan* there are strong references to the value of the historical character of the Township (Section 2.2.1.3), the desire to ensure compatibility between new developments and existing built-up areas where new development represents a logical extension of, and is well integrated with, the general building form, scale and profile of adjacent uses. Urban Design Guidelines, below, discuss this as well. Compatibility is the key theme in development in Loyalist Township.

#### 8.1.1 OFFICIAL PLAN RECOMMENDATIONS

- A. Revise Heritage Policies (Section 5.5) to reflect language of current legislation:
  1. Section 5.5.3 Heritage Conservation Districts does not match the Ministry of Tourism, Culture and Sport’s Heritage Conservation District designation guidelines. While of the same intent, different criteria may result in less comprehensive designations;
  2. The *Official Plan* contains provisions for designation of properties for architectural or historic value or interest. This should be updated to reflect *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest*, which includes physical or design values, historical or

associative values, and contextual values as reasons for designation under the *Ontario Heritage Act*.

3. Statement of Cultural Heritage Value and policies of the Village of Bath Heritage Conservation District should be incorporated into the Heritage section of Loyalist Township's *Official Plan*.

## 8.2 ZONING BYLAW

*Should it be necessary for Council to amend the Zoning Bylaw under Section 34 of the Planning Act to implement the District Plan, Council will proceed with the appropriate amendments (Loyalist Township Official Plan, Section 5.5.4.E).*

Land use control regulations are established in Loyalist Township's Comprehensive Zoning Bylaw (Bylaw 2001-38). The purpose of this bylaw is: to regulate the use of land and the character, location and use of buildings and structures; to set standards of development; to prohibit the side by side location of incompatible uses of land; and to prohibit the erection and use of buildings and structures within various areas of Loyalist Township unless these are in compliance with the bylaw. The zoning map for the Village of Bath is located in Schedule 7 of Bylaw 2001-38.

Designated as low density residential with some commercial in the *Official Plan*, the Village of Bath is primarily Residential Type One (R1), Residential Type Four (R4) and Village Commercial (C5), with some Community Facility (CF) zones. **Table 8.1: Zone Standards** presents the minimum lot area, minimum lot frontage, minimum yards, maximum lot coverage and maximum height for each zone in the Village of Bath.

### Permitted Uses

- **Residential Type One (R1) Zone:** Single detached, existing converted, group homes, home occupations; public park, public use or utility.
- **Residential Type Four (R4) Zone:** Single detached, semi-detached, duplex, group homes, home occupations; public park, public use or utility.
- **Community Facility (CF) Zone:** accessory single detached dwelling house, accessory dwelling unit, ambulance station, arena, assembly hall and/or auditorium, cemetery, community centre, day nursery, eating establishment (mobile), ferry dock, fire hall, fraternal lodge, hospital, medical clinic, municipal administrative office, municipal recreation complex, museum, nursing home, place of worship, post office, private club, public library, public park or private park, public or private school, public swimming pool, public use or utility, water tower, and water treatment control plant.
- **Village Commercial (C5) Zone:** accessory dwelling unit, antiques sales establishment, artist studio, bakery or bake shop, bank or financial

establishment, brewers retail outlet and liquor control board outlet, business, professional or administrative office, coin operated laundry, commercial store, custom workshop, day nursery, dry cleaner's distribution station, eating establishment (fixed and mobile), fraternal lodge, funeral home, furniture and appliance dealer, hotel, light equipment sales and rental establishment, medical or dental clinic, outdoor café, place of entertainment, personal service shop, printing establishment, public use or utility, retail commercial establishment, service shop merchandise, small appliance service shop, tavern, supermarket, veterinary clinic in a wholly enclosed building.

Zoning Bylaw 2001-38						
Table 8.1: Standards by Zone						
Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Yards	Maximum Lot Coverage	Maximum Height	
R1	550sq. m (serviced); 0.2ha (unserviced)	15m (serviced); 30m (unserviced)	7.5m front yard, 7.5m rear yard, 6m exterior side yard, 3m interior side yard/1.2m interior side yard + 0.6m for each storey above the ground-storey	30%	10m	
R4	Single Detached	370 sq. m	12m	7.5m front yard, 7.5m rear yard, 6m exterior side yard, 3m interior side yard/1.2m interior side yard + 0.6m for each storey above the ground-storey	35%	10m
	Duplex	550sq. m (270 sq. m per unit)	18m (8.8m per unit)	7.5m front yard, 7.5m rear yard, 6m exterior side yard, 3m interior side yard/1.2m interior side yard + 0.6m for each storey above the ground-storey; if connected below ground, no less than 1.8m interior side yard	35%	10m
CF	465 sq. m (serviced); 0.4ha (unserviced)		7.5m front yard, 7.5m rear yard, 6m exterior side yard, 4m interior side yard; 10m minimum distance separation requirement from permitted non-residential use	30% for non-residential; 30% landscaped	10m for residential; 14m for non-residential	
C5 (non-residential)	456 sq. m	15m	0m front yard, 6m rear yard, 0m side yard	50%; 10% landscaped	10m	

## 8.2.1 ZONING BYLAW RECOMMENDATIONS

- A. Alternative zoning standard requirements should be considered by Loyalist Township for the Village of Bath Heritage Conservation District. These can be adopted through approval of guidelines contained with this Heritage Conservation District Plan:
1. Alternative yard setbacks to maintain the heritage streetscape; and
  2. Alternative parking standards to encourage on-street parking in appropriate locations and reduce on-site parking requirements for new development.

## 8.3 SIGNAGE BYLAW

Bylaw 2002-2, enacted under the *Municipal Act*, enables Loyalist Township to regulate signs and other advertising devices within the Township. Permits issued by the Chief Building Official are required for the erection, display, alteration or repair of signs. There are some exceptions. These include: alterations or repairs to permit-approved signs, real estate signs, directional and public authority signs, flags/emblems/insignia, warning or caution signs, signs erected by the Crown or any municipal authority, displays of landscaping material, non-illuminated construction signs, signs on private property for directing traffic, all signs under the jurisdiction of the Ministry of Transportation or the County of Lennox and Addington, disabled parking signs, public notices, election signs, identification signs, signs advertising special events of charitable organizations or community associations, banners, civic addresses and 911 numbers and home identification signs.

Prohibited signs include: abandoned signs, vehicles parked solely for the purpose of advertising the direction to a place of business, signs that encroach on public property unless expressly authorized, pennants, search lights, curb signs (except real estate or open house signs), roof signs, electrical spectacular signs, signs that endanger public safety, postern signs, signs that appear to move, signs which employ flashing, animated or intermittent illumination, signs that obstruct firefighter access and signs that violate the Building Code.

The location of signs can be controlled through the site plan control process. A maximum of one wall/façade sign may be erected on the side of premises fronting onto a highway or public thoroughfare (Bylaw 2002-2, 10).

The Sign Bylaw also has heritage-specific policies. No signs shall be erected on any property designated under the *Ontario Heritage Act*, including Part IV and Part V designated properties, without approval from the Chief Building Official, the review of the application by Loyalist Township Heritage Committee and the approval of Council. Home identification signs, memorial and historical interest signs or tablets do not need

permits, but the proposed signage and location must be reviewed by the Chief Building Official and Loyalist Township Heritage Committee, and approved in accordance with the *Ontario Heritage Act* by Council before erected (Bylaw 2002-2, 24).

#### 8.4 EMERGENCY RESPONSE PLAN

The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) has prepared *Risk Preparedness: A Management Manual for World Cultural Heritage* (1998). It has created general guidelines pertaining to emergency preparedness considering the planning, reaction and post-disaster responses for conserving cultural heritage resources. Similarly, the US Federal Emergency Management Agency (FEMA) has produced guidelines, *Integrating Historic Property and Cultural Resource Considerations into Hazard Mitigation Planning: State and Local Mitigation Planning: How-To Guide* (2005).

While Canada is less susceptible to man-made disasters, such as conflict or war, it is still vulnerable to natural disasters. Considering the impact of Hurricane Hazel in Toronto in 1954, the possibility of a hurricane on Lake Ontario is very real. Planning for the possibility of natural disasters is a prudent step in conserving cultural heritage.

As required by the *Emergency Management Act*, every municipality is required to develop and implement an emergency management program, to be adopted by Council. Loyalist Township created an *Emergency Response Plan* in 2004. “The Aim of this plan is to protect the health, safety, welfare and property of our citizens from the effects of natural, technological or human caused emergency.”

An emergency is defined as “a situation or an impending situation caused by the forces of nature, an accident, or international act or otherwise that constitutes a danger of major proportions to life or property.”<sup>31</sup> The inclusion of property is an important component of the definition of an “emergency.” This implies that properties designated for identified cultural heritage value should be considered in the declaration of an emergency.

Following the disaster in Goderich, Ontario, in August 2011, where the Square Heritage Conservation District was devastated by a tornado, increased prudence should be observed for Heritage Conservation Districts reviewing emergency preparedness and response policies. The recently drafted *Perth Heritage Conservation District Plan* (2012) included provisions to include cultural heritage resources in the Town of Perth’s *Emergency Response Plan*.

---

<sup>31</sup> Loyalist Township (2004) *Emergency Response Plan*.

The Loyalist Township Emergency Response Plan creates a Community Control Group comprising ad hoc members of Council or a sub-committee of Council, as required by the emergency. For an emergency involving the environs of the Village of Bath Heritage Conservation District, or other known cultural heritage resources in Loyalist Township, this should be interpreted as members from the Loyalist Municipal Heritage Committee, or a qualified heritage professional.

#### **8.4.1 EMERGENCY RESPONSE PLAN RECOMMENDATIONS**

- A. Update Loyalist Township's *Emergency Response Plan* to include reference to the ad-hoc or subcommittee role that the Loyalist Municipal Heritage Committee or qualified heritage professional may play in pre-disaster planning and post-disaster relief in cultural heritage conservation efforts;
- B. Update inventory of cultural heritage resources on an ongoing basis to ensure that decisions regarding known or recognized cultural heritage resources in the event of an emergency or disaster are made with full information.

#### **8.5 HERITAGE IMPACT STATEMENT**

*When considering development applications for properties which include elements designated under Part IV of the Ontario Heritage Act, or which are located wholly or in part within a Heritage Conservation District (designated under Part V of the Ontario Heritage Act), Council may require the preparation of a Heritage Impact Statement (Loyalist Township Official Plan, Section 5.5.1.J).*

*Council may, by bylaw, adopt terms of reference for Heritage Impact Statements (Loyalist Township Official Plan, Section 5.5.1.J).*

Loyalist Township's *Official Plan* contains policies to manage heritage attributes that contribute to the Village of Bath's cultural heritage. This includes Heritage Impact Statements, pursuant to Section 2.6.3 of the *Provincial Policy Statement*. A Heritage Impact Statement is a study to evaluate the potential impact on a cultural heritage resource of a proposed development or site alteration, and to recommend an overall approach for the conservation of the resource.

However, no terms of reference have been adopted by Council outlining the requirements of a Heritage Impact Statement for Loyalist Township.

No Heritage Impact Statements have been requested by the Planning and Building Department, however a few circumstances may have benefitted from the additional review provided in the Heritage Impact Statement process.

#### **8.5.1 HERITAGE IMPACT STATEMENT RECOMMENDATIONS**

- A. Adopt Terms of Reference for Heritage Impact Statements.

## 8.6 HERITAGE PERMIT

A Heritage Permit application process will be used to review development activities within the boundaries of the Heritage Conservation District. In some cases, a Heritage Permit and a Building Permit may be required for the same project. This process ensures that change is compatible, does not negatively impact heritage attributes, and respects existing contributing resources.

**Section 9** outlines the specific requirements of the Heritage Permit application process.

## 9. HERITAGE PERMIT

In accordance with section 42(1) of the *Ontario Heritage Act*, any substantial change within a Heritage Conservation District requires a Heritage Permit. A Heritage Permit is subject to the approval of Loyalist Township Council. The intent of this provision is to ensure that change is managed in a sympathetic and contextual manner that does not negatively impact significant cultural heritage resources, but complements and enhances the cultural heritage value of the Heritage Conservation District.

The *Ontario Heritage Act*, Section 42 states,

- (1) *No owner of property situated in a Heritage Conservation District that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:*
  1. *Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
  2. *Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.**2005, c.6, s.32 (1).*
- (2) *Despite subsection (1), the owner of a property situated in a designated Heritage Conservation District may, without obtaining a permit from the municipality, carry out such minor alterations or classes of alterations as are described in the Heritage Conservation District Plan in accordance with clause 41.1 (5) (e) to any part of the property in respect of which a permit would otherwise be required under subsection (1).* 2005, c.6, s.32 (1).

### **When considering an addition or alteration...**

- How will the proposed addition or alteration impact the overall cultural heritage value of the Heritage Conservation District?
- Does the proposed addition or alteration enhance or contribute to the cultural heritage value of the Heritage Conservation District, or does it somehow diminish the cultural heritage value?
- Will the proposed addition or alteration have a positive or negative impact on the heritage attributes of the contributing resource? What about the impact on adjacent properties?
- Are there ways to minimize any negative impact of the proposed addition or alteration?

A Heritage Permit application process will be used to review the development activities within the boundaries of the Heritage Conservation District. Major alterations and interventions may require the preparation of a Heritage Impact Statement.

## 9.1 APPLICABILITY

Each municipality in Ontario designating a Heritage Conservation District may identify their own classes of alterations subject to a Heritage Permit. These classes of alterations are outlined below in **Table 9.2: Heritage Permit Classes**.

In general, a Heritage Permit is required to:

- Alter a property designated under Part IV or Part V of the *Ontario Heritage Act*
- Demolish a property designated under Part IV or Part V of the *Ontario Heritage Act*
- Demolish a property listed on the Municipal Register

Conditions for approval may apply.

## 9.2 DELEGATED AUTHORITY

Sections 33(15) and 42(16) of the *Ontario Heritage Act* authorizes the Director of Planning & Development Services, or designate, to approve Heritage Permit applications that conform or comply with the identified classes of alterations subject to approval by delegated authority (see **Table 9.2: Heritage Permit Classes**). Delegated authority is granted for the approval of heritage permits compliant with a Heritage Conservation District's guidelines, including the authority to attach terms and conditions to applications. This authority does not and cannot include the right to refuse an application, approve an application for new construction, or consent to the demolition of a designated building.

## 9.3 TIMELINE

The approvals timeline for a Heritage Permit is often determined by complexity. Scale can significantly impact the timeframe. The Director of Planning & Development Services, or designate, may approve particular classes of alterations with delegated authority from Council. Major alterations or interventions require consultation with the Loyalist Township Heritage Committee, which generally meets the third Tuesday of every month. Each Heritage Permit application is assessed on a case-by-case basis, with varying requirements. Recommendations from the Loyalist Township Heritage Committee go to Loyalist Township Council for final approval. This process may take approximately six weeks.

Under the *Ontario Heritage Act*, Loyalist Township Council has ninety days to respond to a demolition or designation repeal request of a Part IV or Part V property upon the

submission of a complete application. Section 27.1 of the *Ontario Heritage Act* allows a property that has not been designated but that Loyalist Township Council believes to be of cultural heritage value or interest to be included on a Municipal Register of Properties of Cultural Heritage Value or Interest. The owner of a “listed” property shall not demolish or remove a building or structure on the property unless the property owner gives Loyalist Township Council at least 60 days notice in writing of the property owner’s intention to demolish or remove a building or structure.

#### **9.4 FEE**

There is no fee for a heritage permit. Fees do apply for projects requiring a Building Permit.

#### **9.5 HERITAGE PERMIT & BUILDING PERMIT**

A Heritage Permit does not replace the necessity of a Building Permit under the *Ontario Building Code*; in some circumstances a Building Permit and a Heritage Permit may be required. Loyalist Township requires that a Heritage Permit be secured prior to alteration, construction, or intervention. The Heritage Permit application ensures that alterations and interventions are compatible, does not negatively impact heritage attributes, and respects existing contributing resources.

In general, Heritage Permits are not required for interior alterations or minor repairs and maintenance. Interventions that impact heritage attributes or the main façade/streetscape are required to comply with the requirements of a Heritage Permit and the applicable guidelines.

Other approvals or permits may be required. These include, but are not limited to: zoning bylaw amendments or minor variances, Site Plan Control applications, and Building Permits.

#### **9.6 HERITAGE CONSERVATION EASEMENTS**

Individual properties subject to heritage conservation easement agreements are held to a higher standard. These properties may be subject to more stringent covenants regarding alterations or additions than non-easement properties. Some easement agreements may include interior heritage attributes, outside of the realm of a Heritage Permit. As a result, the conditions of an easement agreement supersede the Heritage Permit requirements of the Village of Bath Heritage Conservation District. Additional approval from the Ontario Heritage Trust, or other easement grantors, may be required.

## 9.7 CASE OF EMERGENCY OR CATASTROPHE

Extenuating circumstances requiring immediate or temporary repairs as the result of an emergency or catastrophe are uncommon but do occur. All reasonable efforts should be made to ensure that significant heritage attributes are not adversely impacted as the result of the immediate or temporary repairs and can be restored at a time when permanent repairs are possible.

