

**Conservation
Review Board**

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**Commission des
biens culturels**

Ministère des Affaires civiques.
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**RE: CITY OF TRENTON - INTENTION TO REPEAL
DESIGNATING BY-LAW 83-340, 55 KING STREET
(OLD MARKET SQUARE AND TOWN HALL), TRENTON**

Heather Broadbent, Vice-Chairman
Barbara Humphreys, Member

July 19, 1993

Hearing pursuant to Section 32(1) of the Ontario Heritage Act,
R.S.O. 1990, Chapter O.18 of the Notice of Intention given by
the Council of the City of Trenton to repeal the designation By-
law 83-340 under Part IV of the Ontario Heritage Act.

Witnesses: Neil Robertson, Mayor of Trenton
Valerie Thompson, Member of Trenton Council
Alex Herlovitch, Trent Port Historical Society
Robert C. Wilkins, Member of the Public
Margaret Smith, Trent Port Historical Society

Commentators from the Public:

Wm. Brummell
Dr. W.L. McDonald
Ken Darby

The Board attended at the Marmora Centre, Trenton, on July 19,
1993.

FINDINGS OF FACT

Mayor Robertson stated that the decision to appeal the
Designation of this building was made in the interests of public
safety since in its present condition he believes the building
to be a threat to public safety and there are no funds available
to restore or stabilize it. Furthermore he said that there is a
lack of interest on the part of the public in the building and a
lack of action on the part of those interested in its retention
and restoration and again stressed the question of public
safety. In response to a query from the Board as to whether or
not a structural survey of the building had been done, the Mayor

initially could not recall but City Staff stated one existed and a copy would be supplied to the Board. (This, being a report by W. R. White Architect Limited of Belleville, dated August 2, 1990, commissioned personally by the Mayor was later delivered to the Board and entered as Exhibit No. 14).

Mr. Herlovitch questioned whether the City has actually turned the building over to the Historical Society who raised the necessary funds and made some repairs to the building during the past few years? Mr. Herlovitch obviously believed the City had not turned the building over but the Mayor refuted this quoting from his report to the Board (submitted as Exhibit 2) to the effect that the City entered into an agreement with the Historical Society for the "exclusive use, occupation and possession of the premises."

Valerie Thompson, Alderman of the City of Trenton, stated she was one of the dissenting members of Council who had voted against the repeal of the Designation. She felt that the reasons for demolition could not reasonably be argued as being due to the building's vacancy or existing condition or lack of funds to remedy this because at the present time there were no costs to the Council and it would cost from \$50,000 to \$75,000 dollars to demolish it. She argued that since there were no funds to preserve the building, there were no funds to demolish it either. Ms. Thompson believes that the building should be preserved both for its architectural and historical merit.

The Board then called on Mr. Alex Herlovitch to present the affirmative case. Mr. Herlovitch called Mr. Peter John Stokes as his first witness.

Peter John Stokes is a Consulting Restoration Architect. The Board accepted Mr. Stoke's resume of his extensive academic qualifications and professional experience which qualified him to give testimony on behalf of the Trent Port Historical Society. Further, he had been commissioned by the Trent Port Historical Society in 1988 to do a report and feasibility study of the building in question - i.e. Trenton Old Market Square and Town Hall.

Referring to a large display of contemporary photographs of the Old Town Hall he described the building as being an example of the Greek Classical Revival style with a strong rendition of the Doric. The original wooden pilasters which enhanced this image are no longer in place but a good deal of the detail typical of the style--such as the window trim remains. He felt it was a simple, dignified building and an example of one of the more modest designs by Kivas Tully who was one of the most important

architects of the 19th century in Canada. He was known to be very versatile in use of styles for his many civic buildings and typical of his designs are such details as the heavy frieze and the roundel in the pediment of the Old Town Hall. His initial design also included a large scale belfry, now missing and one of the original two chimneys, which is also missing. A structural report on the building detailing these and other changes is contained in Mr. Stokes' report of 1988. Mr. Stokes then discussed the interior plan of the building which originally housed the market on the first floor and council chambers and offices on the second. He referred to an early picture of the interior and also to the discovery, during the course of his examination of the building in 1988 of a small piece of the original wallpaper at one end of the cornice.

