

**Conservation Review  
Review Board**

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**CRB0906**

**CONSERVATION REVIEW BOARD**

**RE: OBJECTION UNDER S.32(14) OF THE ONTARIO HERITAGE ACT, TO THE NOTICE OF INTENTION TO REPEAL BYLAW 94-3705 THAT DESIGNATES THE PROPERTY KNOWN MUNICIPALLY AS 41 CHURCH STREET IN THE TOWN OF PARRY SOUND, UNDER S.29 OF THE ONTARIO HERITAGE ACT.**

**Karen Haslam, Chair**

**June 11, 2010**

This hearing was convened under s.32(17) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, amended to 2006 ("Act"), for the purpose of reporting to the Council of the Town of Parry Sound, Ontario ("Town"), whether, in the opinion of the Conservation Review Board ("Review Board"), on the basis of the evidence it heard regarding the property known municipally as 41 Church Street, Parry Sound, the Town should repeal the bylaw designating the said property under s. 29 of the Act.

The lot (approximately 66 ft. x 132 ft.) containing one structure (a two storey brick building) is occupied by the current owners, Alan Stein and Charlotte Stein, as a private dwelling. The property is protected under s.29 of the Act by Bylaw 94-3705 which was passed in 1994. Under Schedule "A" Reasons for Designation of Bylaw 94-3705, the 41 Church Street property is protected for its Historical and Architectural values, as described in Exhibit 8.

The referral to the Review Board is based on the objection by Ms Marriane King-Wilson to the proposed repeal of Bylaw 94-3705. The issue for the property owners is "that we cannot easily find a company willing to insure a designated home and we feel that we must have the designation removed in order to re-new our homeowner insurance policy" (Ex. 6a).

The Review Board held two pre-hearing conferences on this matter, September 4, 2009, and November 24, 2009. There was no settlement agreement flowing from these pre-hearings.

The Parties were advised by letter dated December 11, 2009, of the parameters of the Review Board's jurisdiction and were prepared for the working of the hearing.

Statement of Service was given by the Review Board in the manner required under the Act, in the local publication, *Parry Sound North Star*, on January 13, 2010. An affidavit by the Review Board's Case Co-ordinator with respect to this statement was filed as Exhibit 1.

The hearing day commenced with a site visit of the subject property at 8:30 a.m. on January 26,

2010, and the hearing convened the same day at 10:00 a.m. in the Upstairs Meeting Room, Parry Sound Fire Hall, 4 Church Street, Parry Sound.

The hearing ended at 4:30 p.m. on the same day.

### **Parties in Order of Appearance**

Mr. Ian Laing, Director of Community Development, Town of Parry Sound (“Town”)  
Mr. Alan Stein (“Owner”)  
Mr. Robert Bradey, Representative for Ms Marianne King-Wilson (“Objector”)

### **Witnesses in Order of Appearance**

Mr. Ian Laing  
Mr. Alan Stein  
Ms. Nancy Cunningham

### **Members of the Public in Order of Appearance**

Mr. Ranney, 43 Church Street, Parry Sound

### **Jurisdiction of the Review Board**

All Parties were reminded that the primary jurisdiction of the Review Board in this proceeding is to hear evidence in relation to the application under s.32 to repeal the bylaw currently affording protection to the property under s.29 of the Act. The Review Board does not address any planning applications or issues that are under the jurisdiction of the Planning Act, or consider any future use of the property.

Evidence on any matters regarding costs, such as undue hardship, will be heard only if it gives context to any relevant discussion. The relative weight of this evidence will be assessed by the Review Board in formulating its final recommendation.

### **Case for the Town of Parry Sound**

Mr. Ian Laing informed the Review Board that he was present only to outline the policy of the Town of Parry Sound regarding designation of heritage properties and that he would not be calling witnesses nor cross examining witnesses.