It is recommended that provisions contained within Loyalist Township's *Emergency Response Plan* be revised to ensure that the Loyalist Township Heritage Committee and qualified heritage professionals make recommendations to Loyalist Township Council, or designate in the event of an emergency or catastrophe, regarding cultural heritage resources in the event of an emergency or catastrophe. As mandated by the *Ontario Heritage Act*, the demolition or removal of any structure on a property in the Village of Bath Heritage Conservation District requires consultation with Loyalist Municipal Heritage Committee (Section 42.1.4.1).

## 9.8 APPEALS

Property owners are able to object to or appeal the refusal of a heritage permit or conditions for approval for a property designated under the *Ontario Heritage Act* should a disagreement arise. Conflict can often be resolved in the pre-consultation stage with Loyalist Township Heritage Committee prior to the filing of a Heritage Permit application. Appeal bodies differ based on designation type (**Table 9.1: Heritage Permit Appeals**). A decision made by the Director of Planning & Development Services, or designate, with delegated authority can be appealed to Council. An appeal must be filed within thirty days after the receipt of Loyalist Township Council's decision. A decision of Loyalist Township Council, based on the recommendation of Loyalist Township Heritage Committee, may be appealed to the Conservation Review Board or the Ontario Municipal Board depending on the designation.

<b>Table 9.1: Heritage Permit Appeals</b>	
<b><u>Conservation Review Board</u></b>	<b><u>Ontario Municipal Board</u></b>
Part IV Heritage Permit Appeal	Part V Heritage Permit Appeal
Part IV Designation Repeal Appeals	Part V Designation Repeal Appeals
Part IV Demolition Permit Appeals	Part V Demolition Permit Appeals

The Conservation Review Board (CRB) is an adjudicative tribunal that hears disputes on matters relating to the protection of properties considered to hold cultural heritage value or interest to a municipality or to the Minister of Culture, as defined by the *Ontario Heritage Act*. The Conservation Review Board is an independent and quasi-judicial body that mediates and conducts a formal hearing process around issues such as objections to heritage designation, alterations to heritage properties, designation bylaw amendments and repeal, and archaeological licensing. The Conservation Review Board makes recommendations to the Council or the Minister of Culture, based on evidence it hears through a formal hearing process.

Properties designated under Part IV of the *Ontario Heritage Act* as individual properties may appeal the denial or approval with conditions of a Heritage Permit to the Conservation Review Board. The Conservation Review Board can recommend an outcome, however the final decision is referred to Council.

The Ontario Municipal Board is an independent administrative board, operated as an adjudicative tribunal. It hears appeals on municipal and planning disputes, including appeals under the *Planning Act*, the *Expropriations Act*, the *Ontario Heritage Act*, and the *Municipal Act*. The tribunal is governed by the *Ontario Municipal Board Act* and reports to the Ministry of the Attorney General.

A property designated pursuant to Part V of the *Ontario Heritage Act* in a Heritage Conservation District is governed by the policies of the Heritage Conservation District Plan, which establishes classes of alterations requiring or not requiring a Heritage Permit. The Ontario Municipal Board (OMB) hears appeals to the denial or approval with conditions of a Heritage Permit for a property in a Heritage Conservation District. The decision of the Ontario Municipal Board is binding and final. The Ontario Municipal Board also hears appeals to the refusal of the issuance of a demolition permit for a designated property.

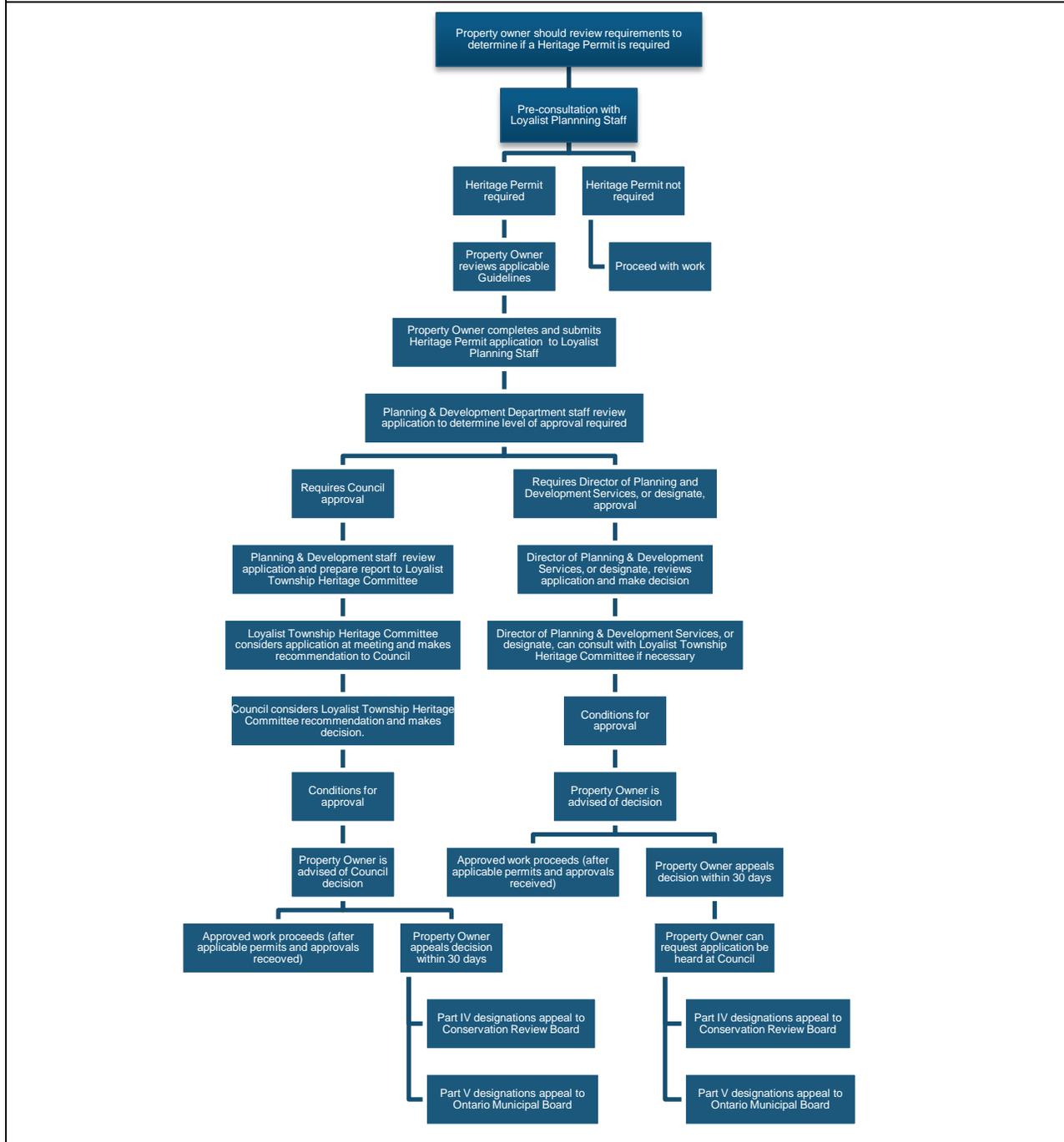
## **9.9 CONTRAVENTION OF THE ONTARIO HERITAGE ACT**

Illegal demolition in contravention of the *Ontario Heritage Act* is subject to a fine of up to \$1,000,000. Under Section 69.5.1, in addition to any other penalty, the council of the municipality or the Minister may restore the property as nearly as possible to its previous condition and may recover the cost of restoration from the property owner.

## **9.10 HERITAGE APPROVALS PROCESS**

This flow chart (**Figure 9.1: Heritage Permit Approval Flow Chart**) illustrates the typical process that a property owner should undertake to achieve approvals necessary to complete alterations on their property. A Heritage Permit may be approved with conditions.

**Figure 9.1: Heritage Permit Approval Flow Chart**



<b>Table 9.2: Heritage Permit Classes</b>		
<b>It is the goal of the Heritage Committee to ask owners to maintain and restore heritage features using original materials or approved substitutes.</b>		
<b>Type of Work</b>	<b>Heritage Permit Required</b>	
	<b>Property</b>	
	<b>Contributing Resource</b>	<b>Non-Contributing Resource</b>
<b><u>New or addition</u></b>		
Interior renovation	No	No
Erection of a new building or structure	Yes	Yes
Addition or major alteration visible from the street	Yes	Yes
Addition or major alteration not visible from the street	Yes	No
Demolition of an existing structure	Yes	Yes
Erection of small outbuilding not visible from the street and does not require a Building Permit	No	No
Structural interventions that affect external appearance	Yes	No
Removal of an existing structure to another location	Yes	Yes
<b><u>Windows</u></b>		
Repair of broken window panes to original specification	No	No
Window replacement, same material, size and design	No	No
Window replacement with different material, size or design	Yes	No
Window opening removal or addition, including skylights	Yes	No
Shutter replacement same design and colour	No	No
Shutter replacement with different design or colour	Yes	No
Shutter removal or addition	Yes	No
<b><u>Doors</u></b>		
Door replacement, same materials and design	No	No
Door replacement, not same or addition of storm door	Yes	No
Door opening addition or removal	Yes	No
<b><u>Painting</u></b>		
Exterior repainting in same colour	No	No
Exterior repainting in complementary colour	Yes	No
Exterior repainting in changed colour scheme	Yes	No
Painting previously unpainted masonry	Yes	No
<b><u>Roof</u></b>		
Re-roofing with same materials and colour	No	No
Re-roofing with different materials and/or colour	Yes	No
Alteration of roofline	Yes	No
<b><u>Porch/Verandah</u></b>		
Porch/verandah replacement with same	No	No

Porch/verandah replacement, removal, or addition	Yes	No
<b><u>Siding, Soffit &amp; Fascia and Trim</u></b>		
Soffit and/or fascia replacement with same materials	No	No
Soffit and/or fascia replacement with different materials	Yes	No
Replacement of siding or cladding with same material and colour	No	No
Removal or installation of cladding and siding or change to material or colour	Yes	No
Decorative trim replacement with same	No	No
Decorative trim removal, replacement with different or addition	Yes	No
<b><u>Other Exterior Changes</u></b>		
New or increased parking area (especially front yard)	Yes	Yes
Repaving of existing driveway without expansion of area same material	No	No
Repaving of existing driveway without expansion of area changed material	Yes	No
Major alteration visible from the street (satellite dish, mechanical equipment, etc.)	Yes	Yes
Chimney replacement same material and design	No	No
Chimney removal, replacement of different or addition	Yes	No
Changes to commercial signage <sup>32</sup>	Yes	Yes
Repair of eaves troughs with same	No	No
Addition of, or changes to eaves troughs	Yes	No
<b><u>Maintenance</u></b>		
Weatherproofing, including seasonal removal or replacement of storm windows and doors, caulking, and weather stripping	No	No
Routine landscape maintenance	No	No
Removal or alteration of significant landscape features	Yes	Yes
Masonry cleaning and repointing	Yes	No
Repair or replacement of exterior lighting with same	No	No
Installation of new exterior lights of appropriate heritage quality provided they are not affixed to and do not negatively impact any key heritage attributes	Yes	No

The above list is not intended to be all inclusive. If there is doubt as to the requirement for a heritage permit, please contact the Township office.

---

<sup>32</sup> Changes to commercial signage require approval of the Chief Building Official and Council, following the review of the application by Loyalist Township Heritage Committee (Bylaw 2002-2).

## 10. IMPLEMENTATION

### 10.1 LOYALIST TOWNSHIP

Loyalist Township is responsible for adopting the updated Village of Bath Heritage Conservation District Plan by bylaw. Registering designation on title of all properties within the Heritage Conservation District was not required under the previous *Ontario Heritage Act* (1974, as amended). However, the updated *Ontario Heritage Act* (2005) requires registration of all designations on property title.

Loyalist Township will also be responsible for amending the Official Plan and any bylaws that affect the Village of Bath Heritage Conservation District.

The Heritage Permit process is administered by Loyalist Township. This is the primary tool utilized to implement the goals and objectives of the Village of Bath Heritage Conservation District Plan. It provides Loyalist Township with the ability to ensure the long-term protection, conservation, and management of cultural heritage resources in the Village of Bath.

Wherever possible, planning and development staff should seek additional educational opportunities to gain knowledge and experience in heritage conservation-related matters.

Loyalist Township Council and staff, including building and property inspectors, should be educated to recognize the historical, architectural, and cultural values of the Village of Bath Heritage Conservation District and other recognized cultural heritage resources in Loyalist Township. Heritage designation does not freeze development or stop progress, it ensures that any changes do not negatively impact identified cultural heritage resources and conserves their values for the future generations.

Policy and land use decisions with the potential to impact the Village of Bath Heritage Conservation District should be guided by the statement of cultural heritage value, goals and objectives, and guidelines of the Village of Bath Heritage Conservation District Plan.

### 10.2 LOYALIST TOWNSHIP HERITAGE COMMITTEE

The Loyalist Township Heritage Committee is actively involved in the review of Heritage Permits, offering recommendations to Loyalist Township Council regarding approval or conditions for approval. With a wealth of knowledge and experience, Loyalist Township Heritage Committee members also actively pursue historical research leading to designation under the *Ontario Heritage Act*. In an effort to pursue efficiency, delegated authority for approvals should be considered.

Loyalist Township Heritage Committee should continue their role in education and promotion of cultural heritage in Loyalist Township.

### **10.3 HERITAGE INCENTIVES**

Heritage property owners are eligible for a Heritage Grant for the conservation or restoration of a property designated under Part IV or Part V of the *Ontario Heritage Act*. The grant amount is one half of eligible project costs to a maximum grant of \$5,000. A heritage property owner may apply to this program once annually.

The Loyalist Township Heritage Property Tax Refund Program (Bylaw 2012-054) was enacted to establish a program to financially assist heritage property owners for preservation, restoration, and maintenance of built heritage. Enabled by Section 365.2 of the *Municipal Act*, the program was established in 2012. Under the program, an eligible property may receive a 40% refund on annual property taxes. An application may be renewed for up to three years, after which a property owner may reapply for the program.

Other incentive programs, such as a Community Improvement Plan, should contain extra provisions for heritage-designated properties recognizing their contributions to our cultural heritage.

## 11. ARCHITECTURAL STYLES IN THE VILLAGE OF BATH

Architecture in the Village of Bath is uniquely dominated by vernacular wood-frame structures. Choice of building material was related partly to cultural origin, but also depended on economic and geographic factors.<sup>33</sup> Founded by refugees of the American Revolution, residents of the Village of Bath left behind vast amount of property and homesteads to resettle in British territory. First structures were rudimentary in nature, fulfilling the basic needs of shelter. While these structures were very plain and utilitarian, they established a sense of order and pragmatism critical to an understanding of Loyalist-era settlement. Second structures demonstrated more refined Classicism qualities, reminiscent of the homes that had been left behind. These proper Loyalist homes were often constructed with money granted in compensation for War of 1812 losses and expressed more mature architectural style and greater refinement.<sup>34</sup> Loyalists were eager to re-establish themselves in this new society, asserting their position and success through their homes.

As there were no known architects working in the Village of Bath, structures were constructed by builders and craftsman utilizing standard typologies, applying various finishes and details. Stylistic anachronisms, as the result of a colonial lag in taste, present uncharacteristic interpretations of popular styles in a vernacular manner. The Georgian style that was favoured by the United Empire Loyalists was already outdated in Europe by the time of their arrival in 1783 – 1784. The Loyalist style (circa 1783 – 1830) was formed out of interpretations of the Georgian style with regional influences and adaptations, but the Ernestown-Loyalist style maintained greater pragmatism and autonomy, as well as a strong demonstration of vernacular characteristics. The Village of Bath maintained a significant concentration of structures from its period of significance (1784 – 1864) that support its distinct character as an early-nineteenth century village in Eastern Ontario.

### 11.1 FORM AND MASSING

The way a building is seen from the street has an apparent impact on the relationship of adjacent buildings and properties. A building that is significantly smaller or larger than its neighbours sticks out for its differences rather than contributing to the cohesive character of the area. Variety is the spice of life, except when that variety can negatively impact a cohesive streetscape or unified feel to an area.

Buildings in the Village of Bath Heritage Conservation District are most typically single units and detached from adjacent structures. There is a suitable rhythm of the

---

<sup>33</sup> Kalman (1994), p.170.

<sup>34</sup> Macrae (1963), p.56.

streetscape that would be expected of an early nineteenth century rural village. Regular space between the houses supports this rhythm, as well as slight variation of front yard setback reflecting the context of the property. In general, structures are set close to the street with garage facilities to the rear of the property.

Residential dwellings in the Village of Bath are uniformly one, one-and-a-half, or two-storeys in height. Prominent heritage-designated structures are an exception; the steeples of Bath United Church (402 Academy Street) and St John's Anglican Church (212 Church Street) extend over the tree canopy and are visual landmarks from the distance. A low-scale and low-density character is pervasive throughout the Village of Bath, and in particular the Village of Bath Heritage Conservation District.

Early commercial structures in the Village of Bath were characterized by their double verandahs. Main Street was lined with similar structures. The E.D. Priest Store (426 Main Street) is the only remaining double verandah structure in the Village of Bath, and is located in the Village of Bath Heritage Conservation District.

