

**Environment and Land Tribunals
Ontario**

Conservation Review Board

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**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des biens
culturels

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CRB0909

CONSERVATION REVIEW BOARD

**RE: THE TOWNSHIP OF SMITH-ENNISMORE-LAKEFIELD – INTENTION TO DESIGNATE
THE PROPERTY KNOWN AS 515 ENNIS ROAD (ST. MARTIN’S PARISH HALL) IN THE
TOWNSHIP OF SMITH-ENNISMORE-LAKEFIELD, ONTARIO**

**Peter A.P. Zakarow, Chair
Julie Harris, Member**

This hearing was convened under s.29(8) of the Ontario Heritage Act, R.S.O. 1990, Chapter O18, amended to 2009 (“Act”), for the purpose of reporting to the Township of Smith-Ennismore-Lakefield, Ontario (“Township”), whether, in the opinion of the Conservation Review Board, on the basis of the evidence it heard, the property known as 515 Ennis Road (St. Martin’s Parish Hall) should be protected by by-law under s.29 of the Act.

The current legal description of the subject property is Concession 5, Pt. Lot 7, Township of Smith-Ennismore-Lakefield, Ontario.

The 2010 (current) owner is the Roman Catholic Episcopal Corporation for the Diocese of Peterborough in Ontario (“Owner”).

The Township issued a Notice of Intention to Designate St. Martin’s Parish Hall under s.29 of the Act to the property owner and the Ontario Heritage Trust on 29 June 2009.

The Owner submitted an objection to the Notice of Intention to Designate with the clerk of the Township on 28 July 2009.

The Review Board held one pre-hearing conference on this matter on 18 November 2009, which was attended by all Parties. There was no settlement reached and no agreed statement of fact at the start of the hearing.

Notice of this hearing was served by the Review Board on the Parties and was published in the 25 March 2010 issue of the Peterborough *Examiner*, in the manner required under the Act. A Statement of Service by the Review Board’s Case Coordinator with respect to Notice was filed as Exhibit 1.

The hearing day of 6 April 2010, commenced at 10:00 a.m. at the Ennismore Library (Lower Level), 551 Ennis Road, Ennismore, Ontario. A site visit that included a walk through the interior

of the Parish Hall and around the property was conducted that same morning by the Chair and Member of the Review Board.

The hearing ended at about 4:00 pm on the same day.

Counsel in Order of Appearance

John Ewart, solicitor, Corporation of the Township of Smith-Ennismore-Lakefield
William G. MacDonald, solicitor, on behalf of the Roman Catholic Episcopal Corporation
for the Diocese of Peterborough in Ontario

Witnesses in Order of Appearance

Jennifer Patterson, consultant for the history of the property
Father Damian Smullen, Pastor of St. Martin's of Tours Parish

Members of the Public in Order of Appearance

Mr. Patrick Young
Mr. Frank Hickey
Mr. Fergus Young (read letter from the following people into the record)

- Ms. Ella MacAdam (nee Crough)
- Ms. Julia Marie Murray (nee Hickson)
- Ms. Margaret Harrington (nee O'Donoghue)
- Ms. Margaret Doran (nee Crough)

Mr. Russ Sanders
Ms. Madeleine Cadigan
Ms. Carolyn Gannon
Mr. William Murphy

Township Advisor

Robert Lamarre, Manager of Building and Planning, Township of Smith-Ennismore-Lakefield

Procedural Matters

All parties were reminded that the jurisdiction of the Review Board under s.29 of the Act is to hear argument and evidence within the framework of Ontario Heritage Act Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest.

The Review Board does not address issues of demolition or selective demolition, as these are the jurisdiction of Council and, on appeal, the Ontario Municipal Board.

The Review Board does not address issues of the costs of physical maintenance or repairs, current state of repair, or any proposed future use of the property, as these are outside the evaluation of cultural heritage value or interest.