He stated that the exterior was extraordinarily well built and well finished and that there had been a stone extension at the south end which figured in the plans for the re-use of the structure but which has since been demolished. Other changes included the division of the second floor into a number of small rooms and the filling in and eventual demolition of the once open verandahs or "piazzos" (as termed at the time) which, while not original had been added at an early date to provide additional space for the market. The building served as Market Hall for over 100 years. In the 1930's the Town Hall moved out and it was altered to accommodate the police who remained until 1984. Subsequently the south extension was used but required repair for which some help was offered by the Architectural Conservancy of Ontario. When the City later demolished this extension, which housed the boiler, the building was left without a heating system.

In discussing the site, Mr. Stokes said that originally there existed a sympathy between the city hall and other buildings surrounding the Square; that demolition would provide only an additional six parking spaces and that there was already free parking nearby. He stressed the importance of Kivas Tully, the architect of the building, whom he considers to be one of the most important architects of mid-19th century Ontario, being in a class with other great names of the time such as John Howard and William Thomas. Regarding the structural integrity of the building, Mr. Stokes said that he had examined the building in detail and in consultation with engineers has ascertained that there were some structural deformities, including the roof, but none of which were considered major. He believes it would be possible to reinforce the existing framing to render the second floor usable by groups i.e. the floor loading would be adequate to do so. There was no testing done of the foundation of the building. There is no basement and he suspects the area is wet. To sum up, there are no serious structural problems, no major cracks in the stonework and reinforcing the framework is easily possible.

Regarding future use of the building, Mr. Stokes believes that it would be best used as originally intended--by the public. The best of the suggested uses were in his opinion as a City Hall, mentioning that the present Council chambers have moved twice and are now housed in a school, and the other preferred use as an adjunct to a public library to be built in the civic square (as suggested in a feasibility study prepared by Lehman Consultants); that, while it was not too useful a building as a museum, it could be utilized for small shows or craft displays.

He considered first choice for future use to be as a City Hall and the second, as a public library.

Estimates for initial "mothballing" to include the closing of openings, painting of the window trim, etc. would require about \$40,000, some of which might be available in grants. Restoration to make the building functional would cost about a quarter of a million dollars. Note these figures were as shown in his report of 1988.

Margaret Smith, Past President and present Treasurer of the Trent Port Historical Society, stated that the Society had previously commissioned a feasibility study of this building and funded some repairs on the addition which has since been demolished. Mrs. Smith further stated that the Society had recently submitted a plan to Council for the future use and a preliminary business plan for the restoration of the building. She said that the building would not be eligible for grants if it was de-designated; that the holding of the actual deed to the building was immaterial and that they wished to work with, not against, the City. She submitted an excerpt from the book "The Cornerstones of Order" by M. MacRae who comments very favourably on this building. The work previously done by the Historical Society included exterior painting, and the repair of the roof of the now demolished extension to make that area usable for the Food Bank, among other things. All funding for this work was raised by the Society and fundraising for future restoration has been ongoing.

Robert C. Wilkins: A lawyer, now living in Westmount, P.Q., Mr. Wilkins is a great great grandson of the Honourable R. W. Wilkins, a mid-19th century resident of Carrying Place, who donated the Civic Square site to the then village of Trenton. Mr. Wilkins gave a brief family history to emphasize the civic contribution, both in the military and commercial, made by the family to the area. His great great grandfather held many important posts and was Commanding Officer of the Prince Edward County Militia during the Rebellion of 1837, and a member of the Legislative Council of Upper Canada. He "sold" the land for 5 shillings to the village on the condition that a town hall and market be constructed on the site, to be started within one year and completed by five, and that hereafter the site was to be solely for public use. The sale grant was completed January 18, 1861 and after his death the executors released the village from the agreement because the land was being used as required.

Mr. Wilkins asked if there was not a moral obligation to continue to use the site as originally intended i.e. by the public. He commented briefly on the importance of Kivas Tully and the architectural style of the building. He felt the building was intimately associated with the lifestyle of the community and district and that buildings of historic interest should be preserved if this city is to respect the tradition of its founding. Further, that originally being bounded by the drill hall and the fire hall, then housing the police station and later a food bank, the building has had multi-faceted use and exposure, all of a public nature. Its demolition would rob not only Trenton but also the Quinte district of a part of the architectural and historical patrimony of Ontario. The loss of the building would remove the last vestige of an era with the objective of the demolition being only to provide six parking spaces.

