

# FINAL REPORT:

CULTURAL HERITAGE LANDSCAPE  
STRATEGY IMPLEMENTATION –  
PHASE II: CULTURAL HERITAGE  
EVALUATION REPORT

**1086 BURNHAMTHORPE ROAD  
EAST, OAKVILLE, ONTARIO**



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**May 2017**

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## Executive Summary

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for part of Phase II of the Town's Cultural Heritage Landscape Strategy Implementation Project. As part of the project, a Cultural Heritage Evaluation Report was completed for the property at 1086 Burnhamthorpe Road East, considering its potential as a cultural heritage landscape.

Although cultural heritage landscapes have been identified as a type of cultural heritage resource by the Province of Ontario, there is no standard methodological approach for the assessment of cultural heritage landscapes in the province. Building on the Town's existing cultural heritage landscape strategy, this project considers the layered, nested, and overlapping aspects of cultural heritage landscapes (including views associated with properties). This includes the development of a land-use history of the property and the documentation of current conditions. To better understand the potential cultural heritage values and level of significance of the property being considered, three evaluation methods were used. The criteria in Ontario Regulation 9/06 under the *Ontario Heritage Act* (OHA), the criteria in Ontario Regulation 10/06 under the OHA, and the Historic Sites and Monuments Board of Canada's *Criteria, General Guidelines, & Specific Guidelines for evaluating subjects of potential national historic significance* (2008) ("National Historic Sites Criteria") were applied to the property.

A site review was undertaken on September 20, 2016. Permission to access the property was provided by the owner. A second site review was undertaken on October 18, 2017 with representatives from the Mississaugas of the New Credit First Nation Department of Consultation and Accommodation. A. Barnes and C. Uchiyama took part in the second site visit.

Based on the above approach, in the professional opinion of the project team, the property at 1086 Burnhamthorpe Road East is a **significant cultural heritage landscape** as defined within the 2014 *Provincial Policy Statement*.

Following the application of the three evaluative methods used for this project, it was determined that the property does not meet the criteria of Ontario Regulation 10/06 or the National Historic Sites Criteria. However, it was found that the property does meet the criteria of Ontario Regulation 9/06 and does have Cultural Heritage Value. In particular, it was found that the property has design or physical value as an evolved cultural heritage landscape that has integrated agricultural landscape components and its natural setting with the activities of the Joshua Creek Heritage Art Centre. The property also has historical/associative value because of its direct associations with: Indigenous land-use along Joshua Creek and a possible spiritual association; William Bowbeer, an early settler; William S. Bowbeer, Deputy Reeve of Trafalgar and Magistrate of Halton County; and Sybil Rampen, the current owner of the property and founder of the Joshua Creek Heritage Art Centre. The property also has the potential to yield information with respect to archaeological resources. Lastly, the property has contextual value because it is physically and historically linked to its surroundings, maintains the surrounding rural character, and is a landmark. The cultural heritage landscape is limited to the current legal boundaries of 1086 Burnhamthorpe Road East.

Based upon the foregoing, the following features were identified which may warrant conservation:

- The property as a coherent whole, which is legible as an evolved landscape integrating 19<sup>th</sup> and 20<sup>th</sup> century agricultural components and layout with the Joshua Creek Heritage Art Centre landscape, including: its farmhouse, built in 1853, with a rear tail comprising an earlier farmhouse built in 1827; the Joshua Creek Heritage Art Centre building built as a shed in 1827 and extensively rebuilt in 2008; the bank barn and silo built in 1914 that are accessed via a gravel laneway and c.1914 bridge; the meadow and labyrinth area, south of the barn, overlooking the creek valley; and the rolling agricultural fields;
- The organization of the property into three distinct areas separated by tree plantings and the creek: the farmhouse and landscaped garden and lawn; the Joshua Creek Heritage Art Centre, community gardens and orchard; and the barn and silo area, meadow/labyrinth and open, rolling agricultural fields;

- The layout of the property and its circulation routes, with agricultural components connected by gravel-surface laneways;
- The one-and-a-half storey, Neoclassical style, dichromatic brick farmhouse built in 1853, with its exterior decorative elements (cornice moulding, eaves returns, buff brick headers and quoins, wide front entrance with recessed casing, transom, sidelights, and half round linette) and interior wood details (decorative arch above the front door, casings, floors); and the one-storey, brick, kitchen tail with interior hearth and rectangular plan, built as an earlier farmhouse in 1827;
- The Joshua Creek Heritage Art Centre building, including timber frame elements from the 1827 shed on the site;
- The two-and-a-half storey bank barn built circa 1914 with its frame construction and tall rubblestone foundation, and silo;
- The gravel laneway running from the road to the farmhouse, and from there to the bank barn over a circa 1914 concrete bridge;
- The landscaped gardens surrounding the farmhouse and Art Centre building, in particular: the mature specimen trees, including the spruce, black walnut, and horse chestnut, which are planted near the house; the old apple tree which is a vestige of an earlier orchard and the commemorative trees throughout the site;
- The meadow, labyrinth area, and rolling agricultural fields to the south of the barn;
- The Joshua Creek valley as a defining natural and topographical feature of the site, with the treed/naturalized banks of the creek on the west side of the property and the open wet meadow around the creek on the east side of the property; and,
- Views and physical access to and from the agricultural area and the residential area.