### **Witness – Mr. Ian Laing,**

**Mr. Laing was sworn as a witness.**

Mr. Laing was identified as the Director of Community Development of the Town of Parry Sound. Mr. Laing advised that the Town takes no adverse position to heritage designation; however, designation does not turn on whether the property deserves it, but rather on the volunteer attitude for designation on the part of property owners. If the Town felt that a property was “of such importance – that is – it was important to do so (i.e., designate), then it would, but the voluntary aspect was the important element in designating properties in Parry Sound.”

Mr. Laing noted that the philosophy of the Town is “while the designation of properties under the

Act against the wishes of the owner may be undertaken, the wishes of the owner shall be an important consideration in any decision to designate a property recommended by the committee” (Ex. 5). The Town of Parry Sound Criteria for Designation Under Part IV and V of Ontario Heritage Act states: “It shall not be the practice of the Town of Parry Sound to designate property against the wishes of the owner” (Ex. 3).

In this case, the position of the Town is further related to the issue cited by the Owners, that is, of “hardship” in finding insurance for their designated property “so that we can feel secure in the future that we will be able to get some insurance” (Ex. 6b), and the fact that the Owners “have no intention of changing the house in any way” (Ex. 6).

Mr. Laing noted that in the Steins’ deputation to Council on March 17, 2009 (Ex. 6b), mention was made of the fact that funding was once available to homeowners who designated their property, which brought a value to designating one’s property, but that funding is no longer a “carrot” for homeowners. Also there is no municipal tax relief program available in Parry Sound.

After two years with their original broker, the Steins were refused home insurance and were able only at the last minute to secure that insurance, albeit at a much higher rate. Council saw this as a burden with nothing to balance the financial hardship.

Referring to Exhibit 7, Mr. Laing reiterated Council’s reluctance to designate, noting the general policy of Council was “designation of private properties and in particular private homes will mainly be approved if the owner is aware of the consequences and supportive of the action (Ex. 7).

Noting that insurance companies are more selective now in their coverage, and that this is a “significant problem,” Council felt that “the ability to obtain property insurance is critical to security of accommodation. It is considered a sufficient reason to remove the designation from the property” (Ex. 7).

### **Cross-examination of the Witness by Objector (Bradey)**

Mr. Bradey noted the C.A.O.’s comments in Exhibit 7: “One would presume that the problem with obtaining insurance isn’t one that is limited to just the Stein’s property; in other words, that it would be a Provincial if not National issue.” Mr. Laing agreed that obtaining insurance is difficult at all levels. On further questioning, Mr. Laing agreed that designation of a property was not valid only for one owner but rather it was valid for the property attributes and that its intent was to preserve built heritage for future generations.

### **This concluded the case for the Town.**

## **Case for the Owner**

### **Witness – Alan Stein**

Since the Owner (Alan Stein) was not calling any witnesses and was not represented by legal counsel, the Review Board had Mr. Stein sworn in as a witness to present his evidence.

### **Mr. Stein was sworn as a witness.**

Mr. Stein advised that he would present his evidence under six areas of interest:

- 1) Undue Burden
- 2) Property Rights and Designation Policy of Parry Sound
- 3) Property Description
- 4) Future Development
- 5) Belvedere Heights
- 6) Letter from Marianne King-Wilson – April 22, 2009

#### 1) Undue Burden

Referring to Exhibit 16 and the comments of his original insurance agent, Mr. Stein reported on his actions leading to his request for de-designation. When the Owners investigated renewing their insurance for 2009, their agent found that their usual insurance company of twenty years declined to insure the house (Ex. 6a). The agent subsequently advised the Owners to decline insurance rather than be denied insurance. Later, they did find a local company who issued a policy at the same rate for their house valued at \$400,000 but for one year only (Ex. 6b). Their original agent told them that most insurance companies are unwilling to insure houses that have a heritage designation.

Insurance helplines recommended to Mr. Stein advised asking agents about the issue. Most of information from the Insurance Bureau of Canada dealt with non profit issues.