The Review Board does not address any planning permit applications or issues that are under the jurisdiction of the Planning Act. These are between the applicant and the municipality. In this case, the Review Board was informed that the property owner had applied to the Town for approval to redevelop the subject property.

Evidence on any of these topics will only be heard if they give context to the discussion of cultural heritage value or interest and the integrity or authenticity of any heritage attributes that may support that value or interest.

As is the custom of the Review Board at the start of the hearing, members of the public in attendance were asked if they intended to participate by making a statement later in the

proceedings. There were no requests.

Property Description

The property (from 507 to 525 Ennis Road) that is owned by the Roman Catholic Episcopal Corporation for the Diocese of Peterborough covers 6.8 hectares (16.92 acres) located along Ennis Road. A former school (now Kawartha Child Care Services) is located at the southeast end of the property; St. Martin's Parish Hall is at the northwest end. St. Martin's of Tours Roman Catholic church building and its rectory and parish office are located in the middle of the property. The parish property caps a small hill that has been leveled into terraces, with the church occupying the highest terrace and the parish hall set on the lowest terrace. A planting of mature evergreen trees separates the terraces of the parish hall and rectory.

St. Martin's Parish Hall is a rectangular wooden building set on a high stone foundation. A bell tower surmounts the centrally located entrance. The building has been partially reclad with aluminum siding. Today, the building sits behind a concrete-capped fieldstone wall in a large, grassed field.

The immediate area is part of the former village of Ennismore. The large church property is surrounded by a mix of old and newer homes set on generous lot. The main corner of the village is known locally as the "Cross."

Case for the Township of Smith-Ennismore-Lakefield

Witness: Ms. Jennifer Patterson

Ms. Jennifer Patterson was sworn as a witness. Her Curriculum Vitae (Tab 15, Exhibit 2A, Disclosure document of The Township of Smith-Ennismore-Lakefield) outlines her education (BA and Certificate in Museum Management and Curatorship); and her membership at the "Intern" level in the Canadian Association of Heritage Professionals. It also makes reference to heritage consulting experience in private practice and to heritage research for the City of Peterborough. After queries concerning the nature of her work, the Review Board noted that she lacks the depth of professional experience and training required to qualify as an independent heritage expert. The Review Board qualified her as an historian of the subject property, but not as an expert witness.

Ms Patterson advised that she was engaged as a consultant by the Township in May 2009 to conduct research and write a report about St. Martin's Parish Hall, which was submitted in June 2009. In discussing her research and analysis about the building, Ms. Patterson said that she had not seen the inside of the building.

When the Township's legal counsel asked about the methodology she used to study the building and advise on its heritage value, Ms. Patterson said that she used criteria set out, since 2002, by the Peterborough Architectural Conservation Advisory Committee (Tab 4, Exhibit 2B) because the Township did not have its own criteria. She did not explicitly map her analysis of the Parish Hall to Regulation 9/06. Ms. Patterson explained that she set out "to examine the building within a broader historical pattern" asking "How well does it teach about the history of the community?" and seeking to understand the "activities of a group that made an important contribution to a community."

Under questioning by the Counsel for the Township, Ms. Patterson spoke about the history of the parish, linking the parish hall to the Irish-Catholic Robinson Settlers who immigrated to the county in 1825. She noted that the hall, which was also built to serve as a provincially supported "continuation school," was built in 1904 and opened in 1905 as St. Martin's Total Abstinence Society Hall. She described the parish hall as "part of the early history of the community" because it served the descendents of the Robinson Settlers.

With respect to the building's architecture, Ms. Patterson provided the opinion that it is an "interpretation of the Gothic style in a manner that is typical of rural buildings." She described elements that she believed connected it to the Gothic style, especially the elements concentrated on the belvedere tower.

Concerning the history of the building, Ms. Patterson said that it was used as a continuation school from the time it opened in 1905 until 1953, with up to 28 students from the area attending the school each year. She spoke about the role of parish priest Fr. M.F. Fitzpatrick who had initially advocated for children in rural areas to have access to schools, even if they were working on farms. She also said that the building served as a "community centre" for Ennismore and a meeting place for farmers, listing a series of community events that took place in the building.

