

CONSERVATION REVIEW BOARD

**RE: THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON –
INTENTION TO DESIGNATE THE PROPERTY KNOWN AS
24 HENDERSON STREET (CHALMERS CHURCH) IN ELORA, ONTARIO
AND THE PROPERTY KNOWN AS 176 SMITH STREET (KRAFT HOUSE)
IN ELORA, ONTARIO**

**Su Murdoch, Member
Stuart Kidd, Member**

October 18, 19, 20, 2006

This hearing was convened under section 29(8) of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended, for the purpose of reporting to the Council of the Township of Centre Wellington, Ontario, whether, in the opinion of the Conservation Review Board, on the basis of the evidence it heard, the property known as 24 Henderson Street (Chalmers Church) and the property known as 176 Smith Street (Kraft House), both in Elora, Ontario, should be designated by bylaws under the Act.

The properties are abutting. The current legal descriptions and owners are:

24 Henderson Street: Plan 56, Block B, Lots 3 to 4, Part Lot 6, RP61R9466 Parts 1, 3, and 4 (formerly in the Village of Elora) now in the Township of Centre Wellington. Owner Jonathan Kearns. This property contains a stone church building erected in 1877 for the Free Church (Presbyterian) congregation and is referred to as “Chalmers Church.” The principal façade faces south.

176 Smith Street South: Plan 181, Lot 5, Part Block B, Part Lot 6, RP61R9466 Part 2 (formerly in the Village of Elora) now in the Township of Centre Wellington. Owners Jonathan Kearns and Robert Kearns. This property contains an 1865 stone dwelling with a 1915-1916 brick addition and is referred to as the “Kraft House.” The principal façade faces east.

Two objections were filed with the Clerk of the Township of Centre Wellington regarding the Notice of Intention to Designate:

1. **February 6, 2006: Glen Kachur and Ian Rankine** objection to the exclusion of the 1915-1916 brick addition in the Statement of Cultural Heritage Value or Interest and description of heritage attributes for the Kraft House; and

2. **February 27, 2006: Jonathan and Robert Kearns** objection to the designation of the Kraft House and the Chalmers Church, qualified with the statement that “I do not object to the form of the building exterior [24 Henderson Street, Chalmers Church] being designated. However, the residential use of the building will require some alterations and additions to the exterior for it to be viable.”

Notice of this hearing was given by the Board, in the manner required under the Act, in the Wellington Advertiser on October 5, 2006. An affidavit by a member of the Conservation Review Board’s staff with respect to this notice was filed as Exhibit 1.

The Board, in accordance with its customary practice, had the opportunity to inspect the properties (site and exteriors only) at 9 a.m. on Wednesday, October 18, 2006, in advance of the start of the hearing. The Board also viewed the immediate neighbourhood on several occasions during the three days of the hearing.

The Board met in the Township of Centre Wellington Council Chambers, Civic Centre, 1 MacDonald Square, Elora, commencing at 10 a.m., October 18, 2006.

Participants

Counsel and Agent in Order of Appearance

- Cavan Acheson, Grant-Acheson Law Firm, Solicitor on behalf of Township of Centre Wellington
- John E. Valeriote, Smith Valeriote Law Firm, Solicitor on behalf of Objectors Jonathan and Robert Kearns
- Robert Jackson, Spokesperson/Agent on behalf of Objectors Ian Rankine and Glen Kachur

Witnesses In Order of Appearance

- Brett Salmon, Director of Planning, Township of Centre Wellington
- Linda Lonsdale, Recording Secretary, Heritage Centre Wellington, and staff member Township of Centre Wellington
- Jonathan Kearns, Objector and owner
- Robert Jackson, agent for Objectors Ian Rankine and Glen Kachur
- Ian Rankine
- Jonathan Kearns

Members of the Public In Order of Appearance

- Raoul Robinson, Chair, Heritage Centre Wellington
- Graeme Nicholson, Member, Heritage Centre Wellington

The first day of the hearing commenced at 10 a.m., Wednesday, October 18, 2006.

Procedural Matter

At the start of the hearing, the Board cautioned that the jurisdiction of the Board is to determine, based on the evidence heard, if there is sufficient cultural heritage value or interest in each of the properties, to proceed with designation by separate bylaws under section 29, Ontario Heritage Act (“OHA”). All were advised that matters of landuse planning are outside the jurisdiction of the Board and, therefore, evidence of this nature will not be heard.

As is the custom of the Board, members of the public in attendance were asked if they intended to participate by making a statement later in the proceedings. Raoul Robinson and Graeme Nicholson requested the opportunity to speak and were scheduled by the Board to do so following the summations.

Case for the Township of Centre Wellington

Cavan Acheson, solicitor on behalf of the Township of Centre Wellington (“Township”), began by noting that, due to a clerical oversight, the proposed bylaw for the Chalmers Church property was not included in their submission. Copies of the bylaw were inserted and the document binder tabled as Exhibit 2. Mr. Acheson confirmed that the bylaw for the Kraft House (p.62 Exhibit 2) is the current version. Mr. Acheson then distributed Exhibits 3 through 8.

Mr. Acheson explained to the Board that the position of the Township for purposes of this hearing is to be neutral, limiting its role to providing the Board with information about the chronology of events that resulted in the Council of the Township of Centre Wellington (“Council”) issuing the Notice of Intention to Designation for both properties.

Mr. Acheson advised the Board that the Objectors and the Township have agreed to the designation of the Chalmers Church property subject to some revisions in the Statement of Cultural Heritage Value or Interest (“Statement”) and the description of heritage attributes. Mr. Valeriote and Mr. Jackson concurred on behalf of the Objectors.

Witness – Brett Salmon, Director of Planning, Township of Centre Wellington

Mr. Brett Salmon, Director of Planning, Township of Centre Wellington, was sworn as a witness.

Mr. Salmon stated that he is the Director of Planning for the Township of Centre Wellington and author of the report: “Planning Application and Heritage Designation of Chalmers Church and Kraft House” prepared for the Council meeting of December 5, 2005 (Exhibit 6).

Mr. Salmon stated that on August 1, 2004, a zoning bylaw amendment application for a development proposal for the properties was submitted by the owners, Jonathan and Robert Kearns, to the Township’s Planning Advisory Committee. As is PAC’s standard practice, the application was circulated to the Development Review Committee, County of Wellington Planning Department, and Heritage Centre Wellington (“HCW”) for comment.

Mr. Salmon further stated that, prior to the formal application, the owners had presented the development proposal to the “neighbours” and HCW. The majority of HCW members prepared “Welland Court Report (2004 Version #1),” which considers the “heritage concerns” with the proposed development (Welland Court) and states their opposition. Five HCW members prepared “Minority Heritage Report on the Welland Court Development,” which also considers heritage issues and states they are “in favour of” the development.

Subsequent to this, the owners revised the development proposal and submitted a Heritage Impact Assessment prepared by Daniel B. McNeil. On March 10, 2005, the revised development proposal was referred by the Township to Owen Scott of The Landplan Collaborative Ltd. for a peer review (at the applicant’s expense).