## 11.2 ONTARIO COTTAGE

The Ontario Cottage is the most common vernacular expression in the Village of Bath. It is characterized as a one-and-a-half storey structure with principal gables on the end walls. Based in principles of rationalism and order, Ontario Cottages are symmetrically arranged and well balanced. Main façades are generally three or five-bays, with the central bay consisting of the main



The Peter Davy House (370 Academy Street, c.1811-1819) displays a Neo-Classical interpretation of the Ontario Cottage style through its attention to refined detailing, such as on the window and door surrounds.

entry door. A very common adaptation of the Ontario Cottage is the application of a secondary gable over the main entry door. This was both a utilitarian and functional addition, as it emphasized the symmetry of the building, allowed light to illuminate the

second storey and allowed for greater use of ornament. Ontario Cottages can also be characterized as variations on a theme, with many diffusions of this style.

A cottage is the common architectural term to refer to a single-storey residential structure. Two-storey residential structures are referred to as villas.

**Characteristics:**

- One-and-a-half storey construction
- Three or five-bay main façade
- Ordered façade
- Symmetry
- Generous amount of wall space relative to small window openings
- Side gables
- Wide eaves
- Flanking twin chimneys that punctuate the roof

**11.3 GEORGIAN**

The Georgian style occurred at an important point in English history. With a major shift in warfare and government, castles were no longer necessary for the aristocracy. Building grand palatial country houses became the standard. Drawing stylistic influences from the English Renaissance and Palladian Classicism, the Georgian style is based on order and symmetry. The style



The Fairfield White House (Amherstview, 1793) is recognized as one of the leading textbook examples of Georgian architecture in Upper Canada. It has been featured in Marion Macrae's *Ancestral Roofs* (1963) and Harold Kalman's *A History of Canadian Architecture* (1994).

was seen to demonstrate the romanticized qualities of the Renaissance, with contemporary comforts and fashions. While there is a very limited demonstration of the Georgian style from the namesake Hanoverian monarchs, the style was immensely

popular with the aristocracy and gentry of England, as well as the upwardly mobile middle class.

The United Empire Loyalists brought adaptations of the Georgian style to Upper Canada. Familiar with this style from their previous lives in the American colonies, it acted as a reminder of home. Although considered out of fashion, the style remained present in Loyalist settlements well into the nineteenth century. Ernestown examples of the Georgian style were significantly adapted to the climate on the north shore of Lake Ontario, as well as the limited resources of builders. The Upper Canadian Georgian style is often associated with people of taste and tradition, but limited resources.

**Characteristics:**

- Ordered façade
- Symmetry
- Formality
- Generous amount of wall space relative to small window openings
- Steep roof, side gable
- Wide eaves
- Flanking twin chimneys that punctuate the roof
- Classical elements: string course, modillion blocks
- Low and wide doorways
- Short rectangular transom, only over door
- Exception: later vernacular adaptations
- Twelve-over-twelve sash windows
- Painted floors (interior)
- Draws on English Renaissance influences and styles

#### **11.4 NEO-CLASSICAL**

After the Seven Years War (1756 – 1763), the American Revolution (1775 – 1783), the French Revolution (1789 – 1799), subsequent Napoleonic Wars (1803 – 1815) and the War of 1812 (1812 – 1814), Europe entered into a period of relative peace. The resurgence of the Grand Tour fostered a growing appreciation for the Classical architecture of Italian precedent. Discovery of the Ancient Roman city of Pompeii in 1748 ignited curiosity into authentic Classical style.<sup>35</sup> Patrons and architects searched for ancient sources of inspiration rather than Renaissance interpretations in the Georgian period. Robert Adams (1728 – 1792) was the foremost Neo-Classical architect in Britain, adapting Roman architectural orders, forms, and decorative motifs into a style palatable by the English aristocracy. During this period, pattern books

---

<sup>35</sup> Blumenson (1989), p.13.

became the key source for disseminating the newest styles and finishes. For example, Benjamin Asher's *The Country Builder's Assistant* (1798) was immensely popular in North America.

In Upper Canada, some of the finest demonstrations of the Neo-Classical style are located in Newark (Niagara-on-the-Lake), which was reconstructed after a War of 1812 raid and fire that destroyed the previous settlement.<sup>36</sup> Neo-Classical influences became more dominant on second-generation Loyalist homes, where more care and time was spent on finishes. A style more up-to-date with European standards was a clear demonstration of greater stature in an Upper Canadian community.



The Ham House (353 Main Street, c.1819), seen in a state of restoration (May 2012), is one of the best examples of the Neo-Classical style in Upper Canada. It was included in John Blumenson's *Ontario Architecture* (1989). Significant details include the pilasters and palmette molding in the entablature.

### Characteristics:

- Symmetry, order and formality of the Georgian period maintained
- Applied decoration
- Classical details: columns, pilasters, and moldings that appear thin in proportion, long, or attenuated, arcades, pilasters, and decorative friezes
- Radiating tracery bars in straight transom that extends beyond the horizontal confines of the door
- Wider entrances
- Domes or rotundas
- Quarter-round oculus and half-lunette windows, especially in gables or pediments
- Looks to Roman precedents

---

<sup>36</sup> Macrae (1963), p.33.

## 11.5 REGENCY

The Regency style takes its name from the Prince Regent, the future George IV of Britain (Regent 1811 – 1820, King 1820 – 1830). This style best characterized by the eccentric Brighton Pavilion (John Nash, 1815), which was influenced by Chinoiserie and Ottoman styles, as well as Egyptian and Indian colonial styles. It is playful, fanciful and romantic, and was not a serious style, providing a



The Dr Roderick Kennedy House (429 Main Street, 1855) is a vernacular interpretation of the Regency Cottage style. Of particular interest is the bell cast verandah roof with detailing and cladding finished to appear like ashlar cut stone. The shed dormer and enclosure of the verandah were later interventions.

direct contrast to the Georgian style. English officers brought the Regency style to Upper Canada after the War of 1812.<sup>37</sup>

Vernacular interpretations this style was popular in Upper Canada, and persisted well into the 1860s. The Gabriel Belfour House (395 Main Street, 1843) is an example of a Regency villa in the Village of Bath.

### Characteristics:

- Maintains symmetry of Georgian architecture
- Long verandahs extending the width of a structure with trellising
- One-storey hip roof cottages with a low profile and horizontal emphasis
- Two-storey gable roof villas
- Faux finishes; wooden cladding material often treated to appear as ashlar stone
- Voids, such as windows, dominate the façade in proportion
- Floor-to-ceiling windows/doors (French doors)
- Ground storey windows often exaggerated in size; second storey windows smaller in size
- Picturesque landscape setting, Romantic and playful

---

<sup>37</sup> Macramé (1963), p.69.

- Eclectic mixture of architectural influences
- Influenced by Chinoiserie, Ottoman, Indian, and Egyptian, or other Oriental, influences

## 11.6 CLASSICAL REVIVAL

While the Neo-Classical style looked to the Ancient Romans for architectural inspiration, the Classical Revival style sought influence from the Ancient Greeks. Instead of looking at ancient art through a Roman lens, eighteenth century artists and architects sought Ancient Greek originals as precedents. This prompted a more academic adherence to the Classical Orders, with Roman



The Town Hall (434 Main Street) was included in John Blumenson's *Ontario Architecture* (1989) for its demonstration of the Classical Revival style. This style was particularly appropriate for a local court house through its communication of democracy, by utilizing a revival of the architectural style used by the Ancient Greeks.

additions, including Tuscan, Doric, Ionic, Corinthian, and Composite orders. Appropriate expression of these orders depended largely on the skill and experience of the architect. The Classical Revival style was favoured for important civic and institutional buildings, as it was seen to demonstrate and articulate the qualities of Ancient Greece: democracy, philosophy, art, and literature.

### Characteristics:

- Symmetry and order
- Classical Orders; full, but often plain entablature
- More correct application of Classical Orders
- Classical elements: porticos, friezes, pediments, rustication, buildings set on plinths
- Temple-front structures
- Inspired architectural styles from Ancient Greece

## 11.7 GOTHIC REVIVAL

While the Neo-Classical and Classical Revivals looked back to Ancient Rome and Ancient Greece, the Gothic Revival style sought authority from English precedents of the tenth to sixteenth century.

Characterized as an authentic Christian style, the Gothic style was most clearly demonstrated in the Medieval cathedrals of England. A.W.N. Pugin's *The True Principles of Pointed*

*or Christian Architecture* (1841) argues that Classically influenced architectural styles promote Paganism, and only the Gothic style can lead to spiritual enlightenment. Anglican and other protestant churches constructed after the mid-nineteenth century favoured the Gothic style. In Ontario, early Gothic Revival buildings share similar characteristics with Georgian or Neoclassical styles, but are distinguished by detailing and ornament.

### Characteristics:

- Pointed arch or lancet windows
- Hood moldings with carved labels
- Vergeboard/bargeboard/gingerbread
- Trefoils and quatrefoils
- Dichromatic/polychromatic cladding materials
- Less-likely to demonstrate characteristics of symmetry
- Draws on 10<sup>th</sup> – 16<sup>th</sup> century English precedents



The Layer Cake Hall (193 Davy Street, 1859) is a unique Carpenter Gothic style structure including bargeboard, triple-arch entry, and board and batten cladding.

## 12. GUIDELINES

The goal of updating the Village of Bath Heritage Conservation District Plan is to ensure the long-term protection, conservation, and management of the attributes contributing to the cultural heritage value of the Village of Bath. It is not the purpose of this plan to freeze change or prohibit development. Rather, its intention is to encourage development that is sympathetic, subordinate, and contextual to heritage attributes contributing to the cultural heritage value of the Village of Bath Heritage Conservation District.

**Section 12:** Introduction and General Information.

**Section 13:** Guidelines for Additions and Alterations to Contributing Resources.

**Section 14:** Guidelines for Non-Contributing Resources.

**Section 15:** Guidelines for New Construction and Infill Development.

**Section 16:** Guidelines for Landscape, Streetscape, and Viewscape.

**Section 17:** Accessibility.

**Section 18:** Guidelines for Archaeological Sites.

**Section 19:** Guidelines for Demolition

### 12.1 INTRODUCTION

These Guidelines were produced with the intention of assisting Loyalist Township to manage change within the Village of Bath Heritage Conservation District. In addition to the objective of updating the Village of Bath as a Heritage Conservation District Plan under Part V of the *Ontario Heritage Act*, they are intended to ensure the long-term protection, conservation and management of attributes contributing to the cultural heritage values.

The Village of Bath Heritage Conservation District is comprised of a mixture of residential, commercial and institutional properties; a mixture that characterizes the Village of Bath. Boundaries were established in the 1982 designation of the Heritage Conservation District, arising out of the *Red Book* (1976) inventory. There have been limited alterations to properties since designation of the Heritage Conservation District maintaining a high degree of integrity to the built fabric. To ensure the longevity of significant heritage attributes, these Guidelines rely on contextualism and a long-term perspective on conservation. This is achieved by looking at individual structures, their neighbours, and the area as a whole to assess how to best conserve existing heritage resources and how new elements can fit into the heritage character of the area. New features should be sympathetic, subordinate, and distinguishable from historic

elements. Repair is preferred over replacement, thus maintaining the record of historic material.

Interventions should be based in documentary evidence. Archival research, historic photographs, and physical evidence should be used to demonstrate the appropriateness and contextualism of interventions that may have an impact on the cultural heritage value or heritage attributes of a property. Previous inappropriate interventions cannot be used as justification for future inappropriate interventions.

By encouraging compatibility in alterations and new development, the visual coherence of the Village of Bath can be maintained as a significant cultural heritage resource for future generations. Locally recognized as an area of special interest, the Village of Bath represents a concentration of architecturally significant buildings. These buildings demonstrate a sense of visual coherence through character-defining massing and proportions to display a sense of time reflective of the Village of Bath's history. Conservation of these elements of our cultural heritage benefits the quality of life for everyone.

## 12.2 SOURCES

The following sources were consulted in the preparation of these Guidelines and should be considered to resolve any un-addressed conservation issues:

- ICOMOS International (1964, 1996) *Venice Charter*
- ICOMOS Australia (1981, 1999) *Burra Charter for the Conservation of Places of Cultural Significance*
- ICOMOS Canada (1983) *Appleton Charter for the Protection and Enhancement of the Built Environment*
- Mark Fram (2003) *Well Preserved: the Ontario Heritage Foundation's Manual of Principles and Practices for Architectural Conservation*, Ontario Heritage Trust
- Ontario Ministry of Culture (2007) *Eight Guiding Principles in the Conservation of Built Heritage Properties*
- Parks Canada (2011) *Standards and Guidelines for the Conservation of Historic Places in Canada*.

## 12.3 THE CONSERVATION APPROACH

The requirements of property maintenance are cyclical. Seasonal and annual cycles of care are not unique to heritage properties, but are common amongst all properties. Because of their cultural heritage value, heritage properties require more considerate, but equally regular, maintenance and stewardship. By keeping a building in serviceable condition that respects its heritage attributes, the high cost of major conservation work can be avoided.

Conservation includes all of the actions or processes aimed at safeguarding heritage attributes, retaining heritage value, and extending the physical life of a heritage resource. It takes an approach that is flexible and able to respond to the unique circumstance of a heritage property to ensure that alterations and interventions are suitable and contextually appropriate. There are three primary conservation techniques that can be applied: preservation, restoration, and rehabilitation. A combination of preservation, rehabilitation, and restoration may be required for long-term conservation.

**Preservation:** the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting its heritage value.

**Rehabilitation:** the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component while protecting its heritage value.

**Restoration:** the action or process of accurately revealing, recovering or representing the state of an historic place, or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

## 12.4 GUIDELINES FOR HERITAGE INTERVENTIONS

The conservation process is based on a three-phase approach: understanding, planning, and intervention. Conducting interventions that are based on thorough knowledge and planning can meet the goal of long-term conservation and management.

### 1. Understanding

- Understand cultural heritage value and heritage attributes;
- Refer to Municipal Register or other listing to understand ascribed cultural heritage values and identify heritage attributes if a property;
- Augment existing research with site investigation, as well as archival and oral research where possible;
- Assess the property's relationship to adjacent properties, the streetscape, and the overall Heritage Conservation District; and
- Investigate and document conditions and changes.

### 2. Planning

- Maintain or determine a suitable and sympathetic use for the property;
- Identify the needs of current or proposed users, as well as conformity to municipal requirements;
- Determine the most appropriate conservation treatment;
- Review the applicable standards and guidelines, etc.:

- Parks Canada (2011) *Standards and Guidelines for the Conservation of Historic Places in Canada*;
- Mark Fram (2003) *Well Preserved*; and
- *Village of Bath Heritage Conservation District Plan* for example;
- Review the proposed alteration or intervention with the Planning and Development Department to determine if a heritage permit is required;
- Review the proposed alteration or intervention with a heritage contractor to determine the scope of work, including budget and schedule. Revise as required:
  - Protection and stabilizing;
  - Routine maintenance;
  - Cleaning; and
  - Reconstruction.
- If required, submit an application for a Heritage Permit; and
- Make a Conservation Plan.

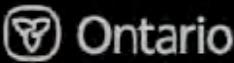
### 3. Intervention

- Undertake project work outlined in Conservation Plan; and
- Continue to carry out regular maintenance.

#### **When considering an addition or alteration...**

- How will the proposed addition or alteration impact the overall cultural heritage value of the Heritage Conservation District?
- Does the proposed addition or alteration enhance or contribute to the cultural heritage value of the Heritage Conservation District, or does it somehow diminish the cultural heritage value?
- Will the proposed addition or alteration have a positive or negative impact on the heritage attributes of the contributing resource? What about the impact on adjacent properties?
- Are there ways to minimize any negative impact of the proposed addition or alteration?

## 12.5 MINISTRY OF CULTURE, *EIGHT GUIDING PRINCIPLES IN THE CONSERVATION OF BUILT HERITAGE PROPERTIES* (2007)

• **InfoSheet** • 



### Eight Guiding Principles in the Conservation of Built Heritage Properties

The following guiding principles are ministry statements in the conservation of built heritage properties and are based on international charters which have been established over the century. These principles provide the basis for all decisions concerning good practice in heritage conservation around the world. Principles explain the "why" of every conservation activity and apply to all heritage properties and their surroundings.

- 1. RESPECT FOR DOCUMENTARY EVIDENCE:**  
**Do not base restoration on conjecture.**  
Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.
- 2. RESPECT FOR THE ORIGINAL LOCATION:**  
**Do not move buildings unless there is no other means to save them.**  
Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.
- 3. RESPECT FOR HISTORIC MATERIAL:**  
**Repair/conservé - rather than replace building materials and finishes, except where absolutely necessary.**  
Minimal intervention maintains the heritage content of the built resource.
- 4. RESPECT FOR ORIGINAL FABRIC:**  
**Repair with like materials.**  
Repair to return the resource to its prior condition, without altering its integrity.
- 5. RESPECT FOR THE BUILDING'S HISTORY:**  
**Do not restore to one period at the expense of another period.**  
Do not destroy later additions to a building or structure solely to restore to a single time period.
- 6. REVERSIBILITY:**  
**Alterations should be able to be returned to original conditions. This conserves earlier building design and technique.**  
e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.
- 7. LEGIBILITY:**  
**New work should be distinguishable from old.**  
Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.
- 8. MAINTENANCE:**  
**With continuous care, future restoration will not be necessary.**  
With regular upkeep, major conservation projects and their high costs can be avoided.

For more information, please call the Ministry of Culture at (416) 212-0644 or Toll Free at 1-866-454-0049 or refer to the website at [www.culture.gov.on.ca](http://www.culture.gov.on.ca).

