

Conservation Review Board
Commission des biens culturels



ISSUE DATE: February 26, 2014

CASE NO(S): CRB1305

IN THE MATTER OF subsection 32(4) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18,
as amended

Owner/Applicant: Robert Joseph Levack
Owner: Lisa Bastien
Subject: Refusal by the Town of Amherstburg of an application to
repeal designating By-law No. 2007-60
Property Address: 1105 Front Road South
(also known as the Patrick Laferte House)
Legal Description: Concession 1, Part Lot 10, Malden Township; RP12R-
21247 Part 1; and RP 12R-22211 Part 1
Municipality: Town of Amherstburg

APPEARANCES:

Parties

Counsel

R. Joseph Levack

Town of Amherstburg

Thomas Porter

REPORT OF THE BOARD DELIVERED BY SU MURDOCH

OVERVIEW

[1] As an owner of the property known municipally as 1105 Front Road South, R. Joseph Levack applied to the Town of Amherstburg ("Town") Council under s. 32(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended ("Act"), to have designating By-law No. 2007-60 repealed and, upon the denial of that application, applied under s. 32(4) for a Conservation Review Board ("Review Board") hearing.

[2] This hearing was convened under s. 32(6) of the Act for the purpose of reporting to the Council of the Town, whether, in the opinion of the Review Board, all or part of By-law No. 2007-60 protecting the property under s. 29 of the *Ontario Heritage Act* should be repealed.

[3] For the reasons set out below, the Review Board recommends that By-law No. 2007-60 not be repealed and makes other recommendations.

BACKGROUND

[4] The property at 1105 Front Street South was protected on September 10, 2007, by by-law under s. 29 of the Act. A two-storey dwelling, estimated to be built between 1879 and 1899 and known as the Patrick Laferte House, is the only heritage attribute described in By-law No. 2007-60 (see Schedule 1).

[5] Prehearing conferences were held on September 25 and November 5, 2013. These were attended by the parties (but not Lisa Bastien, an additional owner of the property) and a Review Board panel of Su Murdoch and Jerry DeMarco. No agreed statement of facts resulted from these discussions. No party objected to Ms. Murdoch being the panel member for the hearing.

[6] Notice of this hearing was served by the Review Board on the parties on January 3, 2014, in the manner required under the Act. The Statement of Service was filed by the Review Board as Exhibit 1.

[7] Public Notice of this hearing was published by the Town on January 22 and 29, 2014, in the local newspaper, *River Town Times*, in the manner required under the Act. The Statement of Service was filed by the Town as Exhibit 2.

[8] The hearing took place on February 5, 2014, at the United Communities Credit Union Complex at 3295 Meloche Road, Amherstburg.

[9] The only parties were the Town and Mr. Levack. The Review Board was informed on January 3, 2014, that the additional owner, Ms. Bastien, would not be participating in the hearing.

[10] On the morning of the hearing, the Review Board panel member, Town representatives, and the owner/applicant conducted a site visit of the property, viewing only the interior basement foundation and the exterior of the dwelling.

[11] While it is regular practice for the Review Board to set aside time to hear statements from members of the public, none in attendance at the hearing asked to make a statement.

[12] A list of the exhibits filed at the hearing is found as Schedule 2.

IDENTIFIED ISSUES

[13] The evidence presented at the hearing identified the following issues:

Issue No. 1: Was the process for protecting the property conducted by the Town as prescribed by the Act?

Issue No. 2: Are reasons for the repeal of all or part of a s. 29 by-law limited to the scope of Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest?

Issue No. 3: Are the statement of cultural heritage value or interest and description of heritage attributes in By-law No. 2007-60 complete and accurate?

Issue No. 4: Should all of part of By-law No. 2007-60 be repealed?

CASE FOR THE MUNICIPALITY

[14] The Town's witness, Stephen Brown, is the Chief Building Official. He has held this position for twenty years full time and six years part time, with some periods of absence. Since 1995, he also has served as the staff liaison to the Town's Municipal Heritage Committee. This is an advisory committee of Council as prescribed under s. 28(1) of the Act.

[15] Mr. Brown was involved with some aspects of the process that lead to the 2007 protection of the property under s. 29 of the Act. He referenced the tabs in the Town Document Brief (Exhibit 3) which chronicle the process by which the Town undertook this protection.