When asked to comment on the physical context of the building, Ms. Patterson referred to an aerial photograph (Tab 12, Exhibit 2A) that showed the four parish-built structures on Ennis Road. She said that the building was surrounded by open spaces, but was part of "a larger landscape" containing the church built in the 1870s and rebuilt after a fire in the 1920s, as well as the rectory built in the 1880s. She also mentioned that the building's ornamentation in the Italianate and Gothic styles connected it to the ornamentation of the church and rectory. She identified fieldstone foundations, such as the foundation used for St. Martin's Parish Hall, as tending to come from stones found on the land where a building stands, thereby creating another connection between the building and its context.

In discussing the extent to which the building has changed since it opened in 1905, Ms. Patterson mentioned the replacement of the wood clapboard with aluminum siding and spoke about remnants of the clapboard siding visible near the side entrance and on the tower. She identified the fenestration (windows) as "original" and said, unlike many buildings of the period, much of the original decorative detailing had survived.

She summarized her discussion of the history and architecture of the building and its context as "the architecture doesn't rate as high as its history and context due to the fact that the design isn't an excellent example of a 'style.'" It "contributes to the continuity and context of the community. It's a community hall, as well as [the only] parish hall."

Cross-Examination

Ms. Patterson was asked several questions under cross-examination about the research and sources used to produce the "Heritage Designation Brief: St. Martin's Parish Hall" (Tab 4, Exhibit 2b). She said that she obtained documents and historic photographs, including class photographs reproduced in Exhibit 2b, Tab 5, from "members of the community." She also stated that she relied extensively on a published history of the parish (excerpts provide in Tab 9, Exhibit 2b). By matching the names of the people shown in the photographs with the lists of the original Robinson Settlers, she was able to link the school to the descendents.

Mr. MacDonald asked Ms. Patterson about the regard given to OHA Regulation 9/06 in her analysis of the significance of the building. Ms. Patterson responded that she had only applied the sections on historical and contextual value because the building's architecture was less important than its history or context. In reference to "theme" (Criteria 2.i of Regulation 9/06) she stated that the building is associated with the Roman Catholic settlers who "established the church early in the community's history." In reference to Criteria 3.i, she stated that the building was "important in a rural area" and "establishes the character – visually and historically – and is linked to its neighbours."

In response to further questions about the history of the building, its architecture, and her work, Ms. Patterson pointed to newspaper articles submitted in Exhibit 2b, Tab 8, as evidence concerning the role of the parish hall in the history of Ennismore. She restated that this historical information confirmed that the building meets OHA Regulation 9/06 Criteria 2.i in “contributing to an understanding of the community.” She also clarified that the fenestration pattern had not changed, but that changes to the building had included aluminum windows, windows and entrance area.” When asked if the lack of a known designer or builder was important, Ms. Patterson stated that it was not important.

Mr. MacDonald also asked Ms. Patterson if she thought that the building was “tired.” She said “no.”

In his cross-examination, Mr. MacDonald questioned the validity of using photocopies without any supporting evidence concerning the provenance and completeness of the copies. As examples, he pointed to Exhibit 2b, Tab 8, which included a series of photocopies of microfilm copies of newspapers, reproduced without their headers or dates, as well as photographs in Tab 6 provided without a source or date. The Review Board noted his concern and explained that all evidence would be weighed accordingly.

Mr. MacDonald also pointed to errors in the “Heritage Designation Brief,” including the use of the present tense concerning its use for community meetings. He also asked Ms. Patterson to explain why she stated that the building had been used as a town hall and suggested that she was wrong about the original name “Abstinence Hall,” as well as the length of time it was used as a parish hall. Following a recess in the hearing, Ms. Patterson clarified the chronology of the building’s use as a parish hall, school, town hall, and centre for special events, referencing various pages reproduced in the book of documents (Exhibit 2b). She also corrected a statement in her report, stating that she now believed the building to be “among the first” continuation schools in the province. She also said that it is possible that there are no other continuation schools extant in rural settings in the province.