It was confirmed by Mr. Acheson that Heritage Centre Wellington is a municipal heritage committee as defined by the OHA.

Mr. Salmon stated that on September 15, 2005, seven members of HCW evaluated the cultural heritage value or interest of the two properties using the Committee's standard Designation Assessment. The scoring resulted in a recommendation to Council to issue the Notice of Intention to Designate for both properties.

At its October 3, 2005 meeting, Council referred the matter back to HCW. Mr. Salmon was instructed by the Township's CAO "to provide some background for Council prior to consideration of the recommendation to designate." The result is the Exhibit 6 report that provides a chronology of events and outlines the designation process under the OHA.

Council issued the Notice of Intention to Designate at its December 5, 2005 meeting.

Cross-examination of the Witness

Mr. Valeriote and Mr. Jackson asked Mr. Salmon some points of clarification.

Witness – Linda Lonsdale, Recording Secretary to Heritage Centre Wellington and staff member Township of Centre Wellington

Ms. Linda Lonsdale was sworn as a witness.

Ms. Lonsdale explained that her role as HCW Recording Secretary is to attend the meetings, compile the minutes, and manage other administrative duties.

The Board cautioned that as Ms. Lonsdale is not an appointed member of HCW, her statements must be documented by the materials presented as Exhibits 2 through 8.

Ms. Lonsdale confirmed that according to the minutes, the first discussion by HCW of the development proposal was at the HCW meeting of February 18, 2004. The minutes of March 17, 2004, indicate that HCW was aware that the owner of Chalmers Church, Jonathan Kearns, was hosting an Open Forum Discussion on March 18.

Ms. Lonsdale explained that several regular and "Extraordinary Meetings" of HCW were held to discuss the Welland Court development proposal and its impact on heritage aspects of the properties.

The HCW Designation Assessment forms for Chalmers Church (exterior only) and the Kraft House (stone portion only) were completed on September 15, 2005, by seven HCW members instead of the usual three.

The HCW minutes of September 21, 2005, contain the initial motion to recommend to Council the designation of four properties, including 24 Henderson Street and 176 Smith Street.

At the HCW meeting of November 16, 2005, a motion was passed to forward an October 24, 2005 background report prepared by HCW on the Welland Court proposal, as amended, to Planning Advisory Committee, Council, and the Director of Planning. Motions were also

passed recommending to Council that HCW's original recommendations to designate Chalmers Church and the Kraft House be referred back to Council for consideration.

Cross-examination of the Witness

Mr. Valeriote referred the Witness to the completed Designation Assessment forms for the Kraft House. Ms Lonsdale confirmed that the forms specify the stone part only.

The Witness was asked by Mr. Jackson to confirm the date of February 2004 as the first discussion of the properties by HCW. Ms. Lonsdale confirmed this to her knowledge.

Mr. Jackson asked the Witness to confirm if seven was more than the standard three members asked to evaluate a property for designation. Ms. Lonsdale confirmed this to her knowledge.

Ms. Lonsdale's testimony concluded the case for the Township of Centre Wellington.

Case for the Objectors Jonathan and Robert Kearns

Mr. John Valeriote, counsel for Objectors Jonathan and Robert Kearns, submitted Exhibit 9. He then called his witness, Mr. Jonathan Kearns, who was sworn.

Witness – Jonathan Kearns, Objector; Owner of 24 Henderson and Joint Owner of 176 Smith Street

The Board accepted Mr. Kearns' curriculum vitae as Exhibit 10 and photocopies of some of his architectural projects were later inserted as part of Exhibit 10. The Board agreed to Mr. Kearns giving expert testimony based on his credentials as a professional architect, member of the Ontario Association of Architects, and his project experience in stone masonry construction and heritage buildings.

Mr. Kearns explained that he first viewed the two properties in 2002/2003 when visiting his brother, Robert Kearns, who resides in Elora. They bought the Kraft House property jointly. Jonathan Kearns bought the Chalmers Church property independently in July 2003. As an architect, J. Kearns developed a residential development proposal for the combined properties and initiated consultation with neighbourhood residents before submitting a formal zoning amendment application to the Township. The development design was revised by J. Kearns in response to discussions with area residents and HCW.

Mr. Kearns was asked by Mr. Valeriote to apply, using his expertise in heritage buildings, OHA Regulation 9/06 being criteria for determining cultural heritage value or interest for property being considered for municipal designation under section 29, OHA.

Mr. Valeriote provided a copy of the Statement for Chalmers Church to Mr. Kearns, who then stated:

- It is representative of Scottish Gothic (not English) style
- The materials and construction methods have value
- The stonework is well-executed
- There is good interior carpentry with old growth white pine spans
- There is importance in the Reverend Middlemiss association
- It is the defining building in the immediate neighbourhood and a landmark
- The interior is gutted except for elements of the nave

Mr. Kearns applied Regulation 9/06 to the Kraft House property using the Statement contained in the current draft bylaw. With regard to the stone portion of the house (i.e., without the 1915-1916 brick addition), Mr. Kearns described the building as random rubblestone construction with rough quoins and wood sills. The chimney and fireplace and one of the windows are gone; a dormer window that “architecturally detracts from the house” and the porch have been added. It is a “utilitarian building.” He contends that there are other small stone houses in Elora, and better stone house examples in the neighbourhood. In his opinion, the house is “out of context; its only value is age; and that it preceded the character that the lot became.”

For ease of reference, the Document Book of Neighbourhood Objectors was tabled as Exhibit 11.

Mr. Kearns reviewed the HCW Designation Assessment forms completed by seven HCW members (pp.100-106 Exhibit 11). He noted that notations on each form indicate it was only the exterior of the stone portion of the house (without the brick addition) that was assessed. Mr. Kearns is of the opinion that the Designation Assessment completed by HCW member Steve Ennis is the most accurate as the score of 54 would not have resulted in the recommendation for designation.

Cross-examination of the Witness

Mr. Acheson asked Mr. Kearns to comment on the accuracy of the information contained in the Statement for the Kraft House. Mr. Kearns noted that it had been agreed that the Statement contains factual errors, notably:

- The date of construction is now agreed to be 1865, not 1855
- The time chronologies would have to be adjusted based on the 1865 date
- The reference to Henderson Street commemorating the first owner of the house is incorrect
- The 1920s date of the brick addition is now believed to be 1915-1916

Mr. Acheson asked Mr. Kearns to comment on the content of the Statement for Chalmers Church. Mr. Kearns stated he “mostly agrees with the” Statement except for the implication that the setting is largely unchanged, as the appearance of the Kraft House was changed by the brick addition.

The Board questioned if Mr. Kearns had undertaken any original research for the properties. He stated that he had “ordered” a package of information from HCW, and that his knowledge of the histories of the properties is based on that package.

This concluded the case for the Objectors Robert and Jonathan Kearns.