[16] This process began with a letter dated October 15, 2005, from Mr. Levack on behalf of himself and Lisa Bastien, owners of the property. The letter notes their understanding that the house was built in the late 1870s or early 1880s, that it was renovated in the late 1960s by previous owners, and that it was recently renovated by themselves. The letter requests the opportunity to meet with the Heritage Committee to "discuss the process, advantages and disadvantages of the program."

[17] The response letter from the Town dated January 31, 2006, explains, "The Committee is in the process of defining the criteria on which it will base its recommendations to Council on submitted requests for designation." The 2005 amendments to the Act and the pending implementation guidelines from the Ministry of Culture are cited as the reasons for the delay in taking action on the owners' inquiry. The letter suggests that the owners assemble information on the "history and design of your home" and recommends the Marsh Collection as a good source of information. By-law No. 2003-43, which enables the Town's Heritage Tax Refund program, was enclosed.

[18] A letter of December 8, 2006, from Mr. Levack reiterates his interest in meeting

with the Heritage Committee about “gaining heritage status” and notes that he has the original deed and mortgages in his possession.

[19] The matter was reviewed at Heritage Committee meetings on March 22 and April 26, 2007, and a site visit conducted on May 17 or 18, 2007, after which Committee members completed cultural heritage evaluation forms. On July 23, 2007, Council issued the Notice of Intention to Designate the property, notifying the owners on July 31, 2007 and the public on August 7, 2007. By-law No. 2007-60 was passed on September 10, 2007.

[20] Mr. Brown submitted as an exhibit the public Notice of Intention to Designate as published in the local newspaper. The description of heritage attributes in the Notice is carried forward verbatim to By-law No. 2007-60 but the following text in the published Notice is omitted from the by-law. It is Mr. Brown's belief that this omission was inadvertent:

The Patrick Laferte House's cultural heritage value lays in its association with its original property owner Captain John Manson, a light house keeper and its subsequent owner Captain Theodore Young a great lakes Captain.

[21] Regarding the 2013 application for by-law repeal, Mr. Brown has no knowledge of any renovation activity involving the property since the by-law was passed that would give cause to the application to repeal. He recalled that when the application was received, the Heritage Committee sought guidance from Bert Duclos, Heritage Outreach Consultant with the Ministry of Tourism, Culture and Sport, and others. The motion passed at the February 28, 2013 Committee meeting is as follows:

As, there have been no changes to the cultural value or architectural attributes assigned to the house in its original designation, the reasons for designation still apply, therefore the committee has no justification to repeal the by-law.

[22] On cross examination, Mr. Levack queried how the wording of his letter of October 15, 2005, asking for information could be construed as a request for protection

under s. 29. Also on inquiry, Mr. Brown stated he could not document in writing that Mr. Levack was invited to or attended any Heritage Committee meetings. In response to whether Mr. Levack was consulted about the description of heritage attributes, Mr. Brown recalled a meeting in the fall of 2006 with Mr. Levack during which they discussed the existence of the original limestone foundation and the potential for the original exterior clapboard surviving underneath the current cladding.

[23] There was discourse on how the historical research was compiled for this property, by the Town or by Mr. Levack. Tab 7 is historical information (Marsh Collection extracts and the Abstract of Title) sent by fax to the Town by Mr. Levack on April 18, 2007. It was resolved that this material was delivered by the Town to Mr. Levack, who later faxed it back at the request of the Town in preparation for the forthcoming Heritage Committee meeting.

[24] In summary, the Town's position on this application is that since there has been no physical change to the property since By-law No. 2007-60 was passed on September 10, 2007, there is no change in the cultural heritage value or interest, and, therefore, no cause for the repeal of all or part of this by-law.

CASE FOR R. JOSEPH LEVACK

[25] Mr. Levack was self-represented and did not call any other witnesses or enter any exhibits. He was sworn as a witness to give evidence.