With respect to the physical context of the building, Mr. MacDonald proffered that the row of trees between the hall and the rectory “visually segregated” the parish hall from the rest of the church property. In response, Ms. Patterson stated that “the sequence of buildings is important – church, rectory, and hall. It is part of a larger landscape.” Mr. MacDonald also asked the witness to review the changes that have been made to the building by comparing a sketch of unidentified date (Exhibit 2b, Tab 5) with recent photographs (Exhibit 3, Tab 2), stating that in his opinion these changes were “significant alterations.” The witness did not agree that they were significant.

Mr. MacDonald also asked the witness whether there was any “physical evidence that [the building] was ever used as a school?” She said “not really.”

At the end of the cross-examination, Mr. MacDonald stated that “compromises have destroyed the heritage fabric of the building” and that other parish halls for other denominations in the area exist.

This concluded the case for the Township.

Case for the Diocese of Peterborough

Witness: Father Damian Smullen

Father Damian Smullen was sworn as a witness.

Father Smullen described his position as “parish priest.” He said that he had been serving as the pastor since 13 September 2009. The Review Board accepted Father Smullen as a witness who is familiar with the parish.

Mr. MacDonald asked Father Smullen to describe his knowledge of the parish hall and its purpose. He said that since his arrival in the parish, the building had only been used for one month. He said that the parish already has a hall, which is part of a recent addition to the church building, and that the diocese does not have a use for the former parish hall. He also said that some parishioners have spoken of their “attachment” to the former parish hall, but that others have said that they do not care about it. He confirmed that all celebrations currently occur in the church or in the hall underneath the church [the addition].

Mr. MacDonald asked Father Smullen about groups supporting the designation of the former parish hall as a heritage property. The witness answered that the Ennismore arts group, which included four or five parishioners, was supporting the designation of the building but that some of the parishioner-members did not support the designation.

Mr. MacDonald also asked if there was anything in the “parish records” indicating that the former parish hall is associated with a “significant person or event?” Father Smullen answered “no.”

In answering the question “Have you found records of the continuation school?” Father Smullen answered that several members of the parish had told him that the building “was the first continuation school in the province” but he did not conduct his own research on the subject.

Cross-Examination

Mr. Ewart asked Father Smullen about the positions of individuals who are interested in keeping the former parish hall. In response to the question “What are the reasons they give for keeping it?” Father Smullen answered that they generally said “it’s been here ‘right from the start’.” He also said that the church did not undertake its own study of the history of the building and that he was unaware of specific uses of the former parish hall over the course of its history. Father Smullen also confirmed that he had not participated in the writing of the Notice of Objection filed with the Review Board by the Diocese of Peterborough. No further questions were asked of the witness.

This concluded the case for the Owner/Objector.

Community Speakers

The Review Board invited individuals attending the hearing to speak and reminded them that their remarks would be subject to questions by either counsel or members of the Review Board. Most community members spoke about the former parish hall’s use for community events and as part of the core of an ethnic (Irish-Catholic) community. Their comments are summarized here.

Patrick Young was affirmed as a witness. He spoke about his family’s association with the parish over five generations. Three generations of his family had attended the school. He also described the varied roles of the building in the community, including serving as a weekly barber shop.

Francis Hickey was affirmed as a witness. He said that the parish has refused to cooperate with the community concerning the future of the hall. He said that settlers built the church and that the hall is part of the building of a community, from scratch, by the Robinson Settlers.

Fergus Young was affirmed as a witness. He said that the former parish hall and school is significant to the Roman Catholic community in the area.

Russ Sanders was affirmed as a witness. He said that members of the community are confused about why the church wants the former parish hall demolished.