Case for the Objectors Ian Rankine and Glen Kachur

Procedural Matter

The Board requested that Mr. Robert Jackson clarify his role in the hearing. Mr. Jackson stated he is not a member of HCW. He is a member of a subcommittee of HCW with the mandate to investigate the potential for designating a heritage conservation district, as defined by Part V, OHA, which would include the subject properties and environs.

The Board accepted Mr. Jackson's role in the hearing as spokesperson/agent for the Objectors Ian Rankine and Glen Kachur, and that the sentiment of these two objectors also represents an informal group of neighbourhood residents. Mr. Rankine and Mr. Kachur are members of HCW.

Mr. Jackson tabled Exhibit 13 as a copy of his visual presentation.

Mr. Jackson's curriculum vitae, with an accompanying document "Elora's Victoria Crescent Neighbourhood proposed Heritage Conservation District" as a sample of his work, was accepted by the Board as Exhibit 14.

Witness – Robert Jackson, Spokesperson/Agent for Objectors Ian Rankine and Glen Kachur

Mr. Jackson was sworn as a witness for the purpose of presenting background information.

Procedural Matter

It was agreed by the Board that the cross-examination of Mr. Jackson as a witness was to be held until the completion of the testimony by the next witness, Ian Rankine.

Mr. Jackson outlined the history of the Elora area stating that the subject properties were originally part of Lot 19, Concession XI, Nichol Township. The first settlement of Elora took place on the south side of the Grand River, the river being a natural barrier to the north side. By 1840, there was only one "shanty" dwelling known to exist on the north side. In 1843, Ross & Company built the first bridge to the north side. By 1845, Charles Allan and David Henderson were occupying dwellings on the north side of the river, where several businesses were operating.

In 1847, the first David Street bridge crossed the river and entered into the north side, at Lot 19.

In 1857, Charles Allan and James Mathieson bought Lot 19 and had it subdivided into building lots. This is known as the "New Survey." Elora was incorporated in 1858.

What is believed to be a deviation from the standard survey grid created a triangular parcel ("the triangle") with seven lots bound by Smith Street, Henderson Street, and Victoria Crescent within the New Survey area. Chalmers Church on Lots 3 and 4 and the Kraft House on Lot 5 are two of now five parcels of property (seven lots) developed within this triangle.

Mr. Jackson continued with the property history and explained that there seem to be some land title complications, possibly due to a collapse in the real estate market and the death in 1859 of Charles Allan.

The first church building for the Free Church denomination was built in 1856 (possibly before the New Survey compilation). It was wood and located on what became Lot 2, now part of the 1861 manse property. In 1877, the stone Chalmers Church, described by Mr. Jackson as an "English" Gothic style, was erected.

Mr. Jackson continued with an analysis of the heritage properties in the triangle and surrounding neighbourhood. All twenty properties in the neighbourhood are in the Township's Inventory of Urban Heritage Buildings. The Kraft House has been in the Inventory since 1992 and Chalmers Church since 1993.

Two properties within the triangle are designated under section 29, OHA. These are the Mansfield Cottage, 200 Smith Street, built in 1895 for the retiring Reverend James Middlemiss of Chalmers Church (now owned by Objector Glen Kachur), and the manse, 14 Henderson Street, built in 1861 for Chalmers Church. Five additional properties in the immediate vicinity are also designated: 13, 17, 36 Henderson Street, 201 Smith Street, and 190 Victoria Crescent (now owned by Objector Ian Rankine).

The construction of the stone part of the Kraft House in 1865 is attributed to Elora wagon and carriage maker George Noble. He had another house built in 1870, across the road on Lot 40 Smith Street (now 181 Smith Street). Lot 40 abuts Lot 41 Geddes Street, which was the location of the Noble Carriage Works.

Mr. Jackson explained that the Official Plan for the Township of Centre Wellington outlines the boundary for a "Heritage Area." This is an extensive landmass of which the triangle is a part (p.75 Exhibit 11). The Official Plan states that: "The intent of the Heritage Areas is to identify an area in which a significant number of buildings contain heritage values and to ensure proper consideration is given to protecting these buildings when development proposals are put forward" (p.72 Exhibit 11).

Mr. Acheson clarified for the Board that the "Heritage Area" is not a heritage conservation district under Part V, OHA. Mr. Jackson stated that there is a study underway to consider a portion of the Heritage Area as a HCD and it would include Chalmers Church, the Kraft House, and environs.

Mr. Jackson stated that Elora's heritage properties are important to tourism and that Henderson Street is a historic link for tourists between the commercial core and Elora Gorge.

The hearing resumed at 10:00 a.m., Thursday, October 19, 2006.

Procedural Matter

It was identified by the Board that Mr. J. Kearns had been asked to comment on an earlier version of the Statement for Chalmers Church than the one contained in the current draft bylaw. It was agreed by all that Mr. Kearns would be given the opportunity before Summations to comment on the Statement in the current draft bylaw.

Witness – Robert Jackson, Spokesperson/Agent for Objectors Ian Rankine and Glen Kachur

Mr. Jackson tabled Exhibits 16 through 19 and continued under oath.

Mr. Jackson referenced pages 67 to 75 of Exhibit 11 as extracts of the Municipal Official Plan for the Township of Centre Wellington, which was approved May 31, 2005. He cited section B as a vision of Elora that includes culture and heritage, and that a Major Goal

under section B.4 11. is to “Protect the unique cultural heritage resources of the community.” This is reiterated in section C.2 Cultural Heritage Resources. Section C.2.2 Designation of Heritage Properties outlines the evaluation criteria for determining the cultural heritage value or interest of a property being considered for designation under the OHA. Section C.2.10 states the policies with regard to Heritage Areas.

Mr. Acheson confirmed that this Official Plan is approved and that the amalgamation date for the Township of Centre Wellington is January 1, 1998. He also noted that the Township’s Inventory of Urban Heritage Buildings and Inventory of Rural Heritage Buildings have not been adopted as a municipal register under section 27 of the OHA.

Mr. Jackson continued with an outline of the histories and architecture of the properties in the triangle and surrounding neighbourhood, and their status with regard to designation and listing on the Inventory.

Mr. Jackson analysed the evaluation categories in the HCW Designation Assessment form. He provided a comparative chart of the scores for Chalmers Church and the Kraft House as evaluated by the seven HCW members.

Extracts of archival documents and local history research (notably that of a local authority, Gordon Couling) were introduced as evidence of the importance of the Scottish heritage of the area, the establishment of the Free Kirk Presbyterian congregation in Elora, the architecture of stone churches, and stone construction in Centre Wellington.

With regard to the chronology of the use of the stone church building, Mr. Jackson outlined that it was built in 1877 and used for religious purposes until 1916. From 1917 to 1998 it was used as a motion picture/entertainment venue; Chalmers Printing; Malcolm Furniture; and Knudstrup Pottery. The property was rezoned in 1998 to allow multiple residential use and now contains four units.