In November 2009, agent Debbie Zettel provided two quotes for insuring their home; however, the quotes valued it at \$750,000 and \$900,000 with premium costs to match (Ex. 16). Mr. Stein said it was becoming increasingly difficult and expensive for individuals to insure their heritage homes, and it would become even more difficult in the future.

#### 2) Property Rights and Designation Policy of Parry Sound

Mr. Stein mentioned the letter of January 12, 2010, in which the Review Board acknowledged that the “spirit” of the Act is to balance heritage conservation with the individual property owner’s right to the enjoyment of their property (Ex. 16). He felt that in this case his individual property rights should be taken into consideration.

Mr. Stein also commended the Town of Parry Sound on its efforts to find a balance between individual property rights and the rights of others, by agreeing to de-designate his property, and by following a policy of voluntary designation of properties.

#### 3) Property Description

Referring to Exhibit 8, Mr. Stein indicated that there are discrepancies in the description of the property in Bylaw 94-3705. He maintained that his house is very plain with few architectural details. The porch is not original and the windows are aluminium not wood.

Mr. Stein referred to Ontario Heritage Act Regulation 9/06 and the two reasons given in the designation bylaw as Reasons for Designation (Ex. 8). He stated that his house is not unique, not rare, has no associative value, and is definitely not a landmark. As well, he stated that no significant person has lived there and that no significant development has happened on his property.

#### 4) Future Development

Referring to his letters of January 19, 2009 (Ex. 6a) and March 12, 2009 (Ex. 6b), Mr. Stein reiterated that he and his wife are not going to tear the house down and are not interested in redeveloping the property. He said the house and property are not conducive to redevelopment.

#### 5) Belvedere Heights

Mr. Stein referenced a local development known as Belvedere Heights and stated that the main person involved in the "Save Paradise" campaign there is also the objector in this case. He said she is not a part of the Municipal Heritage Committee (former LACAC) and questioned her involvement in his case.

#### 6) Letter Dated April 22, 2009, from Marianne King-Wilson

Referring to said letter, Mr. Stein commented that obviously the insurance industry is trying to limit risk, "since some companies will not insure older homes" (Ex. 9), but while some companies do insure heritage homes, it is with "special policies" and "higher rates" thus making this an undue hardship on simple homeowners.

Regarding the Shipley Report mentioned in said letter, Mr. Stein noted that this report (correlating property value to designation) is now twelve years old and has little significance to Northern Ontario with its depressed economy.

Mr. Stein noted that "the retention of the character of the neighbourhood" (Ex. 9) was already compromised when the street was widened in 1996-98. Stone walls surrounding the houses were destroyed, hydro poles were placed close to houses in the small boulevards, and there was a great loss of trees. Church Street is now a major thoroughfare through town. He pointed out that the "heritage character" of Church Street is already lost.

In closing, Mr. Stein indicated that when he designated his property in 1994, he asked about the process of removing the designation and was told that it was simple to remove it. He concluded "It is not."

#### **Cross-examination of the Witness by Objector (Bradey)**

Through cross examination, Mr. Stein agreed that there are reasons for designation; that the designation is attached to the property no matter if there are one or more owners over time; and that the Act does not provide reasons for the removal of a designation.

Mr. Bradey asked if the removal of "hardship" removes the reason for de-designation to which Mr. Stein said yes. To the question of the local brick manufacturing plant, Mr. Stein said he knows the bricks were locally made, but that the material is "iffy." The bricks on the side of the house fell off and the cost of repointing was covered by a government grant.

When queried about the Vincent Family (the original owners), Mr. Stein said that D.H. Vincent lived in the house from 1907 to 1925 but there was no historical significance in his residency.

#### **This concluded the case for the Owner.**

### **Case for the Objector**

Mr. R. Bradey advised the Review Board that he was acting on behalf of the Objector Ms. M. King-Wilson. The Review Board has a valid Representative Form to this effect.