Madeleine Cadigan was affirmed as a witness. She said that the “hall is part of the community; part of the set of church buildings; part of the history. People need to be allowed to support the hall. I cannot imagine the community without the hall, the “cross” and the church.”

Carolyn Gannon was affirmed as a witness. She said that “the community is defined by the hall, the old school (now a daycare), and the rebuilt church.” She added that “this is a tiny community, so only a few buildings can be important.”

William Murphy was affirmed as a witness. He was past president of the Optimist’s Club, which had been the most recent tenant of the building. He said that the Club only used the building about five days per month, while the “community” used it almost every day. He described it as a “focal point in the community.”

Summation of the Case for the Township

Mr. Ewart stated that the Review Board has been presented with substantial information about the relationship between the building and the community, including its context and its history. Further, the Review Board heard from Ms. Patterson who addressed the criteria of Regulation 9/06 and was candid about the architectural merits of the building. The Township believes that the building meets the tests of heritage value and that the Township chose to move forward with designation after listening to the community.

Mr. Ewart said that Ms. Patterson’s evidence was largely uncontested during cross-examination and that the document books provide further demonstration of the value of the building. While the position of the Diocese is simply that it “doesn’t need it anymore,” this does not mean that the building is not eligible for designation. It clearly meets two criteria – historical association and context – and no evidence was presented to contradict this.

Summation of the Case for the Owner/Objector

Mr. MacDonald stated that the Review Board was shown a building that has undergone many changes that have “destroyed” its heritage. There are no vestiges of the school inside the building and many changes have been made to the exterior. The Review Board was presented with many opinions concerning associative value, but this was nothing more than “sentiment.” Mr. MacDonald said that the building does not “connote” its association with Irish Roman Catholics in any way and that no significance should be attached the building’s use as a school, because all vestiges of the school are gone. Similarly, the building was not used for any significant events and its ownership by the Roman Catholic Church is “inconsequential.” The fact that it has been “used” does not make it historically significant.

In terms of its contextual value, Mr. MacDonald said that the former parish hall sits within a baseball field, on a site that is lower than the rectory and church. It is visually obstructed from the other church buildings by trees and by its sitting behind a crumbling wall.

He stated that if the Review Board recommends designation and the Township agrees, then the designation must be limited to the “footprint of the building.”

Mr. MacDonald also reiterated his concern about the type of research conducted and the presentation of documents without adequate notes and verification of authenticity. He suggested that no weight should be given to the evidence presented as part of the research.

Lastly, Mr. MacDonald stated that the Review Board should give weight to the fact that the Township turned down the opportunity to designate the subject property in 2006. No further information about this matter was provided at the Hearing or in the books of documents.

Review Board Inquiry on Designation Options

After the Township legal counsel confirmed at this point that the designation would only apply to the Parish Hall, the Review Board queried Robert Lamarre, Manager of Building and Planning, Township of Smith-Ennismore-Lakefield, on the potential options that could be used to define the designated property.

Three options were presented by Mr. Lamarre:

1. Use wording in the designation by-law that would clearly define the designated portion as the footprint of the parish hall building and some surrounding area.
2. Survey and sever the parish hall property to create a separate parcel for designation.
3. Draft a reference plan to be attached to the title and included in the by-law.

Mr. Lamarre stated that option 3 would be the best because it offered both certainty and efficiency.

The hearing ended at 4:00 pm.

Findings of the Review Board

The findings of the Review Board are structured to give perspective on the fundamental questions raised in evidence at the hearing. This discussion is used to set out the context for the formal Review Board recommendation that follows.

Quality of Supporting Evidence

In the opinion of the Review Board, the documentation presented at the hearing concerning the history of this property lacked a full explanation of the methodology employed to locate and analyze the historical information, which essentially was found through interviews, newspaper articles, photographs, and secondary sources. The Review Board expects books of evidence, through annotations on the documents themselves and through supplementary explanations by relevant witnesses, wherever possible, to include information that will allow members to be assured of the authenticity, completeness, relevance, and context of a document.