Mr. Jackson outlined the evolution of local building materials. Limestone and fieldstone are indigenous to the area, resulting in the use of stone for most of Elora’s nineteenth century construction. Many buildings were constructed with rubblestone, parged, and tuck-pointed in a manner to resemble dressed (cut) stone (a treatment termed ashlar). Stone was the standard building material in Elora until the arrival of the railway in 1870/1880 brought imported materials, including brick such as the pressed type used in the 1915-1916 addition to the Kraft House.

Mr. Jackson noted that the dwelling at 37 Henderson Street, known as the Hollis House, was constructed in 1865 using locally made brick.

Mr. Jackson referred to pages 120-123 Exhibit 11 which describes the dwelling type referred to as a “working-man’s cottage.” This was a modest, inexpensive, dwelling advocated by American landscape architect Andrew Jackson Downing in his 1850 work, *The Architecture of County Houses*. It is Mr. Jackson’s contention that the Kraft House is an example of a “working-man’s cottage.”

The Kraft House was described by Mr. Jackson as rubblestone with limestone chips, laid in a random and coursed mix. The ashlar finish is visible on the front (east) and south facades

but not on the rear (west). The corner quoins are limestone and more functional than decorative. The original, shed-roof, wood frame kitchen on the north façade was replaced by the existing brick addition.

The Board inquired of Mr. Kearns if the north wall survives on the interior. He indicated that the wall has been cut through to allow access to the brick addition, but that portions remain.

Mr. Jackson referenced extracts of the Abstract of Title for Lots 4 and 5, New Survey (pp.149-154 Exhibit 11). The Board noted that there was no Abstract provided for the period before the New Survey, i.e., for Lot 19, Concession XI, Nichol Township. The Board also inquired if either Mr. Jackson or Mr. Rankine had read the earliest registered documents. Mr. Rankine responded that he had attempted this but found the “legalese” too confusing.

The Abstract indicates that George Noble did not acquire Lot 5 until 1870, when he bought from the trustees of the Wesleyan Methodist Church. Mr. Jackson surmised that this was the result of the confusion in clearing the Title following the death of Charles Allan in 1859. He then followed the root of ownership to Enoch and Irene Kraft who bought the property in 1931.

Mr. Jackson reviewed the 1867 tax assessment roll (p.145 Exhibit 11). To his knowledge, this is the earliest tax roll available for Elora. It lists George Noble, wagon maker, age 39, as the Householder (tenant) on Lot 5. John Godfrey and other trustees of the Wesleyan Methodist Church were the Freeholders (owners). The name “J. Godfrey” also appears as a handwritten addition to a c.1860 map of the New Survey (p.60 Exhibit 11).

The next assessment rolls provided date 1915 and 1916. These confirm the occupation of the lot by George Cumming and an increase in assessed value sufficient to suggest the construction of the brick addition.

Mr. Jackson commented that, in his opinion, the “Kraft House has survived well as well as other rubblestone examples surrounding it.” With regard to the pressed red brick addition erected by George Cumming, he described it as “good brickwork, cut stone sills, cut stone foundation with pointing” and considers that the brick may be from Milton. The adjacent dwellings at 200 Smith Street (built in 1895) and 39 Henderson Street (built c.1908) are also pressed red brick. It is Mr. Jackson’s contention that Cumming used this material to “fit in” with his neighbours. He also contends the house (stone with the brick addition) is a landmark.

Mr. Jackson concurred that there are factual errors in the proposed Statement for the Kraft House and that these require correction.

The Board asked if HCW had re-evaluated the Kraft House property using the revised research information. A member of HCW in attendance, Kathy Baranski, stated that no second Designation Assessment had been undertaken with the new information.

Mr. Jackson also made it known that there are factual errors in Daniel B. McNeil’s Heritage Impact Assessment.

Procedural Matter

It was made known to the Board that the two members of the public who had requested the opportunity to make statements would not be available to do so the following (final) day. All agreed to allow Raoul Robinson and Graeme Nicholson the opportunity to speak, before the conclusion of Mr. Jackson's presentation.

Statement of Raoul Robinson

Mr. Robinson was sworn. He identified himself as the Chair of Heritage Centre Wellington. Mr. Robinson stated that as he had heard the proceedings of the first and second days, his conclusion was that any statement he would make related to planning issues. As such, he declined further comment and there were no questions of him from the hearing participants.

Statement of Graeme Nicholson

Mr. Nicholson was sworn. He identified himself as a member of HCW and one of the authors of the Minority Report in favour of the Welland Court (Kearns) development proposal.

Mr. Nicholson stated that he has high regard for Chalmers Church and that its historical and architectural significance is far greater than the stone or brick portions of the Kraft House. He commented on the division within HCW over whether the proposed demolition of the Kraft House did/did not outweigh the gain of the exterior of Chalmers Church being restored by the Messrs Kearns.

Mr. Nicholson stated that as he was in hospital at the time, he did not participate in the Designation Assessment for either property.

Cross-examination of the Witness

Mr. Valeriotte asked Mr. Nicholson to evaluate the Kraft House using the Designation Assessment form. He gave the property a very low score that would not result in designation under section 29, OHA.

The hearing resumed at 10:00 a.m., Friday, October 20, 2006.

Witness – Ian Rankine, Objector

Mr. Jackson called Ian Rankine as a witness and Mr. Rankine was sworn.

Procedural Matters

Mr. Rankine's curriculum vitae (Exhibit 20) was reviewed by the Board, which concluded that Mr. Rankine was to restrict his evidence to his area of expertise on the history and built heritage of Centre Wellington.

All agreed that previous witnesses had provided sufficient evidence regarding the architectural and historical background of Chalmers Church and that it was not necessary for Mr. Rankine to repeat the same in his testimony.

Mr. Jackson entered Exhibits 21 and 22.

Mr. Rankine stated that in his review of the Township's Inventory of Rural Heritage Buildings he only found one other building (on the 8th Line of Pilkington Township) that was a

combination of stone and red brick and that this had been demolished. On the Inventory of Urban Heritage Buildings, he could find no other examples of a stone/brick combination, except the Kraft House. He added that he has lived in the area since 1972 and was not aware of any examples not in the Inventories.

Beginning on page 155 of Exhibit 11, Mr. Rankine outlined the genealogies and lives of successive owners of the Kraft House.

George Noble is believed to be responsible for the construction of the stone dwelling in 1865. This is based on a reference in the November 16, 1865 Elora Observer, which states: "Mr. George Noble has erected a neat stone dwelling, 18x26, with a frame kitchen 15x16, on Henderson street, which he now occupies. The building cost about \$500. Contractor for stone work Mr. McIntosh; carpenter work Sheppard Bros." [The November 23, 1865 Elora Observer notes the attribution to Messrs. Sheppard was in error.]

Noble was born in Ireland; his wife, Marjory (Henderson), in Scotland. They were married in Elora in 1857. The September 23, 1870 Elora Observer states: "George Noble's new stone house is almost finished, 1 ½ storey, 9 rooms, plus pantry and cellar; with addition in rear." This is the dwelling opposite the Kraft House, now 181 Smith Street. Noble was a wagon and carriage maker until 1915. His carriage works was on Lot 41 fronting on Geddes Street (since removed) and abutting the rear of the property at 181 Smith Street. At his death in October 1922, Noble was described as "the last of Elora's 'Old Guard'" of businessmen.