Spring 2007

*Disponible en français*

The information contained in this InfoSheet should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter.

© Queen's Printer for Ontario, 2007.  
If credit is given and Crown copyright is acknowledged, this material may be reproduced for non-commercial purposes.

## 12.6 PARKS CANADA, *GENERAL STANDARDS FOR PRESERVATION, REHABILITATION AND RESTORATION* (2011)

### THE STANDARDS

#### **General Standards for Preservation, Rehabilitation and Restoration**

- 1.** Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
- 2.** Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
- 3.** Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
- 4.** Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
- 5.** Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
- 6.** Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
- 7.** Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
- 8.** Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
- 9.** Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

---

### **Additional Standards Relating to Rehabilitation**

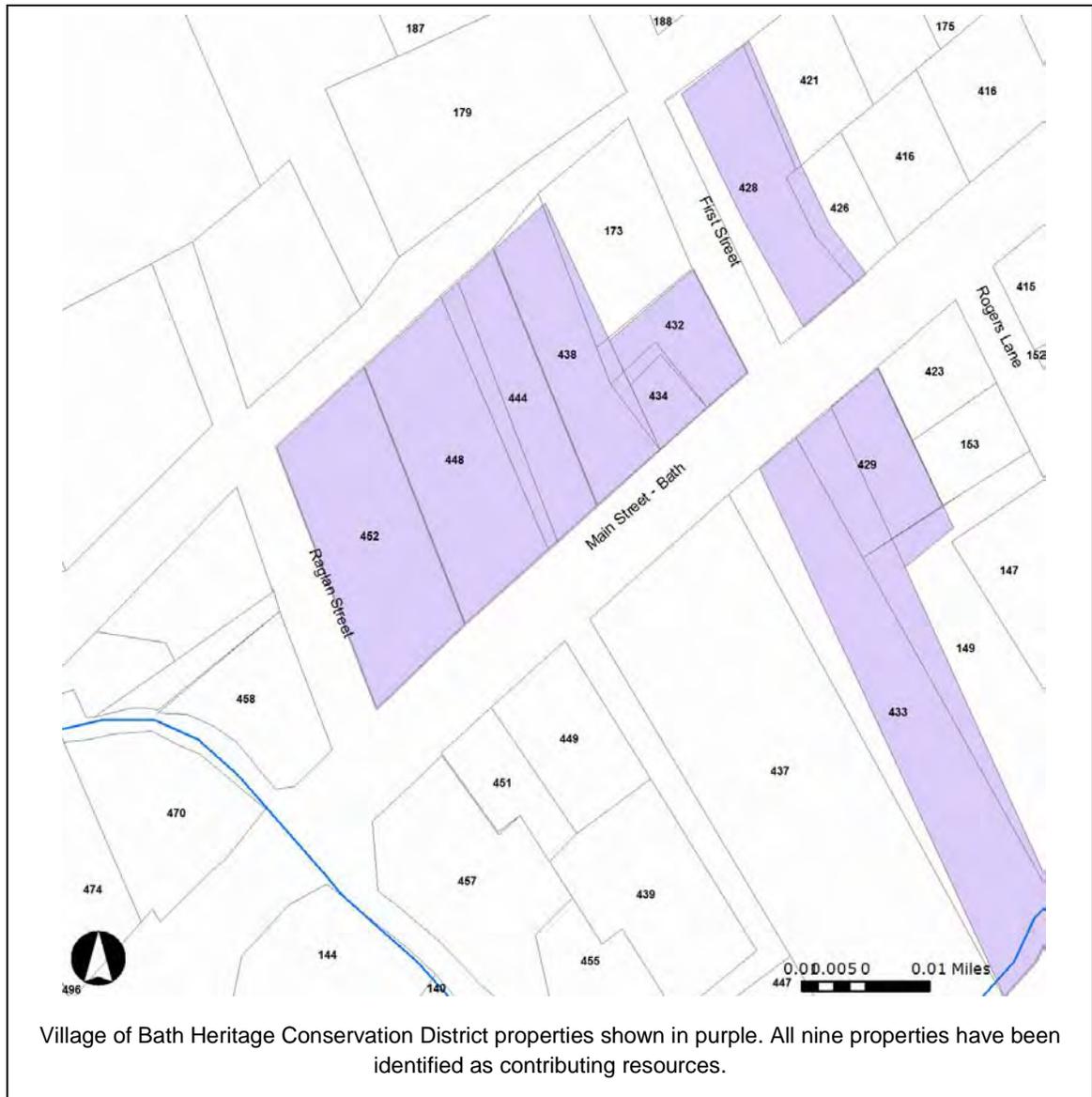
- 10.** Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
- 11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12.** Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

### **Additional Standards Relating to Restoration**

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

### 13. GUIDELINES FOR ADDITIONS AND ALTERATIONS TO CONTRIBUTING RESOURCES

All nine properties in the Village of Bath Heritage Conservation District have been identified as contributing resources.



Change is an evitable process and can range in scale from small impact to very large impact. Impact can be positive or negative in outcome. These guidelines should be used for the purpose of change management. Ensuring that change occurs in a manner that is sympathetic and contextual is essential to conserving the cultural heritage value of contributing heritage attributes.

Contributing resources are those resources that are seen to support or define the identified heritage character of the Heritage Conservation District. All of the properties within the Village of Bath Heritage Conservation District have been identified as contributing resources to its heritage character.

When considering an addition or alteration to a contributing resource, a property owner should reflect on:

- How will the proposed addition or alteration impact the overall cultural heritage value of the Heritage Conservation District?
- Does the proposed addition or alteration enhance or contribute to the cultural heritage value of the Heritage Conservation District, or does it somehow diminish the cultural heritage value?
- Will the proposed addition or alteration have a positive or negative impact on the heritage attributes of the contributing resource? What about the impact on adjacent properties?
- Are there ways to minimize any negative impact of the proposed addition or alteration?

The Heritage Permit process helps to manage change and to ensure compatibility. For more information on the Heritage Permit process, refer to **Section 9: Heritage Permits**.

### **13.1 GUIDELINES FOR ADDITIONS AND ALTERATIONS TO CONTRIBUTING RESOURCES**

The primary goal of the Village of Bath Heritage Conservation District is to ensure the long-term protection, conservation, and management of cultural heritage resources in the Village of Bath, including buildings, landscapes, and historical associations, as well as their contributions. These guidelines are aimed to manage change in the form of additions and alterations to contributing resources.

### **13.2 CONTEXTUALISM**

Contextualism is a very important element in understanding the relationship between contributing resources in the Village of Bath Heritage Conservation District. By drawing on references from adjacent structures, a cohesive feel can be maintained.

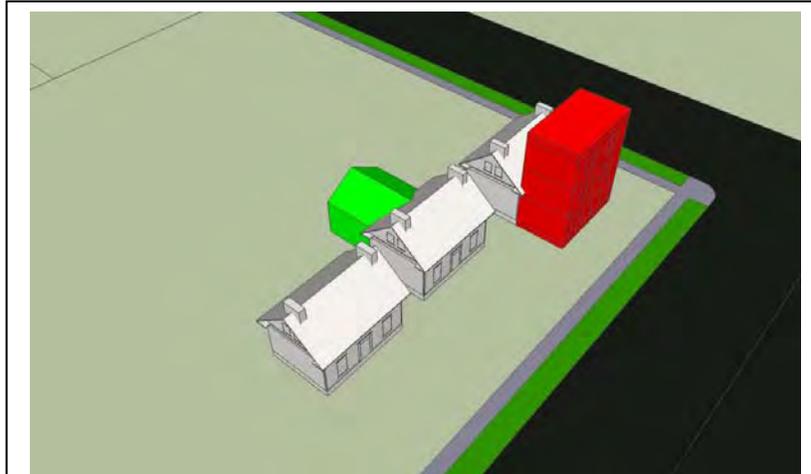
Three key principles of contextualism are critical to the successful application of an addition or alteration to a contributing resource. An addition or alteration should be:

- Sympathetic to contributions of existing heritage resources;

- Subordinate to respect the massing and scale of existing heritage resources; and
- Distinguishable from old or existing heritage resources.

### 13.3 MASSING, SCALE, SETBACK, & PROPORTION

Additions and alterations to a contributing resource may become necessary or desired by the property owner. Careful consideration of the heritage attributes that contribute to the cultural heritage value of the heritage resources is essential to ensuring no adverse impacts are felt as a result of the addition or alteration.



The addition shown in green is appropriate in scale and massing. It is setback to clearly articulate the secondary nature of the structure. The addition shown in red is out of context and negatively impacts the massing and scale of the existing contributing heritage resource. It is out of proportion and would negatively impact adjacent contributing resources.

All structures have a sense of scale and massing. This can be seen in directional emphasis, relationship of solid to void, and height. This should remain consistent in the addition. For example, the spacing and proportion of windows across a façade that contains both the existing structure and new addition should remain consistent in a visible, but distinct, manner.

The nature of well-designed additions should remain secondary in scale and massing when compared to the existing structure. It should not overwhelm or dominate the existing structure, but work in concert. Most often, the rear of an existing structure is the most suitable location for an addition. Modesty is a key characteristic to maintain respect for a contributing resource.

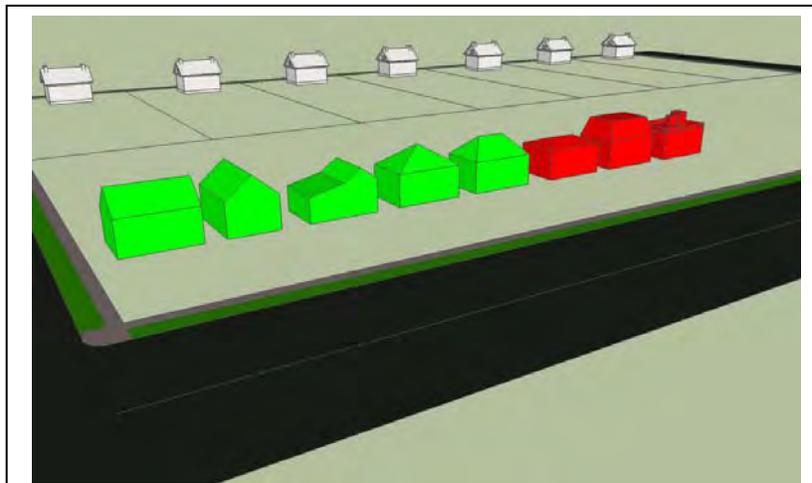
To achieve a secondary nature, an addition should not be greater in scale than the existing contributing heritage resource. Instead, an additional setback should be utilized to articulate difference between new and old structures. This setback also helps to achieve a secondary nature in the roofline, ensuring the peaks of the new structure do not supersede that of the existing structure.

### Guidelines

1. Additions should not negatively impact heritage attributes of contributing heritage resources;
2. Additions should reflect the scale and massing of existing heritage resources through elements such as window placement, for example; and
3. Additions should remain secondary in nature to the existing structure, through the use of an additional setback, for example.

## 13.4 ROOF & ROOF MATERIALS

Similar to the structure, the roof of an addition should remain secondary in nature to the roof of the existing heritage resource. The style of roof of the addition should remain consistent in pitch and scale with the existing structure. The conservation of heritage roofs and roof details is encouraged. Interventions, such as restoration, should be based on



Appropriate roofing styles include (shown in green): end-gable, gable, saltbox, pyramidal, and hipped.  
Inappropriate roofing styles include (shown in red): low-pitched hip roof, Mansard roof, and flat roof or rooftop patio.

documentary or physical evidence using historically appropriate materials and methods.

Roofs should be clad in the same material as the existing structure. For example, if the existing structure is clad in black asphalt shingles, the new addition should be clad in the same black asphalt shingles. Recladding an existing roof in the same material does not require a Heritage Permit; only when a change of material occurs is a Heritage Permit required (see **Section 9**).

An exception to this guideline would be a roofing material that has been identified as a heritage attribute, such as patterned metal tiles. In this case, the patterned metal tiles will be conserved. It is preferred that the roof of the new addition be clad in the same material, although it may not be possible to obtain historically accurate materials. As an alternative, the new addition should be clad in a sympathetic material. The sympathetic

material should not attempt to replicate the heritage material in a faux manner, but respect its heritage character. The two roofs should be distinguishable in material, but maintain consistent pitch and scale. No intervention should negatively impact a heritage attribute.

Dormers are addressed in **Section 12.7.5**.

### Guidelines

1. The conservation of heritage roofs and roof details is encouraged;
2. New roofs, like additions, should remain secondary in nature to the existing heritage resource;
3. Roofs of an addition should remain consistent with the roof of the existing structure in pitch and scale;
4. Wherever possible roofing material should be consistent between existing structures and additions; and
5. Roofs clad in a heritage attribute material, such as patterned metal tiles, will be conserved. Additions should be clad in the same material, if possible. Alternatively, a sympathetic material could be used but the two roofs should remain distinguishable in material but consistent in pitch and scale.

## 13.5 DORMER

Dormers are a historically appropriate method to increase light into the attic storey of a structure. Some of the earliest interventions to structures in the Village of Bath included the addition of dormers. Many Ontario Cottages were constructed with the anticipation of adding a central gable dormer later as the family's needs required. There are many examples of good and bad dormers on structures.

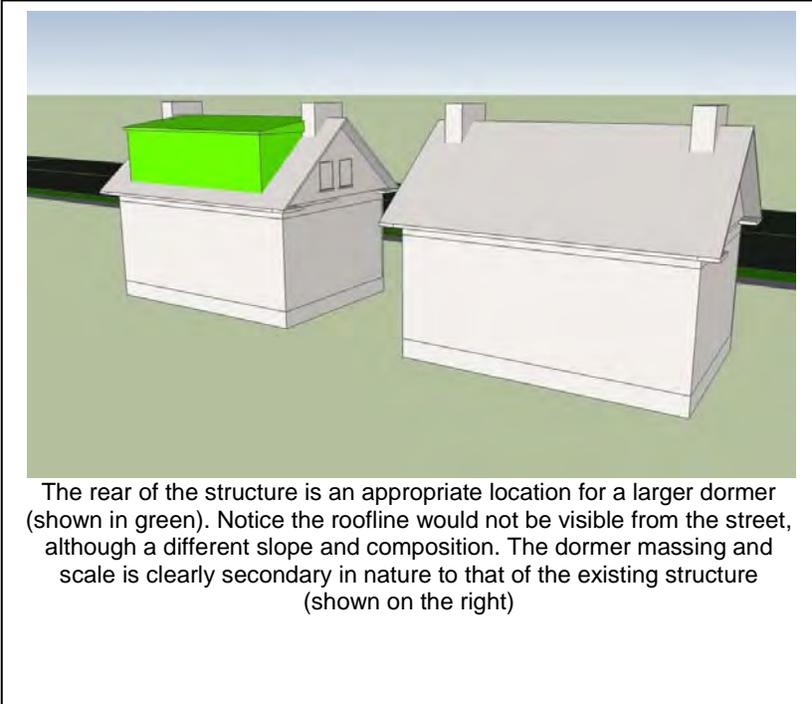


The green dormer is the most suitable addition as it is contextual to the house. It maintains a secondary nature and emphasizes the symmetry of the house.

The yellow dormer is an okay example. It may be based on historic precedent but its massing impacts the existing contributing resource.

The red dormer is inappropriate. It is out of context with the house structure—oversized windows, hipped roof, and interrupts the symmetry of the three-bay façade.

A good dormer is contextual and maintains an aesthetically pleasing relationship with the existing structure; it relies on appropriate proportions. A good dormer maintains a secondary nature in relation to scale and proportion, as well as to the windows of the main storey. A bad dormer does not respect the scale, massing, proportion, or hierarchy of the existing structure and stands out in a negative way.



Gable dormers are the most common type of dormer in the Village of Bath, owing to the prevalence of end-gable roofs. Some early twentieth century dormers utilize a shed style roof with suitable success. Overly ornate dormers, such as those typical of the Italianate style, would be considered too elaborate and out of context with the Village of Bath. Double dormers should be avoided. A larger dormer would be most suitably located in an area that is not visible from the street, but in a more private location such as the rear slope of a structure.

### Guidelines

1. Dormers are historically appropriate in the Village of Bath;
2. Dormers should reflect the hierarchy of windows on the structure;
3. Principles of symmetry should be maintained in the placement of dormers on a façade;
4. Dormer windows should be an appropriate scale to the size of the dormer and in relationship with the overall roof and accompanying windows below;
5. Gable dormers are the most common and most appropriate style of dormer in the Village of Bath;
6. Dormer windows should be of the same type, style, and quality as main storey windows, but of reduced size and glazing pattern to fit an appropriate scale;
7. Dormers should be of an appropriate size and scale. Dormers should not overwhelm the façade and should be subordinate and secondary in nature; and
8. The style of dormer should reflect the style of the existing heritage resource.

### 13.6 WINDOWS

Windows can be significant heritage attributes that contribute to the cultural heritage value of a heritage resource. They are of critical importance to conserving the integrity of a heritage resource. Windows are considered the “eyes of the house” and are among its most significant visual features.

Windows should be placed in an orderly manner on the façade of a structure.

Symmetry should be emphasized, both laterally and vertically. Windows should not be placed too low or too high on a façade to not crowd the façade. In a rare circumstance, an asymmetrical arrangement may be appropriate based on the typology of the structure; however, an abstract arrangement of windows is inappropriate.