## **Witness – Ms Nancy Cunningham**

### **Ms Nancy Cunningham was sworn as a witness.**

Ms Cunningham lives in a house built in 1896. She also owns two adjacent properties that are older than her residence. She was elected mayor of Parry Sound in 1991 and acted as ex-officio on the LACAC, also known as Heritage Parry Sound. She was later re-appointed to the LACAC, which is now called the Municipal Heritage Committee. She is familiar with the process of designation and the policies of this committee.

Ms Cunningham reviewed the process for the designation bylaw passed in 1994 (Ex. 8). She said that Mr. Stein was then a member of LACAC and said his house was one of only six or seven houses in Town made of that particular brick. She said the brick is rare and forms part of the reason for designation.

On questioning about the Vincent family, Ms Cunningham said that 41 Church Street was owned by D.H. Vincent, the brother of E.J. Vincent who was the owner of her house. E.J. Vincent was on council and served as mayor of Parry Sound.

Mr. Bradey asked what items are recognized as heritage attributes for 41 Church Street in the designation bylaw. Ms Cunningham said that only the exterior is designated and that no interior elements are recognized. The attributes are the same now and are basically unchanged, except for perhaps the windows now having triple glazed glass.

At Mr. Bradey's request, Ms. Cunningham read from the Ministry of Culture pamphlet entitled *Insurance and Heritage Properties*, August 2006 (Ex. 11):

Your premiums should not go up as a result of a heritage designation. A variety of other reasons cause insurance companies to increase premiums for older buildings if there is a higher level of risk, such as services (outdated wiring, old heating systems, etc.). In fact, some companies do not insure buildings over a certain age. Designation itself, however, does not place additional requirements on the insurer and therefore should not affect your premiums.

As with any insurance plan, it's best to research the various insurance providers in order to find the most competitive rate and best service from your insurer.

Ms Cunningham mentioned that although her house is not designated, her insurance covers the actual cost of repairs and replacement. Reading from Exhibit 11 she continued: "Replacement cost" is a type of insurance that "provides for the property to be repaired or replaced with like kind and quality up to the amount stated in the policy" and "if you have a designated property, it is advisable to share your designation bylaw with your insurer in order to be certain that heritage attributes are properly covered by your policy." Ms Cunningham noted that there is nothing in the Act or in insurance policies requiring total replacement, but if you want original features to be replicated, ACV (actual cash value) insurance coverage forms the basis for any claims of this sort. This ACV coverage is written into a policy and the Insurance Bureau of Canada says heritage designation should have no effect on one's ability to obtain insurance for an older home.

Mr. Bradey asked Ms Cunningham if she knew of insurance companies refusing to insure older homes like hers. She indicated that even though her house is not designated, her insurance company looked at the knob and tube wiring, oil tank, and plumbing. She had has two home

insurance inspections in the last ten years. She has put on a new roof, repaired stairs, and eavestroughs, and that all of this is the ordinary way of doing business with a company that insures an older home.

In comparing age versus heritage designation as the factor, Ms Cunningham said that while some insurance companies will not insure older homes (over fifty years old); there are others that do insure them. Mr. Bradey asked if she had any proof. Ms Cunningham produced a letter from Parry Sound Insurance Brokers Ltd. dated January 15, 2010, and signed by David Garagan, General Manager. This letter is addressed to Ms Cunningham, marketing their services as an Insurance Broker for “gracious older homes at competitive rates” and offering to “represent your beautiful home” with “appreciation of your century or heritage home.”

Mr. Stein objected to the letter being presented as evidence.

### **Procedural Matter**

The Review Board Chair, noting the time, advised that a noon break was imminent and a decision on the admissibility of the letter would be delivered following the lunch hour.

The meeting adjourned at 12:00 noon and reconvened at 1:00 p.m.

The Review Board Chair advised the participants that since the letter from Parry Sound Insurance Brokers Ltd. deals directly with the question of insuring older properties; and since Mr. Stein advised that he apparently did receive the same letter; and since the Review Board allowed some leeway in admitting Mr. Stein’s insurance quotes late as evidence (Ex. 16); therefore the letter would be admitted as Exhibit 12.