[26] Mr. Levack stated that only one of the five heritage attributes described in By-law No. 2007-60 is valid, that being the reference to the "intact foundation." Changes made to the house in the 1960s by previous owners, and by Mr. Levack subsequent to his purchase of the property in 1994, rendered the other four descriptions not applicable by September 2007 when the by-law was passed. He did not undertake the historical research and was not consulted on the wording of the by-law. His explanation of the status of each described heritage attribute described in By-law No. 2007-60 is as

follows:

1. "Two story construction in its original form with an intact foundation":
This is a two-storey structure. In the 1960s, additions were built on three sides, changing the original form. Part of the limestone foundation is intact, but integrated with the concrete block foundation of the additions.
2. "Original arched and bracketed bay window at the front of the house":
This element does not exist, and may never have existed.
3. "Reconstructed veranda built to the original design":
The original veranda was reconstructed to accommodate the additions. The original support posts were square with short brackets, not the current round (Doric) with metal clad, boxed arches spanning between each post. The floor is poured cement, not the original wood.
4. "Original exterior Queen Anne window details have been retained":
The existing moulded trim over the window openings are foam replicas added in 2005 to give the impression of the original detail.
5. "Original wood clapboard siding in place behind the present vinyl siding":
The existing cladding is vinyl over asbestos board. It is unlikely that any original wood clapboard survives underneath, as the resulting wall surface would not be smooth enough for the asbestos board to adhere. Given the additions, any original clapboard could only be in place on 25% of the exterior. If it survives, the damage from later fastenings would be extensive.

[27] Mr. Levack summarized his three level argument as follows. His lead position is that the Town only considered his application for by-law repeal within the scope of Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. This regulation is only applicable when determining if a property qualifies for protection

under s. 29. The Act does not restrict the reasons for repeal to these criteria. In his opinion, the Town erred in basing its case on the fact that nothing has been done to the property since the by-law was passed in 2007, therefore the cultural heritage value of the property is unchanged, and that this alone is grounds to refuse his application for repeal. Secondly, only one element in the description of heritage attributes in by-law No. 2007-60 is accurate, that being the existence of the "intact foundation." Thirdly, if the by-law is not repealed in full, only the description of the limestone "intact foundation" should be retained.

[28] Under cross examination, Mr. Levack stated that in 2005 he wanted the property protected but his involvement in the process was limited to a meeting with Mr. Brown in the fall of 2006 and the site visit by Heritage Committee members in May 2007. He did not propose or discuss any list of heritage attributes. His motive for requesting the by-law repeal was the outcome of a change in the Town's Heritage Tax Rebate program from annual to tri-annual eligibility. Between 2007 and 2013, he received annual property tax rebates through this program. It is his position that protection under s. 29 is a contractual agreement for which an owner should be compensated for forfeiting certain property rights to the municipality. He believes that the Town's change in the Tax Rebate program violates this agreement and is sufficient grounds for repealing the by-law at the owner's request.

[29] Mr. Brown was allowed to respond to the statement of Mr. Levack that he did not discuss the description of heritage attributes with him in advance of the by-law being passed. He reiterated that at their meeting in the fall of 2006, the potential for the original clapboard surviving under the vinyl siding and the limestone foundation were discussed. He agrees there is no arched window in the front and that the Queen Anne window details are replicated. The original form of the dwelling is still evident and the stone foundation survives. It is his position that even without these physical elements, the association of the property with a lighthouse keeper and sea captain is sufficient cultural heritage value to warrant continuing protection. He also explained that in 2012 Council changed the Heritage Tax Rebate program eligibility to every three years, from

annually. Any work done to maintain a protected property would be eligible and is not limited to work on the identified heritage attributes.

ANALYSIS

Issue No. 1: Was the process for protecting the property conducted by the Town as prescribed by the Act?

[30] A by-law repeal application hearing is not an inquiry into whether a municipality undertook the original protection of the property as prescribed by the Act. Nevertheless, given that this issue was raised by Mr. Levack, apparently as a question of fairness, the Review Board will address this issue briefly below.

[31] Mr. Levack implied that the process for protecting his property was flawed for several reasons: his initial letter was a general inquiry only, not a request for protection; he was not in attendance at any Heritage Committee meeting; and he did not participate in the drafting of the description of heritage attributes.

[32] The October 15, 2005 letter to the Town from Mr. Levack requesting information about the pros and cons for protection under s. 29 would have coincided with amendments to the Act in 2005, which included a new requirement to evaluate a candidate property by applying criteria prescribed by regulation. Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest came into effect in January 2006. The Town first responded to the inquiry on January 31, 2006, advising that it was developing "criteria on which it will base its recommendations to Council on submitted requests for designation." This is confirmation that the Town was aware of the 2005 amendments to the Act and the need for evaluation criteria.