As the Township's witness and author of the "Heritage Designation Brief" (Tab 4, Exhibit 2b), Ms. Patterson stated that she relied on "the community" to provide her with information about the history of the property. She did not identify whether any steps were taken to ensure that the information was accurate and/or complete. As an example, the daily attendance registers reproduced in Tab 12, Exhibit 2b, only provide evidence about specific years (1913, 1918, and 1919); they provide no evidence about attendance in other years. The Review Board was not told why these documents in particular were included. Further, no footnotes are included in the "Heritage Designation Brief". A long list of documents consulted is provided at the end of the Brief but it is not clear how the documents were used, which information/facts in the brief belongs to which documents, and whether the documents themselves are accurate and/or based on primary sources.

The Book of Documents (Exhibit 2b) prepared by the Township included photocopies of numerous newspaper articles and photographs without provenance information or dates. As an

example, the undated article (Exhibit 2B, Tab 8) “Prospects Looks Bright in Ennismore” refers to a meeting in the township “town hall,” but there is no evidence in the article that this hall is the subject building. One of the sets of copies – an excerpt from *The Holy Land: A History of Ennismore* – abruptly cuts off at page 98 before the end of a section about the parish hall.

The Book of Documents (Exhibit 2b) includes a set of 33 photographs. No information indicated whether the photographs were intended to serve as evidence of anything relevant to understanding the cultural heritage value of the building or property. The photographs clearly show, for instance, that the back part of the building is taller than the rest of the structure, but no explanation for this change in elevation was provided.

The point that the Book of Documents lacked adequate citations concerning provenance and context was addressed by the Counsel for the Diocese. The Review Board notes, however, that the Diocese provided no independent evidence through documents or witnesses to contradict the information provided by the Township, in spite of the fact that the Diocese of Peterborough Archives appears to be the custodian of important information about the history of the parish. The importance of the Archives is noted in the Preface to *From the Pioneers to the Seventies: A History of the Diocese of Peterborough, 1882-1975* (Tab 9, Exhibit 2b). Without access to archival evidence from the Diocese, in making its recommendation the Review Board has to rely exclusively on the historical evidence provided by the Township.

Evaluation Methodology

The Township, by way of its consultant Ms Patterson, used the criteria set out by the Peterborough Architectural Conservation Advisory Committee (Tab 4, Exhibit 2B) to conduct its analysis of the potential cultural heritage value or interest of the St. Martin’s Parish Hall property because the Township had not developed its own criteria. The Review Board notes that Regulation 9/06 is to be used in default for those communities that have not developed local criteria that meet or exceed the level of evaluation required by the Act. In this instance, the Review Board notes that although the Township should have applied Regulation 9/06, there would have been no substantive difference in the conclusion made by the consultant and the Township concerning the cultural heritage value of the property.

History of St. Martin’s Parish Hall

In reference to criteria 2.i and 2.ii of Regulation 9/06, the Review Board accepts the corrected statement of the Township’s witness and the excerpt taken from *From the Pioneers to the Seventies* (as copied in Exhibit 2b, Tab 9) that St. Martin’s Parish Hall is likely the “first continuation school in this part of the province”. The Review Board noted in reviewing the materials submitted as evidence that continuation schools are of historical interest in Ontario because they gave many Roman Catholic students an opportunity to access free publicly funded school beyond elementary school (excerpt provided in Tab 10, Exhibit 2b).

Physical Evidence of School Use

In reference to criteria 2.i of Regulation 9/06, the high, fully finished basement and the tall windows (Exhibit 3, Tab 2, pages 7 and 13) in the basement storey where school classes were held may be physical evidence of its use as a school. Further analysis, likely through comparisons with other combined-function buildings used as continuation schools, might reveal details in the design and fabric of St. Martin’s Parish Hall that may be associated with its intended use, in part, as a school.