### **Witness – Ms Nancy Cunningham Continued**

Ms Cunningham resumed her testimony. In answer to Mr. Bradey’s enquiries regarding the details of the Parry Sound Insurance Broker’s offer, Ms Cunningham advised that she had called and had a lengthy conversation with them. Parry Sound Insurance Brokers is a local firm employing one agent and six brokers who represent thirteen insurance companies. They advised that because they represent thirteen companies, while many brokers only represent from one to three companies, they are able to find more insurance options. The agent advised that there were no additional risks to insuring a “heritage” home versus an older home. When Ms Cunningham queried whether insurance was more expensive if the home is designated, the answer was no.

Mr. Bradey asked if Ms Cunningham had followed up with other brokers, to which she replied yes. She asked her broker if there would be repercussions if she designated her house. The broker said yes, perhaps. She indicated that the extra steps, like home inspection, repairs to roof, and plumbing had already been addressed. While her broker only represented three companies, he found one who did say they would be able to insure her property, however, it would be written as an “accommodation” for the heritage features to offset any possible claim problems (Ex. 15). She also learned that she does not need to even tell the broker that the house is designated.

Referring to Exhibit 13, an email from Sean Fraser, Manager, Acquisitions and Conservation Services, Ontario Heritage Trust, originally attached to Exhibit 10, Ms Cunningham noted the statement by the Trust regarding the rarity of bylaw repeals.

Mr. Bradey asked if any steps were taken within the Municipal Heritage Committee to address

the issue of designated homes obtaining insurance. Ms Cunningham advised that two members conducted a survey and found that seventeen properties are designated in Parry Sound. Of those, two are properties without buildings, three are businesses, and three are public buildings owned by the Town. Of the remaining ten with houses, eight were contacted. Seven said there were no specific insurance difficulties due to heritage designation and only one (the Steins) said there was a problem.

### **Cross-examination of the Witness by Owner (Stein)**

In cross examination by Mr. Stein, Ms Cunningham confirmed that her property is not designated but advised that her broker said if it was, it should be no problem when insuring. Referring once again to Exhibit 15, she said insurance companies prefer to write an accommodation for heritage features.

When questioned on whether she had received a quote from the Parry Sound Insurance Brokers, Ms Cunningham said no. Mr. Stein said that without follow up, the statement “should not be a problem” when referring to obtaining insurance for her properties may prove not to be true.

Mr. Stein asked if an inspection of the house was necessary for obtaining insurance, to which Ms Cunningham said yes. Mr. Stein observed that Ms Cunningham has no designation plaque on her house for the inspector to see.

### **This concluded the case for the Objector**

## **Members of the Public**

### **Mr. Ranney was sworn as a witness.**

Mr. Ranney lives at 43 Church Street in a house that is also designated. He admitted that he originally felt that designation would enhance his property value; however, two years ago when he listed his house for sale, his realtor and agent questioned why it was designated since it actually hindered interest in the property. He wondered whether as a condition of sale he may have to de-designate his property because of undue hardship in his ability to sell.

## **Summation of the Case for the Town**

Mr. Laing reiterated the Town’s position. Council’s policy is “voluntary designation” and it is rare for a property to be designated without the owner’s permission. Undue hardship will be considered and, if warranted, the designation bylaw will be removed.

## **Summation of the Case for the Owner**

Mr. Stein summarized his case by reminding the Review Board that there are conflicting issues around the description of the architectural value and heritage attributes of the house. As well, there is no evidence of historical value and the contextual value is no longer present. His main concern was his inability to obtain cost effective insurance for his property. While government documents indicate that insurance for designated properties “should not be difficult to obtain,” in reality it is. The two quotes he received placed the worth of his house at a much higher level of value, which in his opinion is simply a fact of designation. Mr. Stein was aware that insurance companies are tightening up their inspections and shoring up their policies, however, when he

has to face these inflated values over and over again there would be undue stress to him in the future.