Twelve-over-twelve and six-over-six are two of the most common glazing patterns for heritage windows in the Village of Bath. They are characteristic of an earlier period, typically before 1850. As larger pieces of glass became more available in the later nineteenth century, two-over-two or one-over-one glazing patterns became more common.

Muntin bars are the framing members used to hold panes within a window. The use of real muntin bars is essential to establishing a heritage-look for windows.

Windows are typically double hung sash windows. There are some examples of awning hinged dormer windows or plate glass windows in commercial buildings. In general, windows are typically twice as tall as their width (2:1 ratio of length to width).

Overly ornate windows, such as Palladian or Serliano windows may be appropriate only in important, landmark buildings. Contextualism is an important factor in



Heritage-quality windows are integral to the cultural heritage value of many heritage resources. On the right, heritage-quality windows have been conserved. On the left, windows have been replaced, with a significant impact on the physical or design values of the heritage resource.

determining the appropriateness of decorative features. Similarly, bay windows are uncommon and would be more appropriate on the rear façade of a structure. Keystones and voussoirs are less common in the Village of Bath; Classical elements, such as a cornice or entablature detail above a window would be considered very appropriate. Simplicity is essential to maintaining the historic character of the Village of Bath.

Storm windows can be successfully utilized for energy conservation. When adding a storm window to the external face of a window, the glazing pattern of the storm window should match the glazing pattern of the fixed window with true muntin bars. Internal storm windows should either match the glazing pattern of the fixed window or should have no divisions at all.

Skylights can be very useful in bring light into an area where a dormer may not be appropriate. Skylights should be employed in areas not visible from the street. Flush-mounted skylights are the preferred application, as opposed to bubble-style skylights.

Windows located in an addition should be of the same size, type, and quality to those of the existing structure, particularly when visible from the street.

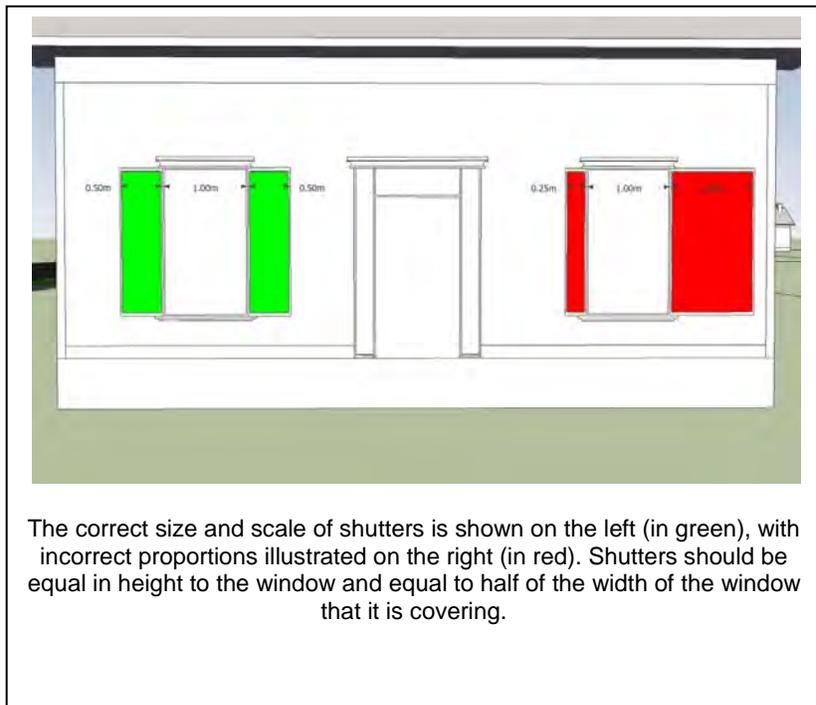
### **Guidelines**

1. The replacement of existing wooden windows with vinyl or aluminum windows shall not be permitted. The replacement of heritage wooden windows with modern wooden windows of the same size, glazing pattern, and type will be permitted if existing wooden windows have deteriorated beyond reasonable conservation efforts;
2. Wooden flashing and trim shall be conserved;
3. The replacement of existing vinyl or aluminum windows shall be permitted. Wooden windows are the preferred option for replacement;
4. Vinyl and aluminum windows are strongly discouraged;
5. Windows in new locations or previously non-existing windows shall be consistent with existing window size, type, and quality of existing windows. Wooden windows and frames are preferred;
6. Windows should be arranged symmetrically, both laterally and vertically;
7. Windows should not be placed too high or too low on the façade;
8. Abstract arrangement of windows is inappropriate;
9. Priority should be given to windows visible from the street when considering an addition or alteration;
10. All windows should have sills, either slipsills or lugsills of an appropriate material, most commonly wood;

11. Classical detailing, such as a cornice or pilaster frame, is preferred over elements such as keystones or voussoirs. Precedence should be sought from existing heritage resources;
12. Faux divided lights, such as those with snap-in muntin bars, are inappropriate;
13. Horizontal sliding windows are not appropriate; double hung sash windows are suitable;
14. Window style should be consistent and appropriate with the style of the building;
15. Accent windows, such as a stained glass window or a window with decorative panels, should be consistent with the style of the building, based on historic precedence, and of suitable character to the Village of Bath;
16. Wooden storm windows should be of the same glazing pattern as fixed windows with true muntin bars, or no glazing at all (internal storm windows only);
17. Skylights should not be visible from the street and should be of a flat application; and
18. Windows located in an addition should be of the same size, type, and quality to those of the existing structure.

### 13.7 SHUTTERS

Shutters are movable screens that are made of wood. Traditionally, shutters were used to screen windows from sunlight or inclement weather. Louvered shutters are the most common type of shutter, which are attached to the frame of the window. Some shutters had tiebacks, which were affixed to the structure to keep shutters from flapping in the wind.



Today, shutters primarily function as ornamental and decorative features. In order to authentically represent their intended purpose, shutters should be equal to one-half of the width and equal in height to the window it is designed to cover.

### Guidelines

1. The conservation of shutters in the Village of Bath is encouraged.
2. Shutter should be equal to one-half of the width and equal in height to the window it is designed to cover;
3. Shutters should be attached to the frame, not the wall, in order to appear functional. Shutter hardware, such as tiebacks, are encouraged; and
4. Louvered shutters are the most common form in the Village of Bath.

### 13.8 DOORS

Doors are significant features that are often key heritage attributes.

Traditionally, the door was the visual anchor of the main façade. This importance is often articulated through applied decoration and ornament, transom and sidelights, as well as the application of coloured paint.

The main entry door of a structure should be located on its principle façade,

typically facing the most major street. This traditional function should be maintained in any alteration or intervention. Heritage doors, typically constructed of wood, should be conserved. Overly glazed doors are not appropriate.

### Guidelines

1. The removal of an existing door will not be permitted unless it is found to be historically inaccurate and replaced with a more accurate feature;
2. Greater latitude for accessibility renovations should be given provided interventions do not negatively impact heritage attributes;
3. The main access door should be located on the main façade of a building facing the most major street;
4. The door should be centered on the façade in a traditional manner;



The main entry door of the Reeves Brothers House (452 Main Street) has been identified as a heritage attribute because of its physical or design value.

5. A solid wooden paneled door is the preferred option;
6. An appropriate style of door should be selected to be consistent with the style of the building;
7. A simple house should have a simple door with a simple frame; and
8. Symmetrical application of ornament is essential.

### 13.9 FOUNDATION

Foundations in the Village of Bath were historically constructed of rubble stone. Other materials or finishes include coursed or dressed stone, and rusticated stone. Concrete gradually replaced rubble stone as the preferred material for foundations.

Undressed stone foundations add a historic texture to a structure; often a useful tool to identify an early structure.



Oversized foundations are out of context with the Village of Bath (shown in red). A more modestly sized foundation (shown in green) is more contextually appropriate with heritage structures.

Foundations are typically low in the Village of Bath. Some structures are only one step up into the main structure, whereas others have three to six steps leading into the house. Excessively raised basements are not characteristic of historic structures.

The foundation of an addition should be consistent with that of the existing structure. An aesthetically sympathetic construction material should be used.

#### Guidelines

1. The foundation of an addition should be consistent with that of the existing structure and should utilize an aesthetically sympathetic construction material;
2. Basement windows are better accommodated by window wells rather than increased basement height in terms of achieving harmony in proportion between heritage and non-heritage structures; and

3. Rubble stone foundations are preferred, but not mandatory. Plantings can be used to screen modern poured concrete foundations.

### 13.10 CLADDING MATERIALS

The Village of Bath is characterized by the proliferation of early vernacular wood clad structures. Due to historic and economic circumstances, in a period where other towns and villages were replacing wooden structures with brick, the Village of Bath was maintaining early building stock. This is a significant heritage attribute of the cultural heritage value of the Village of



Rehabilitation and restoration work on the Ham House (353 Main Street) is able to identify historic construction methods, as well as articulating the importance of quality materials and craftsmanship

Bath. In particular, all of the buildings in the Village of Bath Heritage Conservation District are frame structures that were originally wooden clad. Subsequent renovations have resulted in roughcast or plaster on the Reeve Brothers House (452 Main Street), as well as aluminum or vinyl siding on other properties.

With few exceptions, cladding is laid in a horizontal pattern, terminating in endboards. Clapboard, tongue and groove, and flushboard were all common. Board was typically between 10-15cm (4-6"). New construction should be clad in material laid in this form. Board and batten was present in the Village of Bath, but more common on out buildings. The Layer Cake Hall (193 Davy Street) is a major exception, where board and batten is a heritage attribute of the Carpenter Gothic style.

Brick was rarely used in the Village of Bath. Churches were brick structures that are presently covered in stucco. The Anglican Rectory (361 Academy Street) and the Bath Academy (352 Academy Street) are the primary historic brick structure in the Village of Bath. Fires destroyed a few brick structures along Main Street in 1901 and 1942. Brick, however, was used for chimneys where red brick was the rule.

In the Village of Bath, stone was rarely used. Unlike neighbouring Kingston, stone structures are very uncommon. The W.H. Davy Store (369 Main Street) is the only remaining stone structure in the Village of Bath; another stone structure was destroyed in the 1942 fire. As such, it is locally recognized as an important landmark building, appropriate considering the structure functioned as a bank for most of its history.

Stone is an appropriate material for foundations, however a structure clad in limestone should be of local significance, acting as a landmark for the community. Faux stone or culture stone products are inappropriate; all materials should be applied in an authentic manner.

Quoining is the practice of reinforcing the corners of a structure and is most commonly used in stone or brick structures. This was rarely utilized in the Village of Bath. The Fairfield-Gutzeit House (341 Main Street) is the best example of quoining. However, it was used as applied ornament as the structure is wooden. Quoining should only be rarely employed.

The cladding material of an addition should be consistent with the cladding of the existing structure.

#### **Guidelines**

1. Cladding materials for additions should be consistent with the cladding of the existing structure where possible. Where wooden siding is utilized on the existing structure, wooden siding should be used on the addition;
2. Vinyl and aluminum siding are not preferred and should be avoided where possible. Wooden clapboard or flushboard is preferred;
3. Faux stone or cultured stone products are not appropriate;
4. Only important landmark structures should be constructed of stone, where local limestone is preferred;
5. If brick is utilized, it should be of historic quality and size, and should use traditional mortar colours, profile and texture. Wooden elements should be utilized to break-up the massing of a brick structure, such as a porch to soften the façade; and
6. Decorative brick patterns, such as polychromatic detailing, has no historical precedent in the Village of Bath and would be considered inappropriate. Wooden decorative elements are more suitable.

### **13.11 DECORATIVE TRIM & DETAILS**

Details in the Village of Bath are primarily wooden. Decorative trim and details of new constructions should similarly use wood as the principle material to conform to historic precedent. Wooden decorative trim and details offer a quality that is not replicated in

vinyl or other plastic materials. With continued maintenance, wooden elements can last much longer than plastics.

Classical elements are most commonly utilized as decoration in the Village of Bath. These elements can include: cornice detailing, stringcourses, entablature, and pilasters.

### **Guidelines**

1. Existing decorative elements shall be conserved;
2. Decorative elements on an addition or alteration should be consistent with the existing structure; and
3. Wooden decorative elements are preferred over vinyl or other plastic material decorative elements.

## **13.12 PORCHES AND VERANDAHS**

Porches and verandahs are semi-enclosed space attached to a structure to provide shelter. Porches are small in area, whereas verandahs extend across the entire length of the façade.

Porches and verandahs significantly contribute to the heritage character of a structure and are generally included as heritage attributes of a property. As a result, conservation of porches and verandahs is of critical importance.

Many have changed and been adapted over time, but those changes have been made with sympathy and contextualism and have acquired their own cultural heritage value. The aim of this guideline is to ensure that any changes to porches or verandahs are made with good intentions and do not negatively impact the cultural heritage value of the heritage resource.



The double verandah of the E.D. Priest Store (428 Main Street) is characteristic of commercial structures in the Village of Bath. The verandah extends the length of the main façade and features suitable wooden detailing, typical of the commercial Regency style.

Porches and verandahs are constructed out of wood. As a result, they naturally deteriorate over time. Water is the major culprit of damage. Quality is a significant factor in the conservation of wooden elements; only good quality materials and craftsmanship should be used. This quality should be maintained when considering any intervention to a porch or verandah structure.

Maintenance and repair of a porch or verandah is preferred to replacement because it maintains a historic record of materials.

### **Guidelines**

1. Maintenance and repair of existing porches and verandahs is preferred over replacement;
2. Porches and verandahs should be constructed of wood;
3. Quality materials, craftsmanship, and design are essential to porch or verandah construction; and
4. Historic precedence should be sought from existing or adjacent structure when designing a porch or verandah for a new construction. This may include archival research or historic photographs although these may not depict original porches or verandahs.

## **13.13 UTILITIES AND SERVICES**

Utilities and service equipment, such as water meters, should be placed in areas that are not visually obtrusive. Side or rear façades are more appropriate.

### **Guidelines**

1. Service equipment, such as dryer vents, heat vents, furnace and exhaust vents, gas fireplace exhausts, and

kitchen exhausts should not be placed on the main façade; side or rear facades are more appropriate;



The placement of utility meters on the Church Street façade of 195 Church Street negatively detracts from its cultural heritage value. The utility meters clutter building, interrupting the symmetry of the façade. The rear of the building would be a more appropriate location for utility meters.

2. Heat pumps, transformers, and air conditioning units should not be located in front of the building, but should be located in a discrete and screened area;
3. Window mounted air conditioning units should not be installed on the main façade of a structure. Alterations to heritage attribute windows will not be permitted to accommodate modern services such as air conditioning units; and
4. Utility meters should be located in discrete areas, not on the main façade of a structure; rear or recessed side façades are more appropriate. Utility meters may be required to be moved at the cost of the utilities provider if inappropriately placed on designated structures.

## 14. GUIDELINES FOR NON-CONTRIBUTING RESOURCES

Within the Village of Bath Heritage Conservation District, there are no non-contributing resources. Guidelines for non-contributing resources have been included within this Plan to encourage property owners to be conscientious of the cultural heritage values that surround them regardless of heritage designation.

Change and evolution have not halted development in the Village of Bath. As a result, there are a variety of qualities of resources. Some are of exceptional heritage quality, justifying designation under the *Ontario Heritage Act*, whereas others may not demonstrate qualities that contribute to an understanding or appreciation of cultural heritage value. The latter of the two have been identified as non-contributing resources.

A non-contributing resource is a resource that does not support or define the identified heritage character of the Heritage Conservation District. Non-contributing resources are subject to less stringent requirements than contributing resources. This primarily includes the provision that when a non-contributing resource is demolished, the replacement structure is subject to the guidelines for new construction and infill development.

Age alone is not the sole determining factor between contributing and non-contributing resources. While older resources, such as an early 19<sup>th</sup> century home, meet more of the criteria to identify a contributing resource, which is not the sole qualifying factor. A modern house could contribute to the cultural heritage value of the Heritage Conservation District if it were sympathetic and contextual to surrounding properties.

For non-contributing resources, there are three common outcomes: replacement, alteration, and addition. Resources that are replaced, meaning demolished and a new structure erected, would be subject to **Section 15: Guidelines for New Construction and Infill Development**. Within the realm of alterations and additions, it is the aim of this Plan to encourage “historical complementary” development.

“Historical complementary” emphasizes utilizing the design principles that are used to characterize the historic qualities of heritage buildings. These design principles include: symmetry, use of wood cladding, gable roofs, heritage quality windows with true divided lights, and traditional relationship of solids and voids of the main façade. Features that support the “historical complementary” include twin brick chimneys, finishes, and porches. These principles and features can be emulated without resorting to historicism or fauxism. Poor copies of existing heritage resources and pastiches should be discouraged.

When in doubt, refer to the design features of the existing non-contributing resource and consider what would be appropriate and what would support the cultural heritage value of the Village of Bath.

#### **14.1 HISTORICAL COMPLEMENTARY GUIDELINES**

1. Additions and alterations to non-contributing resources should utilize the design vocabulary of the existing heritage resources where appropriate;
  - a. Some Modern buildings should emphasize complementary and harmonious qualities rather than attempt to replicate heritage designs
2. Maintain a shallow and generally uniform setback;
3. Massing should be between one and two-storeys;
4. Separate garages accessed by side driveways are preferred; garages should not protrude the front façade; front yard parking is not permitted; and
5. Principles of symmetry use of wood cladding, gable roofs, heritage quality windows, and a traditional relationship of solids and voids on the main façade should be exercised where possible.