It was stated by Mr. Rankine that James and Isabella (Keith) Henderson occupied/owned the Kraft House property from 1870 to 1883. Henderson was born in Scotland in 1836 and is believed to be the brother of Marjory Noble. His wife, Isabella Keith, was born in the Bon Accord Scottish settlement north of Elora. The Bon Accord families were among those responsible for the establishment of the Knox and Chalmers congregations. Henderson is said to be a charter member of the Mechanics' Institute (a forerunner of the public library). He had a general store in a building that still stands on Metcalfe Street in Elora. Mr. Rankine concurred that "Henderson Street" is not named for James Henderson and briefly explained the origin of the error.

The next owners were George and Jane (Smith) Sutherland, both born in Scotland. Sutherland was a member of the Chalmers Church building committee responsible for the construction of the manse in 1861. He also served as deacon, elder, and Sunday School superintendent. He was a stonecutter and mason by trade although page 162 Exhibit 11 states, "A Mr. Sutherland had opened a small grocery shop." The Sutherlands owned the property from 1883 to 1914. (The Board notes that on p.162, entry (c), in 1890 Sutherland was the owner of the Kraft House property but the tenant was Joshua McGregor, a blacksmith.) They sold the Kraft House property in 1914.

George and Anne Deans (Cromar) Cumming owned the Kraft House property from 1914 to 1931 and are responsible for the construction of the brick addition on the north side. They had farmed in Pilkington Township until retiring to Elora and purchasing the Kraft House property. Anne was the daughter of Robert Cromar and Elizabeth Day, who were among the early settlers of Pilkington and charter members of Chalmers Church. Robert was a deacon and chaired the building committee of the 1877 stone church.

The owners of the property from 1931 to 1971 were Enoch and Irene (Harper) Kraft. Mr. Rankine attaches considerable significance to the association of the property with the Krafts, Irene in particular. Enoch was a blacksmith who bought the shop of James Anderson in 1934. (This was the former Noble Carriage Works on Lot 41 Geddes Street.) Irene was a very active member of the Elora Branch of the Women's Institute, serving as President and in other executive capacities. She was involved with the Wellington County Historical Research Society, which is the organization responsible for the founding of the Wellington County Museum and Archives. Her many accomplishments are listed in pages 165-168 Exhibit 11.

Cross-examination of Witnesses Robert Jackson and Ian Rankine

Mr. Acheson confirmed with Messrs Jackson and Rankine that it is their desire to have the brick addition included in the designation bylaw.

Mr. Valeriotte asked, given that George Noble only occupied the stone part of the Kraft House for five years, whether he is better associated with his second house at 181 Smith Street and the former shop location on Geddes Street. Mr. Rankine responded that Noble's association with the stone house continued through his sister-in-law, Mrs. James Henderson, who occupied the house immediately following the Nobles.

Mr. Valeriotte asked whether most "workman's cottages" have centre gables such as those examples shown on pages 89, 91, 93, and 95 in Exhibit 11. It was acknowledged that these examples have centre gables; the Kraft House does not.

Mr. Valeriotte queried Mr. Jackson about the Designation Assessment scores given to each property and how it is that a stone church and modest stone dwelling could compare so closely. Mr. Jackson stated that he did not participate in the HCW Assessment; he compiled the mathematical comparison chart.

This concluded the case for the Objectors Glen Kachur and Ian Rankine.

Witness – Jonathan Kearns

In completion of a procedural matter, Mr. J. Kearns returned to comment on the current Statements in the proposed bylaws and was sworn.

With regard to the Statement for Chalmers Church, Mr. Kearns noted:

Design or Physical Value

- The tower measures 63 feet not 55 feet
- He disagrees that the use of stone instead of wood frame was a "key juncture" and would substitute the phrase "an example of a period"
- The word "steeple" should be "tower" which supported the wood steeple
- He queries the line "and consequently very rare in other buildings" with regard to Gothic style windows

Historical or Associative Value

- He proposes to delete the Mansfield Cottage reference and continue to the line "The stone manse was built in 1861 . . ."
- He proposes to delete phrase "instantly recognizable as an old church building"

Contextual Value

- He would note the church is on the north side of the street
- It is a landmark
- He would delete the middle text
- He would add “providing the alterations are sensitive to the heritage attributes”

Mr. Kearns was asked by Mr. Valeriotte to continue with the Statement for the Kraft House. Mr. Kearns noted:

Design or Physical Value

- As stated previously, 1855 should be 1865 and all subsequent date calculations adjusted
- The addition dates from 1915-1916 not 1920s
- There is no description of the design and physical value. In this regard he suggests a statement about the “fine simplicity,” that in his opinion has been violated by the brick addition
- Foundation is concrete, not stone

Historical or Associative Value

- Henderson Street reference is in error

Contextual Value

- He agrees with the statement “between the two churches that define the neighbourhood” only if it means the churches define the neighbourhood
- Note the conflict in the statement about the roof which states “existing” and “original.” This would claim the “existing” dormer is “original,” when it is believed to be a later addition.

Summation

The Board instructed the order of summations to be Mr. Jackson, Mr. Valeriotte, and Mr. Acheson. Each was allotted 30 minutes and reminded that no new evidence was to be submitted as part of the summation.

The Hearing adjourned at 3:15 p.m.

FINDINGS OF THE BOARD – 24 Henderson Street (Chalmers Church)

Agreement to Designate

At the start of the hearing, the Township of Centre Wellington, Objectors Jonathan and Robert Kearns, and Objectors Ian Rankine and Glen Kachur stated that each are in agreement with proceeding with designation under section 29, OHA, of the property at 24 Henderson Street (Chalmers Church).

The Board concurs that designation under section 29, OHA, is appropriate for this property.

The purpose of the hearing was then to hear evidence on the history, architecture, and context of the property with the aim of reviewing the proposed Statement of Cultural Heritage Value or Interest and description of heritage attributes (“Statement”).

Outstanding Matters

1. There was evidence presented that the “interior is gutted except for elements of the nave.” This raises the question whether the remnant features of the nave are of sufficient cultural heritage value or interest to be included as a heritage attribute in the designation bylaw.
2. The proposed bylaw excludes the rear (north) wall of the church building from the Statement. There was no evidence presented to substantiate this omission, apart from this being the future point of contact between the historic church and a building to house mechanical equipment.

Similar statements directed at future developments are included in the proposed bylaw:

The designation is not intended to restrict future development or improvement of the property including:

- the addition of skylights or dormer windows;
- the addition of any appropriately screened mechanical equipment;
- the addition of entrance canopies, steps, or ramps; or,
- alterations to windows such as the lowering of window sills to accommodate additional building entrances,

providing the alterations do not affect the property's heritage attributes.