Contextual Analysis

In reference to Criteria 3.i of Regulation 9/06, the Review Board sees merit in the opinions expressed by the Township witness and by members of the community that the building is part of the village landscape that is popularly known as “the Cross.” This cultural heritage landscape

is visible in the survival of the crossroads at Tara and Ennis roads and in the older houses, the old general store (Sullivan's store), and the set of church buildings that includes the former parish hall. The Review Board also agrees that the building is part of the ecclesiastical landscape of Ennismore that includes a former school (now a daycare), a rebuilt church, a rectory, and St. Martin's Parish Hall. This set of buildings is carefully positioned along sloping ground, with terraces used to help set informal boundaries around each building.

Statement of Cultural Heritage Value or Interest and List of Heritage Attributes

As stated above in the section on Evaluation Methodology, Regulation 9/06 is to be applied, in default, in those municipalities without local evaluation criteria that meet or exceed the provincial standard. The development of municipal-level evaluation criteria is encouraged by the Act, as these are better able to differentiate any local qualities or characteristics that hold cultural heritage value or interest. No such criteria have been developed by the Township.

In considering the evidence regarding cultural heritage value or interest, and given the lack of local evaluation criteria, the Review Board is governed by Regulation 9/06. A property may be designated under section 29 of the Act if it meets one or more of the criteria of design or physical value, historical or associative value, and contextual value.

The Review Board has examined the "Statement of the Reasons for the Proposed Designation of Ennis Road" [as initially titled, without reference to the name of the building or its full address] dated 29 June 2009 and submitted to the Review Board in advance of the hearing. It is noted that the text for the Statement was extracted verbatim from parts of the June 2009 "Heritage Designation Brief St. Martin's Parish Hall, Ennis Road." In the opinion of the Review Board, this Statement has several shortcomings as written: The Statement title should incorporate the language of s.29.(6)(a)(ii) of the Ontario Heritage Act which requires, among other items, "a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property."

- The submitted Statement lacks a clear distinction between the section concerning cultural heritage value or interest (stating why the property is significant) and the section concerning heritage attributes (identifying and describing which physical features or attributes need to be protected to maintain the property's cultural heritage value or interest.) A revised version is necessary to differentiate the two sections – cultural heritage value or interest, and heritage attributes. A comprehensive history of the property is not required in the Statement.
- Most of the text included in the submitted Statement is a summary of the history of the building, rather than an explanation about why it is of cultural heritage value or interest using the language of Regulation 9/06.
- The submitted Statement does not clearly set out the boundaries of the significant resources or heritage attributes within the context of the full property owned by the Diocese, assuming this is the intent.

The Township is advised to revise the Statement document to align with these observations and the requirements of the Act.

Cultural Heritage Value or Interest

If this property is designated by by-law under s.29 of the Act, the Review Board recommends rewording the content of the by-law to encompass the following points that could be made concerning the cultural heritage value or interest of the property. The quotation marks indicate text taken directly from the submitted Statement:

- St. Martin’s Parish Hall has “cultural heritage value or interest as an intact rural Parish Hall” that served the community for “over 100 years.” It has “strong ties to the local rural community” because it brought “together members of the community otherwise dispersed across a large area to create a sense of unity and mutual support among its residents.”
- St. Martin’s Parish Hall has cultural heritage value or interest because it was one of the first continuation schools erected in this part of Ontario and appears to be a rare surviving example of a continuation school in a village setting. It remains both “an important touchstone for the hundreds of students who spent many years in the continuation school” and a “landmark in its rural setting.”
- St. Martin’s Parish Hall has cultural heritage value or interest because it served as the “cultural and historical centre of the community of Ennismore for over a century” and it contributed to the village’s role as the hub in a rural social and cultural network.
- St. Martin’s Parish Hall has cultural heritage value or interest because it “relates to the surrounding buildings owned by the Roman Catholic Church” in Ennismore that reinforce the Church’s history as a major focal point” in the area.
- St. Martin’s Parish Hall has cultural heritage value or interest because it is part of an intact ecclesiastical landscape that speaks both to the influence and the historic role of the Church in the “everyday lives of citizens” and to the importance of rural life in Ontario.
- St. Martin’s Parish Hall has cultural heritage value or interest in its vernacular, eclectic interpretation of the Gothic Revival and Italianate styles.