Suggested uses might include a Tourist Bureau, Service Club functions, small arts and crafts, archival collections and historical society records. He stressed that lack of money should not be the decisive factor, believing that despite present conditions money could be found just as it was found during the 1929 depression to maintain historic buildings.

Mr. Wilkins concluded by stating that loss of this building would be a loss as well of a sense of community and that its retention would assist in preserving and enhancing memories of the past, that if we allow the loss of such buildings we have no right to regret the loss of history which these buildings represent and which in turn helps to create and preserve this sense of community now so gravely lacking. In order to assist in the preservation, Mr. Wilkins announced a donation of \$500 to the Trent Port Historical Society with a promise of further donations if the Council agrees to restoration.

Mrs. Smith was recalled to the witness stand. She stated that the Trent Port Historical Society fundraising is now approximately \$5,000 (five thousand dollars) and that more help is available. Mrs. Smith stated that if the building is not designated there is no legal base on which to raise funds.

William Brummell, a resident of Trenton, asked if the Board members had viewed the building but had no further comment on being assured that they had had a tour, of the interior and exterior, prior to the hearing.

Dr. W. L. McDonald, a citizen of Trenton, was on the original planning board for the City of Trenton in 1957; at that time the board engaged a firm from Toronto to do a feasibility study. The report pointed out that there were two important features of the City, one being the river and the other the Town Square. The Town Square was unique because it was anchored by or had as its cornerstone the old Town Hall. Commenting on the early historical buildings of Trenton Dr. McDonald said that while

other towns, such as Almonte, had preserved their post offices, in Trenton only the tower of the old post office had survived and this was largely due to the successful efforts of a group of high school students from outside the community. The students were working on a project in the area and helped to create a sense of local awareness and appreciation of this historical building. Dr. McDonald displayed a framed drawing of Old City Hall restored, which is apparently a print being sold by the Historical Society to raise money for the Hall's restoration.

Mrs. Smith, replied to a question by the Board as to the number of historical buildings preserved in Trenton. She stated that while there are a number of houses designated by LACAC only one commercial building (the Button Factory) had been designated. The Button Factory was originally built by a lumber company and later housed the City Hall and Library but is now privately owned and not in use as a civic building.

Summation by Mr. Herlovitch:

Mr. Herlovitch referred the Board to the comments by Mr. Stokes on the architecture and structure of the building and the importance of its architectural style in reflecting the importance of its use. He stated that the Historical Society has a current agreement with the City for retention of the building pending further efforts to restore the building for future use and that designation is an important part of the required fundraising effort. He reviewed the background of the donation of the land and cited the City's actions concerning the past treatment of the building. The City had done nothing to stabilize the structure, had demolished the annex which housed the heating system and had reduced the future and present use of the building by so doing. Further, they looked elsewhere for space for Council chambers rather than trying to utilize the building and at the moment are housed in a school. He stated that there was community backing evident in the fact that the Society has been able to raise some funds but again emphasized the importance of designation to the society in their on-going effort to raise funds.

Ken Darby, a construction supervisor and builder in Trenton, described the existing sagging beams but indicated this could easily be remedied. He stated that the structure for the original belfry remains and that in 1939-40 the square was still a marketplace. Mr. Darby offered his help in the restoration of the building.

FINDINGS OF FACT:

This building has been exhaustively researched, photographed, examined and considered for possible future usage. It was constructed in 1861, a few years after the settlement of Trent Port became the Village of Trenton (1853) and in need of a Town Hall. The town halls in the early towns and villages of Ontario

which housed the council chambers and a courthouse, were customarily combined with a market to form a market square or civic centre. Trenton was no different and established the hall and market place as the central core of the new village. The building served for over one hundred years as the central core of Trenton. The need for additional market space led to the erection of open porches along three sides of the building (referred to by the Council of the time as "piazzos") and subsequently partially closed in and the erection of a stone addition at the rear or south end of the building. The porches were later removed and the addition demolished in 1989. In 1972 the upper level, previously used as a provincial court, was renovated to house offices for the Police Department which remained until 1984 when it moved to larger premises. Some use was made of the extension by the Historical Society who raised the funds to render this possible but the building to all intents and purposes has been vacant since 1989, having served continually for a century and a quarter as a civic building as was the original intention.