[33] Mr. Levack stated that he was not invited to attend any Heritage Committee meeting, but there is agreement that he met with Committee staff liaison Mr. Brown in the fall of 2006 during which the protection of his property was discussed. He was in

attendance for the site visit of the Heritage Committee in May 2007. He and Ms. Bastien were served with the Notice of Intention to Designate and they did not object to the Notice.

[34] The evidence provided confirms that the Town was cognizant of the 2005 amendment requirement for evaluation criteria and that it consulted with its Municipal Heritage Committee and issued the required Notices. Thus, to the extent that Mr. Levack argues that the proper process was not followed, the Review Board does not agree.

[35] The matters of whether Mr. Levack was only inquiring not authorizing the protection of the property, attended a Heritage Committee meeting, or participated in the drafting of the description of heritage attributes are outside of the Act. The Review Board also finds that these matters are not directly relevant to the current issue of by-law repeal.

Issue No. 2: Are reasons for the repeal of all or part of a s. 29 by-law limited to the scope of Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest?

[36] The Review Board's mandate under s. 32(6) and 32(9) is to hear evidence on the application and recommend whether all or part of a s. 29 by-law should be repealed. Unlike a proceeding under s. 29(8), the evidence presented is not scoped to determining whether a property meets prescribed criteria for determining cultural heritage value or interest, that being the criteria of Ontario Regulation 9/06.

[37] The Review Board agrees with Mr. Levack that the Town is not limited to the criteria of Regulation 9/06 when considering an application for by-law appeal. Other relevant factors may also be considered. The Town is also not precluded from applying and using the criteria as its reason for denying the application.

Issue No. 3: Are the statement of cultural heritage value or interest and description of heritage attributes in By-law No. 2007-60 complete and accurate?

Statement of Cultural Heritage Value or Interest

[38] By reviewing the exhibits, the Review Board attempted to track how the historical information was compiled for this property and how this information evolved into the wording of the statement of cultural heritage value or interest in By-law No. 2007-60. No comprehensive heritage report was submitted or mentioned in testimony at the hearing.

[39] The following motion was passed at the March 22, 2007 Heritage Committee:

That the property owner further research the history of the property with respect to its cultural history.

[40] Tab 7 of Exhibit 3 is a one page extract from the Marsh Collection (marked "February 2007") and three pages of the Abstract of Title for Lot 10, Concession 1, Malden Township (partially illegible). The Marsh Collection extract notes previous owners and uses, and based on the architectural style only suggests "the house was built by Patrick Lafferty around 1880." It also contains a recommendation to undertake further research.

[41] The Town's initial statement about this property seems to be the listing on its Register of properties of cultural heritage value as prescribed by s. 27 of the Act. This identifies Patrick Laferte as the builder and original owner of the dwelling. The statement of cultural heritage value or interest in the Register listing is as follows:

The Patrick Laferte House's heritage value lies in it being an example of late 19th century Queen Anne Victorian architecture as can be seen in the detailing above the windows. The building remains in its original form with the original clapboard siding beneath the present day vinyl siding.

This building was constructed between 1879 and 1899. Architectural details include two colonnaded porches.

The porches and [sic] have been rebuilt similar [to] the original design.

[42] The Heritage Evaluation Forms completed by Heritage Committee members following the May 2007 site visit (Tab 8, Exhibit 3) contain cryptic references to a "light house keeper," "350 acre farm," "a Lake captain," "original hardware," "red oak trim and mantle milled from wood on the property," "Bar Point Light Ship," none of which are mentioned in the ensuing by-law.

[43] The published Notice of Intention to Designate the property repeats the wording of the Register (including the gaps in the text as noted) and includes two additional statements:

The Patrick Laferte House's cultural heritage value lays in its association with its original property owner Captain John Manson, a light house keeper and its subsequent owner Captain Theodore Young a great lakes Captain.

The present owner has in his possession a copy of the original deed that registered the parcel of land to William C Fox.

[44] By-law No. 2007-60 includes the Register listing page as Appendix A, thereby carrying forward that statement of cultural heritage value or interest to the by-law. The statement referencing Captains Manson and Young is not carried forward to the by-law. Mr. Brown stated his belief that it was inadvertently omitted.

[45] Based on this analysis, confirmation of the attribution of the house to Patrick Laferte and the date of construction is lacking. The association to lighthouse keeper Captain John Manson and Great Lakes Captain Theodore Young in the Notice is omitted from the by-law. These and other inconsistencies between the research sources cited, the Register listing, Notice, Heritage Evaluation Forms, and the wording of By-law No. 2007-60, suggest the final statement of cultural heritage value or interest in the by-law may not be complete and accurate.