## **Summation of the Case for the Objector**

Mr. Bradey was sympathetic to Mr. Stein's predicament, but felt that it is important to "exercise our rights," even if there was no chance of fixing wrongs. He felt it important to let the Province know of the difficulties designated property owners are having with insurance companies when insuring older and historic properties.

Mr. Bradey stated that since Mr. Stein did obtain insurance, albeit from an independent broker, he could no longer claim undue hardship, especially when there are two other brokers willing to provide insurance to older homes. He noted that while many insurance companies equate "heritage" with "old," most insurance investigators do not even ask if it is a heritage property [meaning protected by the Act] when considering a house for insurance.

**The hearing adjourned at 4:30 p.m. January 26, 2010.**

## **Findings of the Review Board**

### **Presentation of Case**

The role of the Review Board is to act in an objective way to weigh the evidence and argument raised by Parties in a hearing, in order to formulate a final recommendation to Council. This is done in an open and accountable hearing environment.

Some factors that affect the weighting are the use of documentation, expert and/or knowledgeable witnesses, and the compelling arguments used to forward a Party's position. The Review Board can only make recommendations based on the evidence submitted at the hearing.

The Review Board also has enacted practices to better prepare Parties to best use their opportunity at a hearing, through directing the Parties in a pre-hearing conference to understand the scope of enquiry and the process of the hearing. In this regard, although it was suggested at the pre-hearing conference that undue hardship was not an issue that could be argued under the Act, on further reflection, the Review Board allowed that since criteria for the repeal of a bylaw are not prescribed in the Act, it would be open to hear this argument within reason.

As well, it was reiterated by the Review Board that priority would be given to hearing evidence and proof that the property no longer held cultural heritage value or interest as defined by Ontario Regulation 9/06, and therefore did not merit the continuing designation under s.29 of the Act.

### **Discussion**

At the hearing, the Town went through a cursory review of the facts of the case, but declined to cross examine any witnesses or question any information presented. Essentially, the Town chose not to make any case whatsoever. Mr. Laing did explain Council's preference for "voluntary designation" and, by extension, that the Owner's request to repeal the designation bylaw citing reasons of undue hardship due to insurance was sufficient reason for Council to approve the application for bylaw repeal.

The Review Board recognizes Council's prerogative in how it implements the provisions of the Act, but considers it prudent to cite the Ontario Superior Court of Justice decision Tremblay vs. Town of Lakeshore which concludes that any policy by Council to require an owner's permission to designate is in violation of the Act.

While the Town can decide whether or not to present a comprehensive case before the Review Board, it is clear that, in this instance, it did not act within the spirit of the Ontario Heritage Act. In the opinion of the Review Board, the Town failed to present any reasoned argument for repealing the designation bylaw, beyond its practice of "voluntary designation."

The property Owner's main focus was on the perceived undue hardship issue of not being able to find cost effective insurance coverage for his designated property. The Objector was able to demonstrate that insurance coverage and premium costs usually relate to the age and condition of an older building, in particular plumbing and heating elements. The designation bylaw for 41 Church Street only describes exterior elements, so there is no premium on the condition of the inside fundamentals of this older house. Since the Owners did obtain insurance, and since the Objector was able to provide written documentation of the availability of insurance locally for "older" houses, the Review Board rejects the Owner's argument of undue hardship.

Under the Act, Ontario Regulation 9/06 is the prescribed criteria for determining cultural heritage value or interest. The Owner stated there is nothing rare or unique in the design of the house, and it has no physical value save the use of local bricks. He contends that the house has been added to; the house has no discernible period style; and while the doors and windows may be old, they are not unique. He noted that the contextual value has been eroded by major changes to the streetscape with the elimination of many stone fences and trees, now making this a main thoroughfare through the Town. However, while the Owner did bring forward claims that the Reasons for Designation in the designation bylaw are not correct, he brought no authoritative evidence to support his contention, nor did he call any expert witnesses to verify his opinions.