The Market Square and City Hall was designed by Kivas Tully, an eminent architect of mid-19th century Canada whose magnum opus was Victoria Hall in Cobourg. The Trenton building was one of his more modest designs but nonetheless displays his ability to translate the dignity and importance of the city's image into wood and stone. It is, comparatively speaking, a small building measuring 38 x 60 feet, sturdily built of local limestone with walls 22 inches thick and a rather elaborate roof framing system of queen post trusses. Built without a basement it provided two full floors of open space and a commodious attic. In architectural style it is very much that of the Classic Revival, a style commonly used for public buildings in Canada. There is an emphasis on Greek Revival detailing such as the eared trim of the windows and the "temple" styled front facade. Originally there was a simple bell tower towards the front roof, an echo of the domes or clock towers that often surmounted the typical city hall of the time. In essence it was a building of handsome proportions, carefully detailed and eminently suited to its function as a civic centre, expressing the dignity and importance of the occupants. In its present condition much of that dignity or charm is missing and as it stands it is rather a tired looking structure, not looking at all as if it were about to fall down but rather looking as if it were tired of standing. Efforts have been made over the years by the Historical Society to at least paint it and repair the addition, now demolished. The only contribution made toward it by the City since the Police vacated the building has been to demolish the addition which housed the heating plant, thereby rendering the main building almost useless and hastening its deterioration.

In all fairness to the City it should be noted that in 1991 the Council, in conjunction with the Historical Society, sponsored an advertising campaign to solicit proposals for the restoration and use of the building. While there were nineteen responses to

the advertisements, only one proposal was obtained. The proposal was from the Kiwanis Club of Trenton who were obliged to withdraw their offer in 1992 due to current financial restraints.

The report commissioned by the Historical Society and completed by Mr. Peter Stokes details the architectural and historical importance of the building, not only to Trenton but to the architectural history of Ontario as a whole. The report details the structure of the building and the work required to make the building habitable, with estimates of cost and lengthy discussion of the possible uses for the structure. This report is comprised of two volumes and the 125 pages were supplemented in June 1990 with an additional report, also by Mr. Stokes, designed to detail the minimum maintenance required under present conditions in view of the changes that have occurred to the structure since his previous report and with further comment on potential uses.

Still another report was prepared by the Trent Port Historical Society and presented to Council as a "Preliminary Business Plan for the Restoration and Continued Use" of the building. Accompanying this Plan is a "Reasonable Proposal for This Historical Building's Restoration and Continued Community Service". Proposal One in the report suggests the full restoration for the use of the building as a museum and meeting hall at a cost of \$112,001 and a 5-year projected income of \$221,000. Income is quoted as \$91,000 with grants from POA (Preserving Ontario's Architecture) and CFIP (Community Facilities Improvement Program) and \$36,000 without these grants. Option Two includes full restoration of the exterior and conveyance of the building to the Society who would then lease it out in whole or part to private enterprise. The tenants would be responsible for the upgrading of their space in accordance with heritage guidelines. Costs for this option are estimated at \$50,000 for restoration, \$500 for administration, with an income of \$20,000 for lease, \$53,000 from grants for the first year and \$23,000 a year thereafter. The City has agreed to the Society pursuing Option One with the understanding that if they are successful in raising money for the restoration the City will reconsider conveying the building to the Society which would enable them to proceed with Option Two.

CONCLUSIONS:

After viewing the building, inside and out and reviewing the detailed list of repairs to be undertaken, the Conservation Review Board is of the opinion that restoration is viable and that the damage already done to the building by changing uses and neglect can be remedied with not too much difficulty. The building has lost little of the architectural and none of the historical importance which dictated its designation in the first place--any loss suffered by the former can be readily remedied with a minimum of exterior restoration and the latter

is enhanced as the years go by and we lose more and more of our historical buildings. These buildings are tangible evidence of the optimism and faith our forefathers had in the communities they worked hard to establish. To paraphrase a comment made by Mr. Wilkins, we can ill afford to remove the physical evidence of the standards and community life represented by them while at the same time striving to regain the standards of that same lifestyle.