Description of Heritage Attributes

[46] The Notice of Intention to Designate and By-law No. 2007-60 contain the following description of heritage attributes:

Key exterior attributes that embody the heritage value of the Patrick Laferte House include:

- Two story construction in its original form with an intact foundation.
- Original arched and bracketed bay window at the front of the house.
- Reconstructed veranda built to the original design.
- Original exterior Queen Anne window details have been retained.
- Original wood clapboard siding in place behind the present vinyl siding.

[47] This description of heritage attributes was compiled in 2007, after the last renovation of the house was completed. Mr. Levack stated that only one of the five heritage attributes, that being the "intact foundation," should have been included in the by-law.

[48] The February 5, 2013 site visit, the testimony heard from both parties, and the exhibits suggest to the Review Board the following:

- This is a two-storey dwelling. Although altered to accommodate 20th century additions to three facades, the original form is discernible and sections of the limestone foundation survive.
- The parties agree there is no arched and bracketed bay window in the front facade.
- The veranda is reconstructed to accommodate the additions and is somewhat reflective of the original design intent.
- The Queen Anne window details, notably the upper mouldings, have been replicated in modern (foam) materials.
- Original wood clapboard siding may survive on 25% of the dwelling exterior, underneath later cladding, but is damaged.

[49] The Review Board agrees with Mr. Levack that the description of heritage attributes in the by-law has inaccuracies. It also may not be complete.

Issue No. 4: Should all of part of By-law No. 2007-60 be repealed?

[50] As analyzed under Issue 3 of this hearing Report, the statement of cultural heritage value or interest and description of heritage attributes in By-law No. 2007-60 may not be complete and accurate. The result is that the by-law may not be stating the actual (proven) value or interest of the property and accurately describing the supporting heritage attribute(s). Mr. Levack only challenged the description of the heritage attributes, and did so without giving any evidence to contest the overall cultural heritage value or interest of the property.

[51] This situation of deficient wording in the by-law does not negate the premise that the property warrants protection under s. 29 for cultural heritage reasons. The evidence heard suggests that there is something of this property that holds cultural heritage value or interest to the Town and that the late 19th century dwelling is the principal heritage attribute that embodies that value or interest. This needs to be more thoroughly investigated by the Town through documentary research and physical site analysis, and then accurately stated and described.

[52] The Town then has the option under s. 30.1 of the Act to amend the by-law, as applicable:

Amendment of Designating By-law

30.1 (1) The council of a municipality may, by by-law, amend a by-law designating property made under section 29 and section 29 applies with necessary modifications to an amending by-law as though it were a by-law to designate property under that section.

Exception

(2) Despite subsection (1), subsections 29 (1) to (6) do not apply to an amending by-law if the purpose of the amendment is,

- (a) to clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes;
- (b) to correct the legal description of the property; or
- (c) to otherwise revise the language of the by-law to make it consistent with the requirements of this Act or the regulations.

[53] The Review Board does not accept Mr. Levack's argument that the change in the Town's Heritage Tax Rebate program is sufficient grounds to approve his application for by-law repeal. The property holds cultural heritage value or interest to the Town and is worthy of protection despite the change to the rebate program and despite any inaccuracies or lack of completeness in the description of heritage attributes in the by-law. The Review Board finds that the presence of cultural heritage value or interest is the most important factor to consider in this hearing under s. 32.

RECOMMENDATION

[54] Based on the evidence heard, the Review Board finds that the property at 1105 Front Street South in the Town of Amherstburg continues to hold cultural heritage value or interest as prescribed by Ontario Regulation 9/06, and recommends that the application by the property owner to repeal By-law No. 2007-60 be denied.

[55] The Review Board also finds the statement of cultural heritage value or interest and the description of heritage attributes in By-law No. 2007-60 to be deficient. To address this deficiency, the following is recommended:

- a) That the Town of Amherstburg undertake further documentary research and physical site analysis and compare these findings to the content of the statement of cultural heritage value or interest and description of heritage attributes in By-law No. 2007-60.
- b) If this research, analysis, and comparison result in the need to clarify or correct the statement of cultural heritage value or interest and description of heritage attributes, the Town should consider amending By-law No. 2007-60 as prescribed by s. 30.1 of the *Ontario Heritage Act*.