The Board appreciates that including “not intended to restrict future development” type statements in the designation bylaw is out of a genuine concern for the future of Chalmers Church. They are intended to offer the owner some reassurance that the proposed development will not be seen as contrary to the designation bylaw, and, in effect, constitute a prior approval of some proposed changes to the heritage attributes of the building.

Section 33 of the OHA requires an owner of a designated property, who wants to make alterations to the property that affect its heritage attributes, to obtain written consent from Council. Based on a review of the designation bylaw, Council can approve, deny, or approve with terms and conditions, the owner’s application for alterations. This decision must be within 90 days after the owner has received notice of receipt of the complete application. The owner can appeal the decision of Council to the Conservation Review Board.

The Board is concerned that the omission of the rear (north) wall and the “not intended to restrict future development” section in this bylaw may be relative only to the current version of the development proposal, and therefore, short term. Section 33, OHA, is the legislated process for making alterations to a designated property, and is intended to serve the needs of the cultural heritage property and owner(s), over the long term.

It is the Board’s view that these prior-approval type statements would be better used to form the basis of a separate agreement with an owner(s), wherever possible. The omission of such statements from the bylaw should not be seen as an encumbrance to appropriate

future development or adaptive re-use of the property. It is simply an acknowledgment that the required process of review is section 33, OHA.

Draft Statement of Cultural Heritage Value or Interest

Recognizing that it is Council that approves the final wording of the bylaw, the Board, based on the evidence it heard, finds that the following draft wording would better serve as the basis for the Statement of Cultural Heritage Value or Interest and description of heritage attributes:

Design or Physical Value

The church building known as Chalmers Church was erected on the property in 1877. It is one of only five classic steeple churches ever constructed in Elora, only two of which were built in stone. Its construction represents a time when earlier wood churches in Elora were being replaced with more substantial structures. The design is an example of the Gothic Revival style, popular for religious architecture in Ontario during this period. The exterior is largely unchanged since first constructed, with the notable loss of a wood steeple rising from the stone tower to reach 127 feet from the ground. Exceptional workmanship is evident in the cut stone of the buttresses, tower, lintels, quoins, and window and door openings. Finely carved, wood tracery remains in the transom area of the main (south) entranceway. The dominant window openings are characteristic of the Gothic Revival style as a tall, pointed arch type with divided sashes.

Historical or Associative Value

In 1844, a split within the Church of Scotland resulted in the formation of a Free Church of Scotland Canadian Synod. By 1848, there was a Free Church congregation in Elora. They met in the Temperance Hall until about 1856, when a modest, wood frame, church building was erected near the now location of the stone church. The 1877 stone church represents a more permanent edifice for the local Free Church congregation.

The design of the church is an example of the work of a local architect and engineer, John Taylor and stonemason [name if known].

The church building is associated with the work of the Reverend James Middlemiss who was the first resident pastor of Chalmers Church. He began in 1855 and served the Elora congregation for thirty years.

In 1917, the use of the structure as a church ended. Since that date, it has served other purposes including public use as a motion picture/entertainment venue and community centre. While owned by the Village of Elora it was known as Memorial Hall, and later as the Elora Opera House.

Contextual Value

This property is within an enclave of properties and structures that has been associated with the Free Church congregation of Elora since about 1856 when a wood frame church was erected (since removed). A stone manse constructed in 1861 remains as 14 Henderson Street. Mansfield Cottage at 200 Smith Street was the residence of the Reverend Middlemiss after his retirement as the incumbent of Chalmers Church.

St. John The Evangelist church was constructed at the northeast corner of Henderson and Smith streets, two years before Chalmers Church. These two church buildings historically and visually contribute to the character of the area and are landmarks known to area residents and visitors to Elora.

What Heritage Attributes are Protected by Designation

The cultural heritage value or interest of this property is contained in the 1877, Gothic Revival style, rubblestone church building. The key heritage attributes of the church building are exterior only [see Board comment regarding the nave] and include those elements original to the building such as:

- The style, form, massing, and orientation of the rectangular plan
- The stone masonry of the south, west, and east walls, [see Board comment regarding the north wall] including such features as the cut stone buttresses, quoins, lintels, type of mortar and pointing, and window and door openings
- The arched entranceway on the south facade, including the carved wooden tracery within the transom area
- The 63-foot stone tower with its louvered openings
- The arched window openings and divided sashes
- Any memorial or datestones
- The form, scale, and high-pitch of the roof

Recommendations of the Board – 24 Henderson Street (Chalmers Church)

Based on the evidence it heard, the recommendations of the Board are that:

1. Council consider whether remnant features of the nave have sufficient cultural heritage value or interest to be included as a heritage attribute.
2. Council consider including the north wall of the church building as a heritage attribute.
3. Council consider omitting the prior-approval type statements in the proposed bylaw
4. That Council take into consideration the Board's draft wording for the Statement of Cultural Heritage Value or Interest and description of heritage attributes
5. Council proceed with designation of 24 Henderson Street (Chalmers Church) as a property of cultural heritage value or interest under section 29, Ontario Heritage Act.

FINDINGS OF THE BOARD – 176 Smith Street (Kraft House)

Objectors Jonathan and Robert Kearns contend that the property at 176 Smith Street (Kraft House) has insufficient cultural heritage value or interest to be designated under section 29, OHA.

Objectors Ian Rankine and Glen Kachur contend that the property should be designated and the proposed Statement of Cultural Heritage Value or Interest and description of heritage attributes (“Statement”) include the 1915-1916 brick addition to the 1865 stone dwelling.

Documentary and Physical Research

It was evident that as the research about this property progressed, some facts and associations were found to be erroneous and/or were omitted from the proposed Statement. These include the date of construction (1865 not 1855), the attribution of the name of Henderson Street to an early owner of the property (incorrect), and the brick addition date of 1920s (confirmed as 1915-1916). The research also introduced the possibility of an association with the property by trustees of the Methodist Church as the owners prior to George Noble in 1870. Similarly, the tax assessment roll (p.162 Exhibit 11) indicates that in 1890 the Sutherlands did not occupy the property as it was tenanted to Joshua McGregor, a blacksmith. Further research about McGregor and other tenants may reveal evidence of their cultural heritage value or interest to the property.

The Board is, therefore, of the opinion that the documentary and physical research of this property should continue, in an effort to confirm and enlarge the understanding of its history and associations. Further research may identify significant individuals, uses, and associations, as well as evidence of buildings since removed that would have presented a different visual character to the property, including the amount of open space that is seen today. Chapter 5 of the Ministry of Culture publication *Heritage Property Evaluation: A Guide to Listing, Researching and Evaluating Cultural Heritage Property in Ontario Communities* (Exhibit 18) is recommended for this undertaking.

Design or Physical Value

Stone Dwelling

The Board agrees that the 1865 form, scale, and design of the Kraft House is a rubblestone version of what other Ontario communities may have built in log or timber as a first or early dwelling in the settlement period.

The use of rubblestone is representative of the availability of this natural building material in early Elora.