The Board finds that the facts describing the Old Market Square and City Hall as set out by both parties and substantiated by the written evidence submitted to be basically correct i.e. that the building has architectural and historical merit and that it is in need of repair. The City claimed that in its present condition the building is a public hazard and since they are not in a position to spend the necessary funds to restore it, that in the interests of public safety the building should be demolished. The City has therefore applied for repeal of the designation by-law in order that demolition may be carried out.

Meanwhile, the Trent Port Historical Society has renewed their efforts to raise the necessary funds for the restoration of the building and to plan its future use. The City has expressed their moral support (not financial) for the new Business Plan submitted by the Society and has indicated that if the Society is successful in raising the necessary funds the City will consider the Society's request that the building be conveyed to them for a nominal consideration.

RECOMMENDATIONS:

It is the recommendation of the Board that the appeal for de-designation of the Old Market Square and Town Hall be denied on the grounds that:

a) This building is of architectural and historical importance, not only in Trenton but in the context of the architectural heritage of the Province.

b) That while restoration of the building is feasible, Designation status is essential to the local Historical Society in their current drive for the necessary funds by way of grants and/or major donations.

The Board further recommends that the restoration proceed as expeditiously as possible. An immediate start should be made on stabilizing the exterior stonework and detailing by repairing the downspouts (water damage to the fabric of a building due to a lack or improper working of eavestroughs and downspouts is the cause of major deterioration of very many buildings, historic or otherwise).

The work of restoration should, insofar as possible, be carried out as detailed in the Peter Stokes report of June 1990 and the later Business Plan, stressing the repair to the physical structure (the roof and framing) first, exterior details next and finally the interior as it blends in with the other phases and in accordance with such proposed uses as may present themselves as the work progresses.

(Original Signed by)

Heather R. Broadbent
Vice-Chairman

Barbara Humphreys
Member

EXHIBITS

- 1 Affidavit re notice of hearing
- 2 Report by the City of Trenton to the Board
- 3 Display of 12 contemporary photographs of the Town Hall and Market Square (accepted into the record but not retained)
- 4 Group of four early photographs of the Town Hall and Market Square
- 5 "Feasibility Study for the Preservation and Continued Use of the Town Hall and Market House 1861, Trenton, Ontario", prepared by Peter John Stokes in 1988 (two volumes)
- 6 "Trenton Town Hall and Market House, 1861, Kivas Tully, Architect", by Peter John Stokes in "Acorn", Winter 1989-90, p.46
- 7a & 7b "The Preservation and Continued Use of the Town Hall and Market House, 1861, Trenton, Ontario. Active Mothballing Phase 1." by Peter John Stokes, June 1990.
- 8 Business plan by the Trent Port Historical Society: "The Trent Port Historical Society Presents a Reasonable Proposal for This Historic Building's Restoration and Continued Community Service."
- 9 "Preliminary Business Plan for the Restoration and Continued Use of Trenton's Old Town Hall and Market Building."
- 10 Letter of June 22, 1993, City of Trenton to Trent Port Historical Society, acknowledging receipt of proposed Business Plan and confirming Council's "support and encouragement" and willingness to reconsider conveying the building to them should the proposed plan be successfully implemented.
- 11 Excerpt (pages 164-167 incl.) from "Cornerstones of Order, Courthouses and Town Halls of Ontario, 1784-1914" by Marion MacRae & Anthony Adamson, commenting, in part, on the history and style of Trenton's Town Hall.
- 12 A report of the Local Architectural Conservation Advisory Committee on 55 King Street, Trenton (the Town Hall, Market Place and Police Station), June, 1989 by Connie Landry.
- 13 Building inventory Checklist, City of Trenton LACAC
- 14 Report on Old Town Hall and Market House, 1861, prepared by W.R. White Architect Limited of Belleville, submitted to Mayor Robertson, Trenton, August 2, 1990.