## 15. GUIDELINES FOR NEW CONSTRUCTION AND INFILL DEVELOPMENT

The primary goal of the Village of Bath Heritage Conservation District is to ensure the long-term protection, conservation, and management of cultural heritage resources in the Village of Bath, including buildings, landscapes, and historical associations, as well as their contributions. These guidelines are aimed to manage change in a contextual and sympathetic manner.



134 Rogers Lane was constructed in 2005. It maintains massing, proportions, and a scale that is suitable to the Village of Bath. This property could be described as historical complementary and a suitable prototype for new construction in the Village of Bath.

There are no vacant lots in the Village of Bath Heritage Conservation District. The inclusion of these guidelines is in anticipation of potential future expansion of the Village of Bath Heritage Conservation District or a second Heritage Conservation District.

### 15.1 CONTEXTUALISM

Contextualism is a very important element in understanding the relationship between contributing resources in the Village of Bath Heritage Conservation District. By drawing on references from adjacent structures, a cohesive feel can be maintained.

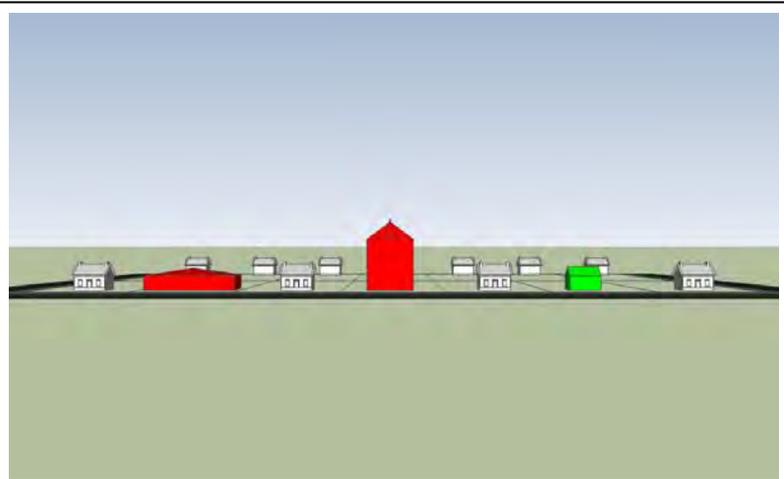
Three key principles of contextualism are critical to the successful application of an addition or alteration to a contributing resource. An addition or alteration should be:

- **Sympathetic** to contributions of existing heritage resources;
- **Subordinate** to respect the massing and scale of existing heritage resources; and
- **Distinguishable** from old or existing heritage resources.

As a regional centre that grew during an era of lake-based transportation, the Village of Bath's significance is rooted in the first half of the nineteenth century. Changing circumstances in the 1850s and 1860s impacted the trajectory of the Village of Bath, shifting it to a local service centre. In an era when towns and villages across the province were replacing wooden structures with brick structure, the Village of Bath did not. Instead, buildings were adapted and renovated to suit the needs of owners and new uses. Stylistically, the Village of Bath is dominated by structures dating from the period of significance (1784 to 1864). The tradition of wooden structures has been maintained to the present in the Village of Bath, contributing to the heritage character of the village.

## 15.2 MASSING

The building stock in the Village of Bath is of traditional massing, one to two-storey in height. Vertical orientation provides variation within the general theme, creating a landmark. For example, the steeples of the Bath United Church (402 Academy Street) or St John's Anglican Church (212 Church Street) are the most vertical elements located in the Village of Bath and contribute to the streetscape/landscape of the area.



The two red buildings are inappropriate in massing: one too horizontal, the other too vertical. The green building is more appropriate, drawing influence from adjacent heritage structures (uncoloured).

Directional emphasis should be neither too horizontal nor too vertical in orientation. As a general rule, new construction should blend into the existing environment, rather than stand out or overwhelm the Heritage Conservation District.

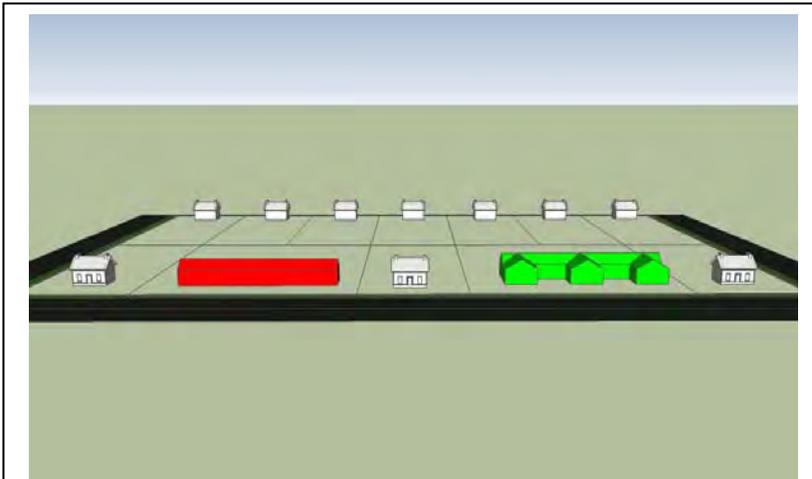
### Guidelines

1. New construction should reflect the typical massing of adjacent properties and surrounding streetscape;

2. New construction should be between one and two-storey in height; where one-and-a-half storey is preferred; and
3. Massing should reflect traditional qualities, rather than being too horizontal or too vertical in nature.

### 15.3 SCALE

Continuity of scale is an important feature of the Heritage Conservation District. While not entirely uniform, the scale of the Village of Bath contributes to an understanding of its evolution. The first structures that were constructed were small and simple. These were replaced by more ornate, but still simplistic, structures some of which endure to today.



When a larger building is desired for a property within the Heritage Conservation District, efforts should be taken to ensure that the scale is within the context of the area. The red building does not consider this. The green building emphasizes the regular rhythm of the streetscape. By breaking up the façade into smaller elements, the structure does not have a massive or overbearing sense and is more palatable to the streetscape.

These early structures were established in an era before automobile transportation. Their rhythm contributes to the walkability of the old Village of Bath, emphasizing the strong community feel of the Heritage Conservation District.

#### Guidelines

1. New development should fit in with the rhythm, alignment, and spacing of the existing streetscape; and
2. The façade of a proposed large structure should be broken up to better articulate the regular rhythm of the existing streetscape.

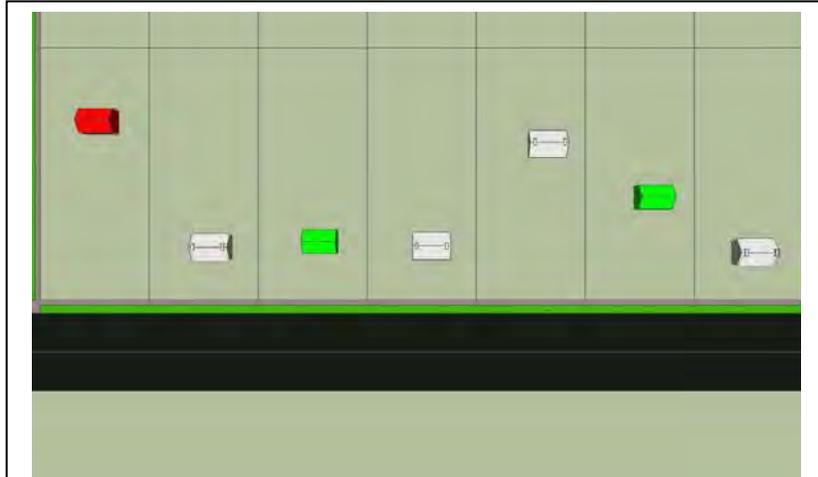
### 15.4 SETBACK

Although setback varies within the Village of Bath Heritage Conservation District, it can be generally stated that setbacks in the historic village are closer to the street than that of new suburban developments. Being set close to the street is an important contributing attribute of the Village of Bath Heritage Conservation District. The closer

into the village core, the shorter the setbacks become with some properties at the sidewalk.

**Guidelines**

1. New constructions should be brought to the front of the lot and should respect the overall setback pattern of the streetscape in which it is



The setback of a new construction should be brought to the front of the lot (left green building) to be inline with adjacent heritage resources, rather than placed towards to the rear of the property as the red building is placed.  
 In the situation where two heritage resources are of different setback, the new construction should average the difference (illustrated in the green building on the right).

- situated. Should this not conform to requirements for front yard setback, appropriate zoning bylaw variances should be sought;
2. Where there is a difference in front yard setbacks in the case of an infill construction, the new construction should average the difference between the two differing setbacks;

3. New constructions should be oriented with their main façade towards the principle street;

4. Parking should not be located at the front of a new construction, but should be located at the rear of the structure, screened from the streetscape; and

5. Ancillary structures,



The proportion of solids and voids is significant to the reading of a structure. The building on the left (shown in green) has appropriately sized windows in relation to the wall space and door. The building on the right (shown in red) has oversized windows that dwarf the door and overwhelm the building's façade.

such as garages, should be located towards the rear of the property and should not form part of the front façade.

## 15.5 PROPORTIONS

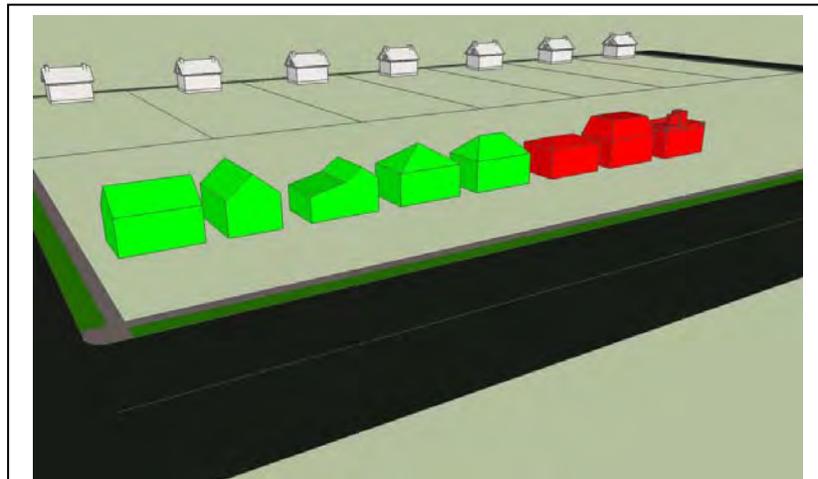
The relationship between solids and voids in the façade of a structure is essential to maintaining a traditional feel. The proportion of window space to wall space should be approximately 15-20% of the total wall coverage.

### Guidelines

1. New construction should maintain the traditional ratio of 15 to 20% of window to wall coverage. Greater or smaller ratios should be avoided.

## 15.6 ROOF

Based on the typology of the Ontario Cottage, the majority of structures in the Village of Bath utilize the gable roof. The gable end is most commonly oriented parallel to the street, i.e. the gable end does not face the street. Pitch, in general, is medium (about 6/12); neither shallow nor steep. Some early structures have steeply pitched roofs, which is entirely appropriate.



Appropriate roofing styles include (shown in green): end-gable, gable, saltbox, pyramidal, and hipped.  
Inappropriate roofing styles include (shown in red): low-pitched hip roof, Mansard roof, and flat roof or rooftop patio.

There is limited expression of the saltbox style or hipped roof style. The Mansard style, flat roofs, roofs with overly low or massively steep pitches and rooftop patios would be inappropriate. Clay tiles and large sheets of corrugated steel are not suitable.

Historically, most roofs in the Village of Bath were clad in shingles or shakes. A shingle is sawn on both sides, whereas a shake is typically split on one or both sides. Over the history of some structures, patterned metal roofs have been applied. Where evidence

exists, these roofs should be restored. In the larger context, suitably coloured asphalt shingles are suitable. Clay tiles are not appropriate and large sheets of corrugated steel are not encouraged.

### Guidelines

1. Roof design should draw references from existing structures in the Village of Bath. The end gable roof is most appropriate;
2. Overhang should be appropriate to the architectural style of the structure;
3. Rooftop mechanical equipment should be placed in an area that is not visible from the public realm;
4. Details, such as eave returns, can be used to articulate architectural style on an otherwise “plain” house; and
5. Wood shingles are the preferred roof cladding material, but where historical evidence and documentation so indicates patterned metal roofs would be very appropriate. In the larger context, asphalt shingles of sympathetic colour are also suitable.

## 15.7 CHIMNEY

With buildings constructed in an era that relied on wood or coal fireplaces, the Village of Bath is filled with chimneys. While none are overly ornate or built of complex materials, they contribute to an understanding of the former ways of life in Loyalist Township. Today, the cultural heritage value of the Village of Bath Heritage Conservation District is supported by the conservation of chimneys.

Chimneys were typically single stack, red brick chimneys located at both ends of the gable roof. In general, chimneys extend from the interior of the structure, rather than visibly outside of the structure of the building.

A chimney on a new construction is a useful element to emphasize traditional



Chimneys are useful elements in breaking up a large roof. In the illustration, the green chimneys emphasize the symmetry of the house. The house without chimneys somehow looks unfinished.

elements to help make the new construction compatible with the heritage character of the area. Chimneys are also useful in breaking up the massing of a large roof, and bringing it to a more appropriate scale.

### Guidelines

1. Chimneys are an important feature in the Village of Bath Heritage Conservation District and are encouraged in new construction; and
2. Chimney design should draw on references from adjacent heritage structures.

## 15.8 DORMER

Dormers are a historically appropriate method to increase light into the attic storey of a structure. Some of the earliest interventions to structures in the Village of Bath included the addition of dormers. Many Ontario Cottages were constructed with the anticipation of adding a central gable dormer later as the family's needs required. Despite their popularity, there are many examples of good and bad dormers on structures.



The green dormer is the most suitable addition as it is contextual to the house. It maintains a secondary nature and emphasizes the symmetry of the house.

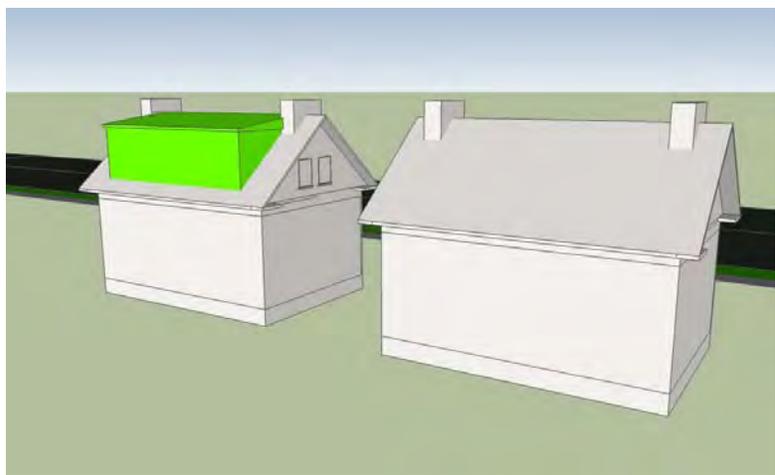
The yellow dormer is an okay example. It may be based on historic precedent but its massing impacts the existing contributing resource.

The red dormer is inappropriate. It is out of context with the house structure—oversized windows, hipped roof, and interrupts the symmetry of the three-bay façade.

A good dormer is contextual and maintains an aesthetically pleasing relationship with the existing structure; it relies on appropriate proportions. A good dormer maintains a secondary nature in relation to scale and proportion, as well as to the windows of the main storey. A bad dormer does not respect the scale, massing, proportion, or hierarchy of the existing structure and stands out in a negative way.

Gable dormers are the most common type of dormer in the Village of Bath, owing to the prevalence of end-gable roofs. Some early twentieth century dormers utilize a shed style roof with suitable success. Overly ornate dormers, such as those typical of the

Italianate style, would be considered too elaborate and out of context with the Village of Bath. Double dormers should be avoided. A larger dormer would be most suitably located in an area that is not visible from the street, but in a more private location such as the rear slope of a structure.



The rear of the structure is an appropriate location for a larger dormer (shown in green). Notice the roofline would not be visible from the street, although a different slope and composition. The dormer massing and scale is clearly secondary in nature to that of the existing structure (shown on the right)

**Guidelines**

1. Dormers are a historically appropriate in the Village of Bath;
2. Dormers should reflect the hierarchy of windows on the structure;
3. Principles of symmetry should be maintained in the placement of dormers on a façade;
4. Dormer windows should be of an appropriate scale to the size of the dormer and in relationship with the overall roof and accompanying windows below;
5. Dormer windows should be of the same type, style, and quality as main storey windows, but of reduced size and glazing pattern to fit an appropriate scale;
6. Dormers should be of an appropriate size and scale. Dormers should not overwhelm the façade and should be subordinate and secondary in nature; and
7. The style of dormer should reflect the style of the new construction and be contextual to adjacent heritage resources.

**15.9 WINDOWS**

Windows can be significant heritage attributes that contribute to the cultural heritage value of a heritage resource. They are of critical importance to conserving the integrity of a heritage resource. Windows are considered the “eyes of the house” and are among its most significant visual features.

Windows should be placed in an orderly manner on the façade of a structure.