While the Objector did bring forward knowledgeable testimony from a past member of the Municipal Heritage Committee (LACAC) on the cultural heritage value of properties in Parry Sound, most of the evidence of this witness dealt with her own older, but not designated properties. Again, no concrete evidence was presented regarding the cultural heritage value and heritage attributes of the property in question.

Based on the evidence presented, the Review Board is of the opinion that the issue of whether this property still holds cultural heritage value or interest was not convincingly explored by the Parties.

With the Town's failure to provide a reasoned argument; the issue of undue hardship rejected; and the evidence pro and con regarding cultural heritage value or interest undeveloped by the Parties, the Review Board recommends not repealing Bylaw 94-3705 which protects this property under s.29 of the Act.

Further, since the Owners are now questioning the content of the designation bylaw, the Review Board recommends that Council exercise due diligence by applying Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest to the subject property. The purpose is to determine if, and if so in what way, the subject property should continue to be protected under s.29 of the Act. If the property does not meet the prescribed criteria, Council can proceed with repealing the bylaw under the current proceeding. Alternatively, s.30.1(2)(a) permits Council to amend a bylaw: "To clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes," should this prove to be an appropriate action.

## **Review Board Recommendation**

For the reasons given, the Review Board recommends that the Council of the Town of Parry Sound not proceed under s.32(2)(b) to consent to the repeal of Bylaw 94-3705 that protects under s.29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 as amended 2006, the property known municipally as 41 Church Street.

The Review Board recognizes that the final decision in this matter rests with the Council of the Town of Parry Sound.

*The Review Board appreciated the efforts of all participants in these proceedings.*

(ORIGINIALLY SIGNED BY)

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Karen Haslam, Chair  
June 11, 2010

## **Schedule 1**

## **Exhibits List**

Exhibit 1: Affidavit of Statement of Service, submitted by the Board

Exhibit 2: Affidavit of delivery of Schedule “A” documents, submitted by the Town

Exhibit 3: Town of Parry Sound Criteria for Designation, submitted by the Town

Exhibit 4: Town of Parry Sound Resolution in Council #2008-102, re Terms of Reference for the Municipal Heritage Committee, submitted by the Town

Exhibit 5: 4 pages - Municipal Heritage Committee – Terms of Reference, submitted by the Town

Exhibit 6a: January 19, 2009 letter from Alan and Charlotte Stein, re request to remove designation of their property, submitted by the Town

Exhibit 6b: March 16, 2009 letter from Alan & Charlotte Stein, re request to remove designation of their property, submitted by the Town

Exhibit 7: 3 pages - Town of Parry Sound Resolution in Council #2009-038, re approval of request from Alan & Charlotte Stein, submitted by the Town

Exhibit 8: Town of Parry Sound By-law No: 94-3705 with attached Schedule “A”, submitted by the Town

Exhibit 9: April 22, 2009 letter from Marianne King-Wilson re objection to proposed repeal of by-law 94-3705, submitted by Town

Exhibit 10: April 15, 2009 letter from Stephen Wahllberg – Municipal Heritage Committee, re objection to proposed repeal by-law 94-3705, submitted by the Town

Exhibit 11: extract from Ministry of Culture Brochure – Insurance and Heritage Properties, August 2006, submitted by the Objector

Exhibit 12: January 15, 2010 letter from David Garagan, Parry Sound insurance brokers ltd., re insurance for century or heritage homes, submitted by the Objector

Exhibit 13: copy of email from Sean Fraser, Ontario Heritage Trust, re de-designation, submitted by the Objector

Exhibit 14: October 19, 2009 email from A. Pitt with attached information from the Canadian Association of Heritage Professionals via Built Heritage News on Heritage and Insurance, submitted by the Objector

Exhibit 15: copy of emails to Nancy Cunningham from the Economical Insurance Group re insurance and Heritage homes, submitted by the Objector

Exhibit 16: copy of email with attached quotes from Debbie Zettel, Cowan Insurance Group, re cost of insurance for 41 Church Street, submitted by Mr. Stein