The Board agrees that the 1865 dwelling is an example of a “working man’s cottage,” a term applied by American landscape architect Andrew J. Downing to simple, often 3-bay, storey or storey and a half dwellings, with and without centre gables. The Board also agrees that designating examples of a simple “working man’s cottage” is as important as designating more stylish dwellings.

The Board does not agree with grouping the Kraft House with the stone dwellings cited on pages 89, 91, 93, and 95 of Exhibit 11 (17 Henderson Street, 181 and 201 Smith Street, 180 Victoria Crescent). The Kraft House is distinctive for its lack of the centre Gothic Revival gable featured on these other dwellings and is more characteristic of Ontario’s founding style of Georgian, albeit modest. Of the examples provided to the Board, its closest parallel in form and style is that cited on page 92 (197 Smith Street), which is attributed a later date of construction, of unknown materials, and now clad in modern siding.

With regard to the dormer on the west face of the roof, it is typical of those added to small-scale dwellings to allow sunlight into the upper loft. Further investigation would be required to determine if this dormer is an original or early feature reworked, or a much later addition.

If there is evidence that this is an original or early feature, consideration should be given to including the existence of a dormer as a heritage attribute.

Evidence was given that the porch is an alteration, likely dating to the period of ownership by George Cumming and, therefore, not to be included as a heritage attribute.

Brick Addition

It was agreed that in 1915-1916, owner George Cumming added the “pressed red brick” addition to the north side of the stone dwelling, likely replacing a wood frame kitchen. (An abutting carport is a late twentieth century addition and of no cultural heritage value or interest.)

It was stated that before the 1870/1880 arrival of the railway in Elora, local stone and brick (such as the brick used in the 1865 Hollis House at 37 Henderson Street) were the primary building materials. The railway prompted the importation of other materials, including pressed brick (once this brick technology was invented).

Several pressed brick structures exist in the neighbourhood, such as the adjacent dwellings at 200 Smith Street (built in 1895) and 39 Henderson Street (built c.1908).

It is the conclusion of the Board that the use of pressed brick was common practice by 1915, and that its choice for the addition to the stone dwelling does not reflect any particular expression or intent on the part of the owner or builder. The Board, therefore, does not agree that the addition is a significant example of the use of pressed red brick.

It was argued that the simple form and character of the brick addition is an extension of the “working man’s cottage” approach to design. The Board does not agree that this term or design philosophy is applicable to this 1915-1916 addition.

It was argued that properties physically evolve over time and that there is cultural heritage value or interest embodied in this evolution. It is the Board’s position that there must be some significance to a phase in this evolution for it to contribute to the cultural heritage value or interest of the whole. The brick addition, in the Board’s opinion, does not meet this criterion.

The Board does not find that the brick addition contributes as a type, expression, material, construction method, craftsmanship, or technical achievement, and, therefore, cannot assign it any design or physical values.

Historical or Associative Value

George Noble

Evidence was given that the stone dwelling was erected in 1865 for local wagon and carriage maker George Noble. At the time of his death in 1922, he was described as “the last of Elora’s “Old Guard”” of businessmen. It the Board’s opinion that Noble’s historic occupation as a wagon and carriage maker, and his role as a businessman and resident throughout Elora’s early history, are of historical or associative value to the community.

In 1870, Noble had a second house built opposite the stone dwelling, at 181 Smith Street. (He may have allowed his sister-in-law Isabella Henderson and her husband James the use

of the first property until they bought it in 1875). This second dwelling incorporates elements of the Gothic Revival style, including the characteristic centre pointed gable. It is a more refined structure than the 1865 dwelling. In the Board's opinion, the two dwellings compared likely are representative of Noble's increasing level of business success and ability to construct a finer house. The dwellings also are geographically aligned with Noble's carriage works on Geddes Street (now removed), which reflects the nineteenth century pattern of living near a workplace.

Evidence was given that the Hollis House at 37 Henderson Street was erected at the same date (1865) as the George Noble (Kraft) House. These two dwellings differ in form and style, as well as materials: one is rubblestone; the other is local brick. It is the Board's opinion that the juxtaposition of these contemporary dwellings contributes to the knowledge of Elora's built heritage before the arrival of the railway and imported building materials.

The stone dwelling is an example of the work of stonemason Mr. McIntosh [to be confirmed].

For the reasons given, it is the Board's conclusion that the 1865 stone dwelling has historical or associative value within the context of this property, this early neighbourhood, and the community of Elora.

Successive Owners

Evidence was presented regarding successive owners of the property: James and Isabella Henderson from 1870/1875 to 1883; George and Jane Sutherland from 1883 to 1914; and George and Anne Cumming from 1914 to 1931. The Board could not conclude, based on the evidence presented, that these owners contribute significantly to the cultural heritage value or interest of the property.

The next owners of the property were Enoch and Irene Kraft from 1931 to 1971. Enoch was a local blacksmith. Irene had a long-term association with the Elora Branch of the Women's Institute, and the Wellington County Historical Research Committee, which founded the Wellington County Museum and Archives. The Board agrees that these combined with her many other community accomplishments warrant commemoration. The Board, however, is not convinced that Irene Kraft's occupancy of the dwelling at 176 Smith Street is directly associated with her contributions to the community.

Contextual Value

The Kraft House property is within a triangular parcel of seven lots bound by Smith Street, Henderson Street, and Victoria Crescent. The triangle is comprised of primary structures, outbuildings, infrastructure, natural features, and open spaces that have varied orientations (to the streets and to the river), setbacks, forms, and styles. This is how the triangle has evolved since the area was surveyed into building lots in 1857.

Of the five parcels of land (seven lots) within the triangle, two are designated under section 29, OHA. All twenty properties considered to constitute the larger neighbourhood are listed on the Township of Centre Wellington Inventory of Urban Heritage Buildings. Five additional properties in the neighbourhood are designated under section 29, OHA.

The Township of Centre Wellington's Official Plan includes this triangle within a larger "Heritage Area." The triangle and environs are being studied for possible designation as a heritage conservation district, as defined by Part V, OHA. (It should be noted that the 2005 amendments to the OHA changed the rules for section 29 designated properties within a Part V heritage conservation district.)

It is evident that the identification of the cultural heritage value or interest of the properties within this triangle and its neighbourhood predates the recent proposals for development of the Chalmers Church and Kraft House properties. Council has demonstrated through its Official Plan and the past use of designation under the OHA, that it is intent on its goal (Official Plan section B.4 11.) to "Protect the unique cultural heritage resources of the community."

It is the Board's opinion that the stone portion of the George Noble/Kraft House is important in defining, maintaining, and supporting the character of this historic area.

Summary

In the opinion of the Board, based on the evidence presented and subject to the findings of future research, the following summarizes the known cultural heritage value or interest of the Kraft House property:

Design or Physical Value

The 1865 form, scale, and simple styling of the stone portion of the Kraft House is an example of an early dwelling built in the settlement period of the village of Elora.

The use of rubblestone is representative of the availability of this natural building material in early Elora.

This is an example of a "working man's cottage," as a modest, 3-bay, storey and a half dwelling.