Symmetry should be emphasized, both laterally and vertically. Windows should not be placed too low or too high on a façade to not crowd the façade. In a rare circumstance, an asymmetrical arrangement may be appropriate based on the typology of the structure; however,

an abstract arrangement of windows is inappropriate.



Heritage-quality windows are integral to the cultural heritage value of many heritage resources. On the right, heritage-quality windows have been conserved. On the left, windows have been replaced, with a significant impact on the physical or design values of the heritage resource.

Twelve-over-twelve and six-over-six are two of the most common glazing patterns for heritage windows in the Village of Bath. They are characteristic of an earlier period, typically before 1850. As larger pieces of glass became more available in the later nineteenth century, two-over-two or one-over-one glazing patterns became more common.

Muntin bars are the framing members used to hold panes within a window. The use of real muntin bars is essential to establishing a heritage-look for windows.

Windows are typically double hung sash windows. There are some examples of awning hinged dormer windows or plate glass windows in commercial buildings. In general, windows are typically twice as tall as their width (2:1 ratio of length to width).

Overly ornate windows, such as Palladian or Serliano window may be appropriate only in important, landmark buildings. Contextualism is an important factor in determining the appropriateness of decorative features. Similarly, bay windows are uncommon and would be more appropriate on the rear façade of a structure. Keystones and voussoirs are less common in the Village of Bath; Classical elements, such as a cornice or

entablature detail above a window would be considered very appropriate. Simplicity is essential to remain contextual with the Village of Bath Heritage Conservation District.

Storm windows can be successfully utilized for energy conservation. When adding a storm window to the external face of a window, the glazing pattern of the storm window should match the glazing pattern of the fixed window with true muntin bars. Internal storm windows should either match the glazing pattern of the fixed window or should have no divisions at all.

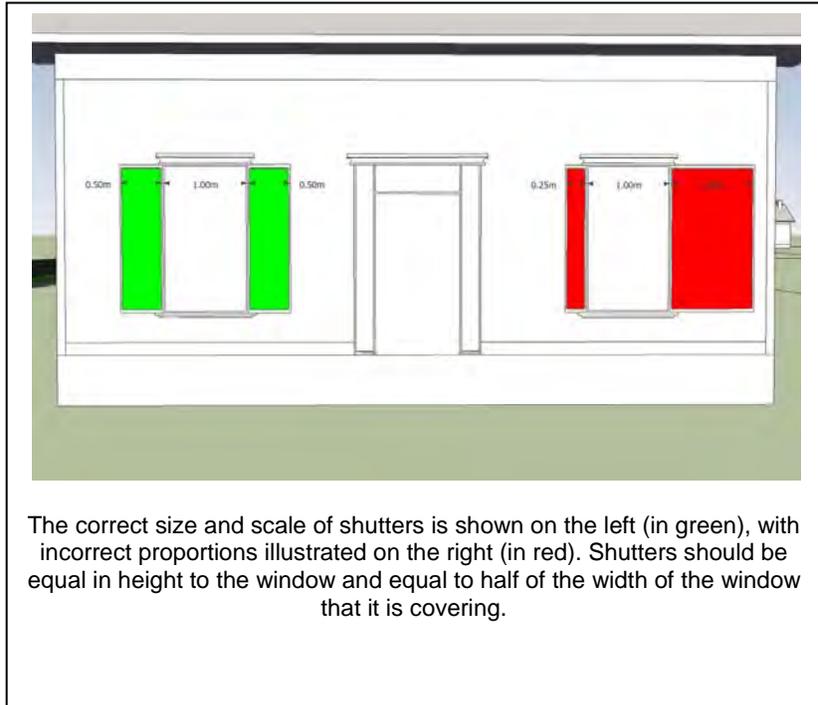
Skylights can be very useful in bring light into an area where a dormer may not be appropriate. Skylights should be employed in areas not visible from the street. Flush-mounted skylights are the preferred application, as opposed to bubble-style skylights.

### **Guidelines**

1. Wooden windows are preferred;
2. Wooden window frames, flashing, and trim are preferred;
3. Windows should be arranged symmetrically, both laterally and vertically;
4. Windows should not be placed too high or too low on the façade;
5. Abstract arrangement of windows is inappropriate;
6. Windows on new constructions should be sympathetic with the windows of adjacent heritage resources;
7. All windows should have sills, either slipsills or lugsills;
8. Classical detailing, such as a cornice or pilaster frame, is preferred over elements such as keystones or voussoirs. Precedence should be sought from existing heritage resources;
9. Priority should be given to the street façade of a new construction when considering window style, arrangement and placement;
10. Faux divided lights, such as those with snap-in muntin bars, are not suitable;
11. Vinyl and aluminum windows are discouraged;
12. Horizontal sliding windows are not appropriate; double hung sash windows are the preferred option;
13. Window style should be consistent and appropriate with the style of the building;
14. Accent windows, such as a stained glass window or a window with decorative panels, should be consistent with the style of the building, based on historic evidence, and of suitable character to the Village of Bath;
15. Wooden storm windows should be of the same glazing pattern as fixed windows with true muntin bars, or no glazing at all (for internal storm windows); and
16. Skylights should not be visible from the street and should be of a flat application.

## 15.10 SHUTTERS

Shutters are movable screens that are made of wood. Traditionally they were used to screen windows from sunlight or inclement weather. Louvered shutters are the most common type of shutter, which are attached to the frame of the window. Some shutters had tiebacks, which were affixed to the structure to keep shutters from flapping in the wind.



The correct size and scale of shutters is shown on the left (in green), with incorrect proportions illustrated on the right (in red). Shutters should be equal in height to the window and equal to half of the width of the window that it is covering.

Shutters primarily function as ornamental and decorative features today. In order to authentically represent their intended purpose, shutters should be equal to one-half of the width and equal in height to the window it is design to cover.

### Guidelines

1. Shutter should be equal to one-half of the width and equal in height to the window it is design to cover;
2. Shutters should be attached to the frame, not the wall, in order to appear functional. Shutter hardware, such as tiebacks, are encouraged;
3. Louvered shutters are the most common form in the Village of Bath; and
4. The use of shutters for new construction in the Village of Bath is encouraged.

## 15.11 DOORS

Doors are significant features that are often key heritage attributes. Traditionally, the door was the visual anchor of the main façade. This importance is often articulated through applied decoration and ornament, transom and sidelights, as well as the application of coloured paint.

In a new construction the main access door should be located on the main façade of a building facing the street. It should be centered on the façade in a traditional manner. Detailing of the door surround should be consistent with the style of the building, as well as the style of the door; an ornate house deserved an ornate door with ornate

framing; a simple house deserved a simple door with a simple surround. Asymmetrical door ornamentation is not a feature historically present in the Village of Bath, such as a single sidelight; symmetrical application of ornament is essential.

### Guidelines

1. The main access door should be located on the main façade of a building facing the street;
2. The door should be centered on the façade in a traditional manner;
3. A solid wooden paneled door is the preferred option;
4. An appropriate style of door should be selected to be consistent with the style of the building;
5. A simple house should have a simple door with a simple frame; and
6. Symmetrical application of ornament is essential.

## 15.12 FOUNDATION

Foundations in the Village of Bath were historically constructed of rubble stone. Other materials or finishes include coursed or dressed stone, and rusticated stone. Concrete gradually replaced rubble stone as the preferred material for foundations. Undressed stone foundations add a historic texture to a structure; often a useful tool to identify an early structure.



Oversized foundations are out of context with the Village of Bath (shown in red). A more modestly sized foundation (shown in green) is more contextually appropriate with heritage structures.

Foundations are typically low in the Village of Bath. Some structures are only one step up into the main structure, whereas others have three to six steps leading into the house. Excessively raised basements are not characteristic of historic structures.

### Guidelines

1. The foundation of a new construction should be comparable in visible height above ground level to that of adjacent heritage resources;
2. Basement windows are better accommodated by window wells rather than increased basement height in terms of achieving harmony in proportion of heritage and non-heritage structures; and
3. Rubble stone foundations are preferred, but not mandatory. Plantings can be used to screen modern poured concrete foundations.

### 15.13 CLADDING MATERIALS

The Village of Bath is characterized by the proliferation of early vernacular wood clad structures. Due to historic and economic circumstances, in a period where other towns and villages were replacing wooden structures with brick, the Village of Bath was maintaining early building stock. This is a significant heritage attribute of the cultural heritage value of the Village of Bath. In



Restoration work on the Ham House (353 Main Street) is able to identify historic construction methods, as well as articulating the importance of quality materials and craftsmanship

particular, all of the buildings in the Village of Bath Heritage Conservation District are frame structures that were originally wooden clad. Subsequent renovations have resulted in roughcast or plaster on the Reeve Brothers House (452 Main Street), as well as aluminum or vinyl siding on other properties.

With few exceptions, cladding is laid in a horizontal pattern, terminating in endboards. Clapboard, tongue and groove, and flushboard were all common. Board was typically between 10-15cm (4-6"). New construction should be clad in material laid in this form. Board and batten was present in the Village of Bath, but more common on out buildings. The Layer Cake Hall (193 Davy Street) is a major exception, where board and batten is a heritage attribute of the Carpenter Gothic style.

Brick was rarely used in the Village of Bath. Churches were brick structures that are presently covered in stucco. The Anglican Rectory (361 Academy Street) and the Bath Academy (352 Academy Street) are the primary historic brick structure in the Village of

Bath, constructed in 1898. Fires destroyed a few brick structures along Main Street in 1901 and 1942. Brick, however, was used for chimneys where red brick was the rule.

In the Village of Bath, stone was rarely used. Unlike neighbouring Kingston, stone structures are very uncommon. The W.H. Davy Store (369 Main Street) is the only remaining stone structure in the Village of Bath; another stone structure was destroyed in the 1942 fire. As such, it is locally recognized as an important landmark building, appropriate considering the structure functioned as a bank for most of its history.

Stone is an appropriate material for foundations, however a structure clad in limestone should be of local significance, acting as a landmark for the community. Faux stone or culture stone products are inappropriate; all materials should be applied in an authentic manner.

Quoining is the practice of reinforcing the corners of a structure most commonly used in stone or brick structures. This was rarely utilized in the Village of Bath. The Fairfield-Gutzeit House (341 Main Street) is the best example of quoining. However, it was used as an applied ornament as the structure is wooden. Quoining should only be rarely employed.

#### **Guidelines**

1. Materials selected for new construction should reflect the heritage character of the Village of Bath. Adjacent heritage resources should be considered for inspiration for appropriate cladding materials and finishes;
2. Vinyl and aluminum siding are not preferred and should be avoided where possible. Horizontal wooden clapboard or flushboard is preferred;
3. Faux stone or cultured stone products are not appropriate;
4. Only important landmark structures should be constructed of stone, where local limestone is preferred;
5. If brick is utilized, it should be of historic quality and size, and should use traditional mortar colours, profile and texture. Wooden elements should be utilized to break-up the massing of a brick structure, such as a porch to soften the façade; and
6. Decorative brick patterns, such as polychromatic detailing, have no historical precedent in the Village of Bath and are considered inappropriate. Wooden elements are more suitable.

#### **15.14 DECORATIVE TRIM & DETAILS**

Details in the Village of Bath are primarily wooden. Decorative trim and details of new constructions should similarly use wood as the principle material to conform to historic precedent. Wooden decorative trim and details offer a quality that is not replicated in vinyl or other plastic materials. With continued maintenance, wooden elements can last much longer than plastics.

Classical elements are most commonly utilized as decoration in the Village of Bath. These elements can include: cornice detailing, stringcourses, entablature, and pilasters.

### **Guidelines**

1. Inspiration for decorative trim and details should be sought from existing heritage resources within the Village of Bath;
2. Decorative trim and details should be consistent with the style of the new construction;
3. Wooden decorative elements are preferred over vinyl or other plastic material decorative elements.

## **15.15 PORCHES AND VERANDAHS**

Porches and verandahs are semi-enclosed space attached to a structure to provide shelter. Porches are small in area, whereas verandahs extend across the entire length of the façade.

Porches and verandahs significantly contribute to the heritage character of a structure and are generally included as heritage attributes of a property. As a result, conservation of porches and verandahs is of critical importance. Many have changed and been adapted over time, but those changes have been made with sympathy and contextualism and have acquired



The double verandah of the E.D. Priest Store (428 Main Street) is characteristic of commercial structures in the Village of Bath. The verandah extends the length of the main façade and features suitable wooden detailing, typical of the commercial Regency style.

their own cultural heritage value. The aim of this guideline is to ensure that any changes to porches or verandahs are made with good intentions and do not negatively impact the cultural heritage value of the heritage resource.

Porches and verandahs are typically constructed out of wood. As a result, they naturally deteriorate over time. Water is the major culprit of damage. Quality is a significant factor in the conservation of wooden elements; only good quality materials and craftsmanship should be used. This quality should be maintained when considering any intervention to a porch or verandah structure.

Maintenance and repair of a porch or verandah is preferred to replacement because it maintains a historic record of materials.

### **Guidelines**

1. Maintenance and repair of existing porches and verandahs is preferred over replacement;
2. Porches and verandahs should be constructed of wood;
3. Quality materials, craftsmanship, and design are essential to porch or verandah construction; and
4. Historic precedence should be sought from existing or adjacent structure when designing a porch or verandah for a new construction. This may include archival research or historic photographs although these may not depict original porches or verandahs.

## **15.16 UTILITIES AND SERVICES**

Utilities and service equipment, such as water meters, should be placed in areas that are not visually obtrusive. Side or rear façades are more appropriate.

### **Guidelines**

1. Service equipment, such as dryer vents, heat vents, furnace and exhaust vents, gas fireplace exhausts, and

kitchen exhausts should not be placed on the main façade; side or rear facades are more appropriate;



The placement of utility meters on the Church Street façade of 195 Church Street negatively detracts from its cultural heritage value. The utility meters clutter building, interrupting the symmetry of the façade. The rear of the building would be a more appropriate location for utility meters.

2. Heat pumps, transformers, and air conditioning units should not be located in front of the building, but should be located in a discrete and screened area;
3. Window mounted air conditioning units should not be installed on the main façade of a structure. Alterations to heritage attribute windows will not be permitted to accommodate modern services such as air conditioning units; and
4. Utility meters should be located in discrete areas, not on the main façade of a structure; rear or recessed side façades are more appropriate. Utility meters may be required to be moved at the cost of the utilities provider if inappropriately placed on designated structures.

### **15.17 GARAGE GUIDELINES**

The Village of Bath was settled and developed before the automobile era. Village residents relied on horse-drawn transportation. This required horse barns and drive sheds. While their function has been adapted to house cars, these features contribute to an understanding of a former way of life in Loyalist Township and contribute to an understanding of the evolution of the historic village from 1784 to present.

Barns and drive sheds were separate structures located at the rear of the property, as far away from the house structure as possible. They were modest structures with simple elements, and were rarely painted or ornamented. Barns and drive sheds were clad in board in batten or barn board. Garages today should be treated in a similar manner.

#### **Guidelines**

1. Garage should be treated in a manner similar to how barns and drive sheds were treated in the nineteenth and early twentieth century;
2. Garages should be secondary in nature compared to the main house structure, achieved through massing, scale, cladding and finishes;
3. Separate garage structures are preferred, set towards the rear of the property;
4. Overly complex or ornate garage doors are inappropriate; simplicity is key; and
5. Garages should be complementary to the accompanying house structure.

## 16. GUIDELINES FOR LANDSCAPE, STREETScape, AND VIEWSCAPE

The Village of Bath Heritage Conservation District is dynamic and continues to evolve. One of the clearest articulations of evolution is from the natural environment. Constructed on what was once an ancient forest, the Village of Bath was carved out of the Canadian wilderness by Loyalists. Using local material to construct their homes, the large forests were cut down. The cycle has continued, and today, those homes and properties enjoy mature tree cover.



Streetscape and view looking into the Village of Bath Heritage Conservation District from corner of Rogers Lane and Main Street

The streetscape contributes to an understanding of the past and present functions. We are able to recognize that buildings which were set close to the street with large windows were likely used as commercial establishments, whereas properties with a stately setback were probably home to the town's most prominent citizens.

Common views of the Village of Bath are seen from different approaches. Approaching from the north, down Church Street (County Road 7), the steeples of Bath United Church (402 Academy Street) and St John's Anglican Church (212 Church Street), along with the Bath Academy (352 Academy Street) are visible. These three buildings appear over the mature tree canopy that blankets the Village of Bath. Entrance to the Village of Bath, when approaching from the east or west, is marked by landmark buildings and topographic changes; Bath Creek and the Reeves Brothers House (452 Main Street) to the west and Centennial Park and the Philips-Rogers House (378 Main Street) to the east. Further documentation of significant views is recommended for the larger context of the Village of Bath.

Guidance from the *Community Improvement Plan* (2012) should be sought for streetscape guidelines.

**Guidelines**

1. Mature trees should be conserved;
2. Interventions and new construction should not negatively detract from the landscape, streetscape, or viewscape of the Village of Bath, but should enhance its qualities;
3. Buildings, new and old, should acknowledge their contributions to the streetscape;
4. New constructions should be brought to the street, in accordance with adjacent structures;
5. Refer to the *Village of Bath Community Improvement Plan* (2012) for streetscape guidelines;
6. Significant views of the Village of Bath should be identified and protected.