Description of Heritage Attributes

The OHA under s.29(6) requires a description of heritage attributes to be included in the designation by-law. In this instance, the heritage attribute of the property has been identified as the St. Martin’s Parish Hall building. A possible description of this heritage attribute, as alluded to in the submitted Statement, is provided in the Heritage Designation Brief. The following is drawn from the description provided in the Heritage Brief, with additions to cover the recognition of its combined hall-school function.

- The cultural heritage value or interest of this property is found in the St. Martin’s Parish Hall building, the significant elements of which are as follows: Its overall profile, consisting of a long rectangular hall covered by a combined low-pitched roof, a central belvedere tower over the entrance, and a taller stage area covered by a four-sided gable roof;
- The organization of the building, as visible on the exterior, with a tall basement storey, a central belvedere tower, and a one-storey hall with tall stage area;
- The classical proportions, symmetry, and organization of the façade and the side elevations;
- Its eclectic, Gothic Revival and Italianate decorative detailing, concentrated in the design of the belvedere tower with its carved wooden arches, columns, dentils, and colonettes;
- Its original exterior finishes and detailing, including the fieldstone treatment of the foundation, wood detailing, glazing, windows, window surrounds, cornice brackets, dentil details, soffits, fascia, and surviving clapboard siding;
- Evidence of its combined hall and school function, including the overall fenestration (window openings) pattern and the shape and height of the windows on all sides;
- All surviving evidence concerning the appearance of its original entrance;
- The wooden sign naming “ST. MARTIN’S PARISH HALL”;
- All entrances dating from its use as a combined hall and continuation school.

Recommendation

The Conservation Review Board recommends that Council of the Township of Smith-Ennismore-Lakefield proceed with the protection of the property known municipally as 515 Ennis Road (St. Martin's Parish Hall) under s.29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O18, as amended to 2009.

It is also recommended that before proceeding with protection by by-law, that the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes be redrafted to capture the verifiable and significant elements of the proposed protection. The heritage attribute(s) should be described in a manner that aligns with the evidence heard, and as suggested by the Review Board in this report.

Further, if it is the intention of the Township to protect only that part of the property that contains the parish hall building, a reference plan should be drawn to encompass the footprint of the parish hall building plus an appropriate number of metres on all sides.

The Review Board recognizes that the final decision in this matter rests with the Council of the Township of Smith-Ennismore-Lakefield.

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

(ORIGINALLY SIGNED BY)

Peter A.P. Zakarow
5 July 2010

(ORIGINALLY SIGNED BY)

Julie Harris, Member
5 July 2010

Schedule 1
Exhibits List

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

Exhibits 2a: Document Book A, submitted by the Township of Smith-Ennismore-Lakefield

Exhibits 2b: Document Book B, submitted by the Township of Smith-Ennismore-Lakefield

Exhibits 3: Notice of Proposed Documents, submitted by the Roman Catholic Episcopal Corporation for the Diocese of Peterborough, William G. MacDonald, Barrister & Solicitor.

Exhibits 4: Book of authorities (previous CRB cases), submitted by the Roman Catholic Episcopal Corporation for the Diocese of Peterborough, William G. MacDonald, Barrister & Solicitor.

Schedule 2

ONTARIO HERITAGE ACT REGULATION 9/06

No Amendments

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark. O. Reg. 9/06, s. 1 (2).

Transition

2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under subsection 29 (1.1) of the Act on or before January 24, 2006. O. Reg. 9/06, s. 2.