Historical or Associative Value

The stone dwelling was erected in 1865 for local wagon and carriage maker George Noble. His role as a businessman and resident throughout Elora's early history is significant to the community.

The proximity of George Noble's 1865 dwelling to his 1870 dwelling opposite (181 Smith Street) allows for a visual comparison of what is likely Noble's increasing level of business success and ability to construct a finer house.

The geographic alignment of the two Noble dwellings to his carriage works on Geddes Street (now removed) reflects the 19th century pattern of living near a workplace.

The juxtaposition that allows the visual comparison of Noble's stone dwelling to the brick Hollis House at 37 Henderson Street, both built in 1865, contributes to the knowledge of Elora's built heritage before the arrival of the railway and imported building materials.

The stone dwelling is an example of the work of stonemason Mr. McIntosh [to be confirmed].

Contextual Value

The property is within a triangular parcel of land surveyed in 1857 into seven lots bound by Smith Street, Henderson Street, and Victoria Crescent. The 1865 stone dwelling is among the earliest surviving structures erected in the decade following the creation of these lots in 1857.

The triangle and the larger neighbourhood form an enclave of primarily historic structures, outbuildings, infrastructure, natural features, and open spaces. The 1865 stone dwelling is important in defining, maintaining, and supporting the character of this historic area.

Proposed Description of Heritage Attributes

The cultural heritage value or interest of this property is contained in the 1865 stone portion of the dwelling only, and does not include the existing 1915-1916 brick addition or carport. The key heritage attributes of the stone dwelling are exterior only and include:

- The simple style, 3-bay form, and massing
- The rubblestone with mortar and tuckpointing construction
- The original, flat window openings
- The use of double hung, multipaned-type window sashes
- The medium-pitched gable roof
- The centre door opening on the east facade
- The existence of a dormer on the west face of the roof [if proven to be an original or early element]

Recommendations of the Board – 176 Smith Street (Kraft House)

Based on the evidence it heard, the Board concludes that there is sufficient cultural heritage value or interest in the 1865 stone dwelling only, to proceed with designation of the property at 176 Smith Street under section 29, OHA.

To this end, the Board recommends that:

1. Council direct that further documentary and physical research be undertaken, without causing undo delay in the designation of the property, to confirm and enlarge the understanding of the history and associations of this property; and,
2. Council prepare the Statement of Cultural Heritage Value or Interest and description of heritage attributes, taking into consideration any further documentary and physical research findings, and the Findings of the Board; and,
3. The 1915-1916 brick addition and late twentieth century carport not be included as heritage attributes, and,
4. Council proceed with the designation under section 29, OHA, of 176 Smith Street (George Noble House, stone dwelling), as a property of cultural heritage value or interest under section 29, OHA.

The Board appreciates the efforts of all participants in this hearing.

(original signed by):

Su Murdoch, Member

(original signed by):

Stuart Kidd, Member

EXHIBITS LIST

- Exhibit 1: Affidavit of Notice of Hearing, as required under Ontario Heritage Act, 3 pages.
- Exhibit 2: Township's complete submission of documents (includes previous noted omissions), including 140 pages plus a 3 page draft bylaw for the 24 Henderson St. site, tabled by Mr. Acheson.
- Exhibit 3: Minutes of Twp. of Centre Wellington Council Meeting of 3 Oct. 2005, 7 pages, tabled by Mr. Acheson.
- Exhibit 4: Minutes of Twp. of Centre Wellington Council Meeting in Closed Session of 5 Dec. 2005, 6 pages, tabled by Mr. Acheson.
- Exhibit 5: Extract from existing Township Zoning Bylaw # 3196/95 indicating the permitted uses and regulations applicable to the R1A – 7 Zone and the Schedule "A" plan, 5 pages, tabled by Mr. Acheson.
- Exhibit 6: Report to Council from Brett Salmon, Director of Planning, dated 5 Dec. 2005 regarding "Planning Application and Heritage Designation of Chalmers Church and Kraft House," 14 pages, tabled by Mr. Acheson.
- Exhibit 7: Letter to County of Wellington, Attention Gary Cousins, from Brett Salmon, Director of Planning, dated 24 Sept. 2004 regarding "Request for comments regarding a Proposed Zoning Amendment Application," 3 pages, tabled by Mr. Acheson.
- Exhibit 8: Minutes of Heritage Centre Wellington Committee, dated 15 Feb. 2005, 7 pages, tabled by Mr. Acheson.
- Exhibit 9: Letter to Brett Salmon, Director of Planning, from Hugh Handy, GSP Group, dated 5 Oct. 2006 regarding "Conservation Review Board Hearing Chalmers Church and Kraft House, Elora, Township of Centre Wellington, File # 2006-05", 27 pages, tabled by Mr. Valeriote.
- Exhibit 10: Curriculum Vitae and relevant experience of Jonathan M. Kearns, architect, 16 pages, tabled by Mr. Valeriote.
- Exhibit 11: Submission titled "Document Book of Neighbourhood Objectors Re: Kraft House and Chalmers Church, Elora," date stamped as Received 28 Sept. 2006, 240 pages, tabled by Mr. Jackson.
- Exhibit 12: Email message to Jonathan Kearns, from "The Kachurs" (being a neighbour to the sites and Objector), dated 25 Jan. 2004 regarding "Elora Project," 1 page, tabled by Mr. Jackson.

- Exhibit 13: Booklet of slide presentation titled "Outline Neighbourhood Objectors' Case," 68 pages, tabled by Mr. Jackson.
- Exhibit 14: Curriculum Vitae and relevant experience of Robert Jackson, 3 pages, and attached document titled "Elora's Victoria Crescent Neighbourhood proposed Heritage Conservation District," 23 pages, tabled by Mr. Jackson.
- Exhibit 15: Affidavit of Ownership of subject properties, 1 page, tabled by Mr. Valeriotte.
- Exhibit 16: Colour photograph being "3/4 View" looking at subject properties from intersection of Henderson and Smith Streets, dated 18 Sept. 2004, 1 page, tabled by Mr. Jackson.
- Exhibit 17: List titled "Properties in and adjacent to the Smith/Henderson Triangle," 1 page, tabled by Mr. Jackson.
- Exhibit 18: Ontario Heritage Tool Kit titled Heritage Property Evaluation, cover plus 41 pages, tabled by Mr. Jackson.
- Exhibit 19: Township of Centre Wellington bylaws 2006-013, 2006-015, 2006-073, and 2006-016, being bylaws designating other specific properties in the Village of Elora, 5 pages, tabled by Mr. Jackson.
- Exhibit 20: Curriculum Vitae of Ian Rankine, 1 page, tabled by Mr. Jackson.
- Exhibit 21: Article titled "Studying the Region" by Elizabeth Bloomfield and Gilbert A. Stelter, 8 pages, tabled by Mr. Jackson.
- Exhibit 22: Summary of people important to the "Kraft House" commencing with a page titled "Charles Allan and the Development of Elora," 8 pages, tabled by Mr. Jackson.