## 17. ACCESSIBILITY

*Minor exterior alterations and additions for the purpose of accessibility shall be permitted providing such alterations are designed in a manner that does not negatively impact heritage attributes (Contributing Resource Policy 7.3.1.E).*

Heritage properties are irreplaceable and require special care. Understanding that heritage properties have the ability to change and adapt over time is critical to their long-term conservation. Considering ways to mitigate negative impacts of changes and interventions ensures the preservation of cultural heritage value. Solutions for accessibility should not destroy a property's cultural heritage value or heritage attributes, but should increase accessibility as much as possible while conserving heritage attributes and cultural heritage values.

A three-step approach is recommended to identify and implement accessibility modifications that will protect the integrity and cultural heritage value of heritage properties:

1. **Understanding:** Review the cultural heritage significance of the property and identify heritage attributes;
2. **Planning:** Assess the property's existing and required level of accessibility. Evaluate accessibility options within a conservation context; and then
3. **Intervention:** Undertake the project, utilizing recognized impact mitigation techniques.

Harmony can be achieved between accessibility requirements and the preservation of heritage attributes that contribute to the cultural heritage value of a property. Wherever possible, historic materials and features should be retained. Accessibility modifications should be in scale with the heritage property, visually compatible, and, wherever possible, reversible.

Ideally, the primary point of access to a heritage building should be made accessible. If this cannot be achieved without permanent damage to significant heritage attributes, alternatives should be considered. Elevator lifts are visually obtrusive and more appropriate for interior locations than exterior.

Retrofitting doors is an appropriate way to increase accessibility without removing a heritage attribute feature. Historic doors generally should not be replaced, nor should doorframes on the primary elevation be widened as this may alter an important feature of a heritage design. Most door hardware can be adapted. Standard hinges can be replaced with offset hinges. Doorknobs can be retrofitted to utilize level-handle devices, or power-assist openers.

Further information regarding accessibility provisions for heritage-designated structures can be found in literature: Mark Fram (2003) *Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practices for Architectural Conservation* and Parks Canada (2011) *Standards and Guidelines for the Conservation of Historic Places in Canada*.

## 18. GUIDELINES FOR ARCHAEOLOGICAL SITES

In the absence of an Archaeology Master Plan, the entire Village of Bath should be considered as having archaeological potential. Archaeological assessments should be made for all development applications; Plans of Subdivision and Condominium, site-specific Zoning Bylaw and *Official Plan* Amendments, Site Plan Control and Consent Applications should be reviewed for their potential impacts on archaeological resources.

The Ministry of Tourism, Culture and Sports has developed “Criteria for Evaluating Archaeological Potential.” The term ‘archaeological potential’ is used to describe the likelihood that a property contains archaeological resources. As the Village of Bath Heritage Conservation District is located within 300m of a primary water source, and designated under the *Ontario Heritage Act*, local knowledge of previous discoveries, within the Village of Bath suggests that the Village of Bath Heritage Conservation District be considered to be of high archaeological potential.

Only licensed professionals should conduct archaeological investigations.

### **Appendix 1: Guidelines for Determining and Addressing Archaeological Potential**

## 19. GUIDELINES FOR DEMOLITION

Demolition in the Heritage Conservation District should be considered only as a last resort and after all reasonable conservation techniques have been attempted. The Loyalist Municipal Heritage Committee should be consulted in any demolition requests for designated properties. Third-party advice of a qualified heritage professional may be sought. Should sufficient irreparable damage be present to warrant or require the Chief Building Official to issue a demolition permit, the following guidelines apply:

- **Relocation of Heritage Buildings**  
The relocation of a heritage building to another property should be considered as an option only in advance of demolition.
- **Salvage of Historic Building Materials and Features**  
Demolition should be conducted in a manner to allow for the salvage of historic building materials and features. Elements, such as masonry, wooden structural elements, and interior and exterior details, offer the potential for reuse or future interpretation. Efforts to recycle and reuse these materials and features are encouraged.
- **Document Demolition Process**  
As a condition of the demolition permit, thorough documentation of existing conditions as well as throughout the demolition process may be requested at the discretion of the Loyalist Municipal Heritage Committee. Documentation can include a professional written report by an architectural historian, inventory of heritage attributes, condition assessment, measured drawings, photographs, and archival samples.

## 20. GLOSSARY

**Adjacent** [heritage]: those land contiguous to a protected heritage property; those lands that are separated from a protected heritage property by a narrow strip of land used as a right-of-way, walkway, green space or park; or those lands which comprise part of the heritage attributes (for example, viewplanes, streetscapes) of a protected heritage property (Loyalist Township *Official Plan*).

**Alteration:** to change in any manner and includes to restore, renovate, repair or disturb (*Ontario Heritage Act*).

**Built Heritage Resource:** one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to the community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions (*Provincial Policy Statement*).

**Conservation:** all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life. This may involve *Preservation, Rehabilitation, Restoration*, or a combination of these actions or processes.

**Contributing Resources:** a property, structure, landscape element, or other feature of a Heritage Conservation District that supports the identified cultural heritage values, character, and integrity of the Heritage Conservation District. Contributing resources should have a 'Statement of Contribution' to the Heritage Conservation Districts significance and are subject to policies and guidelines for conservation and alteration. Properties considered to be "contributing" are ones that are successfully evaluated against designation criteria, as outlined in *Ontario Regulation 9/06*.

**Guideline:** a recommended action that may be taken in a given situation. A guideline arises from a policy and is facilitated by a procedure.

**Heritage Attribute:** the principal features, characteristics, content, and appearance that contribute to the cultural heritage significance of a protected heritage property (Loyalist Township *Official Plan*).

**Heritage District:** a place comprising of a group of buildings, structures, landscapes and/or archaeological sites and their spatial relationships where built forms are often the major defining features and where the collective identity has heritage value for a community, province, territory or nation (Canadian Register of Historic Places).

**Heritage Features:** include but are not necessarily restricted to archaeological sites, aboriginal and non-aboriginal cemeteries and burials with significance, buildings and

structural remains of historical and archaeological value, and human-made rural, hamlet and urban landscapes and cultural heritage landscape features (Loyalist Township *Official Plan*).

**Non-contributing Resource:** a property, structure, landscape element or other feature of a Heritage Conservation District that does not support the overall cultural heritage values, character and integrity of the District. Non-contributing properties are subject to policies for alterations and new construction. Guidelines for non-contributing properties are intended to ensure that those properties do not compromise the cultural heritage value of the Heritage Conservation District as a whole by adding further inappropriate changes to a building. Instead, guidelines emphasize compatibility and respect.

**Policy:** a statement or position that is adopted that provides the framework for a course of action.

**Preservation:** the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting its heritage value.

**Procedure:** a course of action developed to implement and support a policy. Example: Heritage Permit Application.

**Protected Heritage Property:** real property designated under Parts IV or VI of the *Ontario Heritage Act*; heritage conservation easements under Part II or IV of the *Ontario Heritage Act*; and property that is subject of a covenant or agreement between the owner of the property and a conservation body or level of government, registered on title and executed with the primary goal of preserving, conserving and maintain a cultural heritage feature or resource, preventing its destruction, demolition or loss.

**Qualified Heritage Professional:** accredited through the Canadian Association of Heritage Professionals (CAHP). The actions and practice of a qualified heritage professional are governed by a Code of Professional Conduct and Ethics.

**Rehabilitation:** the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component while protecting its heritage value.

**Restoration:** the action or process of accurately revealing, recovering or representing the state of an historic place, or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

**Significant:** in regards to cultural heritage and archaeology, resources that are valued for the important contributions they make to our understanding of the history of a people, an event or a people. Criteria for determining the significance of heritage resources are recommended by the Province (*Ontario Regulation 9/06*), but municipal

approaches that achieve or exceed the same objective may be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (*Provincial Policy Statement*).

**Statement of Contribution:** a brief demonstration of how the heritage resource supports the cultural heritage values, character, and integrity of the Heritage Conservation District as identified in the Statement of Significance. A single Statement of Contribution may be applied to multiple cultural heritage resources where the reasons for contribution are the same.

**Vernacular:** concerning a structure that was not designed by an architect, but by a craftsman following a local building tradition.

## 21. SELECTED SOURCES

- Accessibility for Ontarians with Disabilities Act.* (2011).
- Aitkinson, Dan, ed. (1994). *A Decade of Sundays, Quinte Walking Tours Volume I.* Architectural Conservancy of Ontario, Quinte Branch. Belleville.
- Barrett, Scott. (2012). *Heritage Conservation Districts in Toronto.* Heritage Preservation Services. City of Toronto.
- Bath Historical Recording Group. (1984). "...everything we needed..." *The Story of Bath.* Kingston: Brown & Martin.
- Bath Parks and Recreation Master Plan.* (1992).
- Blumenson, John. (1990). *Ontario Architecture 1784 to the Present.* Markham: Fitzhenry & Whiteside.
- Bray Heritage, et al. (2007). *Brooklin Heritage Conservation District Plan.* Town of Whitby.
- Bray Heritage, et al. (2009). *Old Sydenham Heritage Area Heritage Conservation District Study.* City of Kingston.
- Bylaw 514-82. (1982). *Village of Bath Heritage Conservation District Designation.* Village of Bath.
- Bylaw 2001-38. (2001). *Zoning Bylaw.* Loyalist Township.
- Bylaw 2002-2. (2002). *Signage Bylaw.* Loyalist Township.
- Bylaw 2002-13. (2002). *Site Plan Control.* Loyalist Township.
- Bylaw 2002-34. (2002). *Property Standards.* Loyalist Township.
- Bylaw 2012-011. (2012). *Community Improvement Plan for the Village of Bath.* Loyalist Township.
- Cumming Cockburn Limited. (1989). *Program for Renewal, Improvement, Development and Economic Revitalization Plan.* Village of Bath.
- Digital Kingston. (2012). Retrieved from [www.digitalkingston.ca](http://www.digitalkingston.ca).
- Ecoplans, et al. (2012). *Downtown Perth Heritage Conservation District Plan.* Town of Perth.
- Edwards, Frank. (1984). *The Smiling Wilderness.* Camden East: Camden House.
- Emergency Management Act, R.S.O. 1990, c. E.9.*
- Emergency Response Plan.* (2004). Loyalist Township.
- E.R.A Architects. (2012). *Market Square Heritage Conservation District Review.* City of Kingston.
- E.R.A Architects. (2012). *Market Square Heritage Conservation District Statement of Cultural Heritage Value.* City of Kingston.
- Foster, Jane. (1996). *Bath, On the Bay of Quinte.* Lennox and Addington County Museum. Picton: Printcraft.
- Fraser, Mary, ed. (1978). *Conserving Ontario's Main Streets.* Conference Proceedings, Ontario Heritage Foundation 24-26 August 1978. Peterborough.
- Fram, Mark. (2003). *Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation.*
- Geldart, Robert N. (1990). *A Theme Study for Main Street in Bath, Ontario.* Queen's University School of Urban and Regional Planning. Kingston.
- Herrington, Walter S. (1913). *History of the County of Lennox and Addington.* Toronto: Macmillan.
- ICCROM. (1998). *Risk Preparedness: A Management Manual for World Cultural Heritage.*
- Jester, Thomas C. and Park, Sharon C. (1993). *Making Historic Properties Accessible.* National Parks Service. Retrieved <http://www.nps.gov/hps/tps/briefs/brief32.htm>.
- Kalman, Harold. (1994). *A History of Canadian Architecture.* Toronto: Oxford University Press.
- Lennox and Addington Historical Society. (2006). "Ernestown Rural Telephone Company."

- Retrieved from <http://www.lennoxandaddingtonhistoricalsociety.ca/Erntel.html>.
- Macrae, Marion and Adamson, Anthony. (1963). *The Ancestral Roof: Domestic Architecture of Upper Canada*. Toronto: Clarke, Irwin & Company.
- Municipal Act, 2001, S.O. 2001, c.25.
- Official Plan. (2010). Loyalist Township.
- Ontario Heritage Act Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest. (2006).
- Ontario Heritage Act, R.S.O. 1990, c.O.18 (2005).
- Ontario Heritage Toolkit. (2006). Ministry of Culture.
- Planning Act, R.S.O. 1990, c.P.13 (Ontario).
- Provincial Policy Statement (2005).
- Parks Canada (2011) *Standards and Guidelines for the Conservation of Historic Places in Canada*.
- Shiple, Robert. (2009). *Heritage Districts Work! Heritage Conservation District Study, Town of Bath, Loyalist Township*. Heritage Resources Centre. University of Waterloo.
- Spragge, Godfrey, et al. (1976). *Heritage Preservation Study of the Village of Bath*. Queen's University School of Urban and Regional Planning. Kingston.
- Spragge, Godfrey, Arif, Muhammad and Pearson, Larry. (1976). *History and Architecture, Village of Bath, Ontario*. Queen's University School of Urban and Regional Planning. Kingston.
- Spragge, Godfrey and Arif, Muhammad. (1982). *Heritage District Designation Report District I and II, Village of Bath, Ontario*. Local Architectural Conservation Advisory Committee. Village of Bath.
- Storey, E.H., et al. (1992). *Recreation Master Plan for the Village of Bath*. Village of Bath.
- Turner, Larry. (1993). *Ernestown Rural Spaces, Urban Places*. Commonwealth Historic Resource Management. Toronto: Dundurn Press.
- Thomas, E.J. (2010). *History of Free Masonry In Bath, C.W. 1785-2009*. Maple Leaf Lodge No. 119. Bath, Ontario.
- Unionville Heritage Conservation District. (1998). Town of Markham.
- Waller, Russ. (1986). *Like Rabbits in Ernestown*. Kingston: Kingston General Hospital Printing Department.
- Younger, Neil M. (2001). *Updated Inventory of Heritage Buildings in the Village of Bath, Ontario*. Loyalist Township.

# APPENDIX 1: CRITERIA FOR EVALUATING ARCHAEOLOGICAL POTENTIAL



Ministry of Tourism and Culture  
 Programs & Services Branch  
 401 Bay Street, Suite 1700  
 Toronto ON M7A 0A7

## Criteria for Evaluating Archaeological Potential A Checklist for the Non-Specialist

"Archaeological potential" is a term used to describe the likelihood that a property contains archaeological resources. This checklist is intended to assist non-specialists screening for the archaeological potential of a property where site alteration is proposed.

Note: for projects seeking a Renewable Energy Approval under Ontario Regulation 359/09, the Ministry of Tourism and Culture has developed a separate checklist to address the requirements of that regulation.

Project Name
Project Location
Proponent Name
Proponent Contact Information

Known Archaeological Sites	Yes	Unknown	No
1. Known archaeological sites within 300 m of property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical Features	Yes	Unknown	No
2. Body of water within 300 m of property If yes, what kind of water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Primary water source (lake, river, large creek, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Secondary water source (stream, spring, marsh, swamp, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Past water source (beach ridge, river bed, relic creek, ancient shoreline, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topographical features on property (knolls, drumlins, eskers, or plateaus)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Pockets of sandy soil (50 m <sup>2</sup> or larger) in a clay or rocky area on property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Distinctive land formations on property (mounds, caverns, waterfalls, peninsulas, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural Features	Yes	Unknown	No
6. Known burial site or cemetery on or adjacent to the property (cemetery is registered with the Cemeteries Regulation Unit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Food or scarce resource harvest areas on property (traditional fishing locations, agricultural/berry extraction areas, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Indications of early Euro-Canadian settlement within 300 m of property (monuments, cemeteries, structures, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Early historic transportation routes within 100 m of property (historic road, trail, portage, rail corridor, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property-specific Information	Yes	Unknown	No
10. Property is designated and/or listed under the <i>Ontario Heritage Act</i> (municipal register and lands described in Reg. 875 of the <i>Ontario Heritage Act</i> )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Local knowledge of archaeological potential of property (from aboriginal communities, heritage organisations, municipal heritage committees, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Recent deep ground disturbance <sup>†</sup> (post-1960, widespread and deep land alterations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>†</sup> Archaeological potential can be determined not to be present for either the entire property or a part(s) of it when the area under consideration has been subject to widespread and deep land alterations that have severely damaged the integrity of any archaeological resources. Deep disturbance may include quarrying or major underground infrastructure development. Activities such as agricultural cultivation, gardening, minor grading and landscaping are not necessarily considered deep disturbance. Alterations can be considered to be extensive or widespread when they have affected a large area, usually defined as the majority of a property.

---

**Scoring the results:**

---

If **Yes** to any of 1, 2a, 2b, 2c, 6, 10, or 11 → high archaeological potential – assessment is required

---

If **Yes** to two or more of 3, 4, 5, 7, 8, or 9 → high archaeological potential – assessment is required

---

If **Yes** to 12 or **No** to all of 1 – 10 → low archaeological potential – assessment is not required

---

If 3 or more **Unknown** → an archaeological assessment is required (see note below)

---

<sup>†</sup> **Note:** If information requested in this checklist is unknown, a consultant archaeologist licensed under the *Ontario Heritage Act* should be retained to carry out at least a Stage 1 archaeological assessment to further explore the archaeological potential of the property and to prepare a report on the results of that assessment. The Ministry of Tourism and Culture reviews all such reports prepared by consultant archaeologists against the ministry's Standards and Guidelines for Consultant Archaeologists. Once the ministry is satisfied that, based on the available information, the report has been prepared in accordance with those guidelines, the ministry issues an acceptance letter to the consultant archaeologist and places the report into its registry where it is available for public inspection.