“Su Murdoch”

SU MURDOCH
VICE-CHAIR

Conservation Review Board

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

SCHEDULE 1

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2007-60

**Being a By-law to designate the property at 1105 Front Road S.,
and known as Patrick Laferte House
as being of architectural and cultural heritage value or interest**

WHEREAS authority was granted by Council to designate the property at 1105 Front Road South, and known as the Patrick Laferte House as being of cultural heritage value or interest; and

WHEREAS the *Ontario Heritage Act* authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the Town of Amherstburg has caused to be served upon the owners of the land and premises known as 1105 Front Road South, and known as the Patrick Laferte House and upon the Ontario Heritage Trust, Notice of Intention to designate the property and has caused the Notice of Intention to be published in a newspaper having a general circulation in the municipality as required by the *Ontario Heritage Act*; and

WHEREAS the reasons for designation are set out in Schedule "A" to this by-law; and

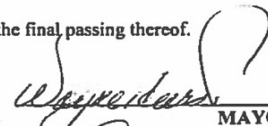

WHEREAS no notice of objection to the proposed designation was served upon the Clerk of the municipality;

1. The Council of the Town of Amherstburg **HEREBY ENACTS** as follows:

The property at 1105 Front Road South, and known as the Patrick Laferte House, more particularly described in Schedule "A" attached to this by-law, is designated as being of cultural heritage value or interest.

2. The Town Solicitor is authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.
3. The Town Clerk is authorized to cause a copy of this by-law to be served upon the owners of the property at 1105 Front Road South, and known as the Patrick Laferte House and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the Town of Amherstburg as required by the *Ontario Heritage Act*.

This by-law shall come into force and effect on the day of the final passing thereof.

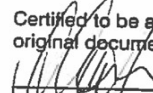

 MAYOR

 CLERK

1ST Reading: September 10, 2007

2ND Reading: September 10, 2007

3RD Reading: September 10, 2007

Certified to be a true copy of the
original document.


 Deputy Clerk - Paula Parker
 Town of Amherstburg

SCHEDULE "A"
Building Inventory Form
Patrick Laferte House



Description of Property:

Building Name:	Patrick Laferte House
Street Location:	1105 Front Road South
County:	Essex
Town:	Town of Amherstburg
Builder:	Patrick Laferte
Ownership:	Joe Levack and Lisa Bastien
Original Owner:	Patrick Laferte
Original Use	Private Residence
Present Use:	Private residence
Date of Construction:	Between 1879 to 1899

Statement of Cultural Heritage Value or Interest:

The Patrick Laferte House's heritage value lies in it being an example of late 19th of the century Queen Anne Victorian architecture as can be seen in the detailing above the windows. The building remains in its original form with the original clapboard siding beneath the present day vinyl siding.

This building was constructed between 1879 and 1899. Architectural details include two colonnaded porches.

The porches and have been rebuilt similar the original design.

The Patrick Laferte House's cultural heritage value lies in its association with its original property owner Captain John Manson, a light house keeper and its subsequent owner Captain Theodore Young a great lakes Captain.

The present owner has in his possession a copy of the original deed which registered the parcel of land to William C Fox.

Description of Heritage Attributes:

Key exterior attributes that embody the heritage value of the Patrick Laferte House include:

- Two story construction in its original form with an intact foundation.
- Original arched and bracketed bay window at the front of the house
- Reconstructed veranda built to the original design
- Original exterior Queen Anne window details have been retained.
- Original wood clapboard siding in place behind the present vinyl siding.

SCHEDULE 2**EXHIBITS LIST**

- Exhibit 1: Affidavit of Notice of hearing to the Parties being served, as required under the *Ontario Heritage Act*, submitted by the Conservation Review Board
- Exhibit 2: Affidavit of Clerk for Public Notice of hearing being served, as required under the *Ontario Heritage Act*, submitted by the Town of Amherstburg
- Exhibit 3: Document Brief, submitted by the Town
- Exhibit 4: Notice of Intention to Designate as published August 7, 2007, submitted by the Town
- Exhibit 5: Excerpt of March 22, 2007 minutes of Heritage Committee, submitted by the Town
- Exhibit 6: Council Report March 18, 2013 re Repeal of Designation By-law No. 2007-60, submitted by the Town