Should Council approve a recommendation to proceed to Phase III of the Cultural Heritage Strategy Implementation Project with this property, the Town may wish to consider a wide range of conservation measures and tools including, but not limited to, those available under the *Ontario Heritage Act* and other legislation and policy.

## Table of Contents

Executive Summary .....	iii
1 Project Overview .....	1
1.1 Project Background .....	1
1.2 Methodology .....	1
1.2.1 Cultural Heritage Landscape Policy Analysis .....	1
1.2.2 Site Specific Analysis .....	2
1.2.3 Report .....	4
1.3 Definitions .....	4
2 Cultural Landscapes and the Provincial Heritage Planning Framework .....	6
2.1 Understanding and Defining Cultural Landscapes .....	6
2.2 Cultural Heritage Landscapes under the Planning Act and the Provincial Policy .....	8
2.3 Changes since the completion of the Cultural Heritage Landscape Strategy .....	14
2.4 Evaluation Criteria and Frameworks .....	14
3 Study Area .....	16
3.1 Description of Property .....	16
3.2 Context .....	21
3.3 Current Conditions .....	21
3.3.1 Structures .....	22
3.3.2 General Landscape .....	29
4 History .....	32
4.1 History of the Area .....	32
4.1.1 Pre-European Contact .....	32
4.1.2 Early Settlement (1795-c.1850) .....	34
4.1.3 Agriculture and Industry .....	35
4.1.4 20 <sup>th</sup> Century Development .....	36
4.2 Land Use History .....	37
4.3 Property Evolution .....	45
5 Evaluation .....	50
5.1 Evaluation of Cultural Heritage Value or Interest .....	50
5.1.1 Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act .....	50
5.1.2 Ontario Regulation 10/06: Criteria for Determining Cultural Heritage Value or Interest of Provincial Significance .....	53

5.1.3	Evaluation of National Historic Significance .....	54
5.2	Cultural Heritage Landscape and Results of Evaluation .....	56
5.3	Summary of Evaluation Findings.....	56
5.3.1	Boundaries of Cultural Heritage Landscape.....	56
5.3.2	Summary of Cultural Heritage Value.....	56
5.3.3	Key Features.....	57
6	Conclusions.....	59
7	Sources.....	60
7.1	Background Research.....	60
7.2	Legislation.....	62
8	APPENDIX A – Evaluation Criteria.....	63
9	APPENDIX B – By-Law 1991-074.....	64

## LIST OF FIGURES

Figure 1:	Graphic representation of layering, overlapping and nested cultural landscapes.....	8
Figure 2:	View of façade of the 1853 dichromatic brick farmhouse at 1086 Burnhamthorpe Road East (AB, 2016). .....	17
Figure 3:	Bank Barn at 1086 Burnhamthorpe Road East, viewed from the labyrinth (CU 2015).....	17
Figure 4:	Location of 1086 Burnhamthorpe Road East. ....	18
Figure 5:	1086 Burnhamthorpe Road East, Current Conditions.....	19
Figure 6:	1086 Burnhamthorpe Road East, built and natural features. ....	20
Figure 7:	Dates of construction of farmhouse and additions. ....	22
Figure 8:	Front façade of farmhouse at 1086 Burnhamthorpe Road East (CU 2016). ....	24
Figure 9:	Detail of gable peak (CU 2015). ....	24
Figure 10:	Interior, arch above front door (CU 2016). ....	25
Figure 11:	Interior, example of surviving window casing (CU 2016). ....	25
Figure 12:	Interior, 1827 kitchen tail, hearth (CU 2016). ....	26
Figure 13:	Joshua Creek Heritage Art Centre (CU 2016).....	27
Figure 14:	Interior, gallery, Joshua Creek Heritage Art Centre (CU 2015). ....	27
Figure 15:	1914 Bank barn (CU 2015). ....	28
Figure 16:	Silo (CU 2015). ....	28
Figure 17:	Gravel laneway leading from the private residence to Burnhamthorpe Road East, facing north (CU 2016).....	30
Figure 18:	Concrete bridge over Joshua Creek, built circa 1914 (CU 2015).....	30
Figure 19:	Agricultural fields at south end of property (CU 2016). ....	31
Figure 20:	View of barn from north of creek (CU 2015).....	31
Figure 21:	Detail of 1877 map of Trafalgar Township showing orchards along Dundas Street and Burnhamthorpe Road (Pope, 1877). ....	36
Figure 22:	Detail of 1806 Wilmot Survey showing Lot 10, Concession I, NDS owned by George McKinley (Wilmot, 1806). ...	40
Figure 23:	Portrait of Mercy Fish Bowbeer. Date unknown. (Wayne Messecar Family Tree, Ancestry.ca). ....	41
Figure 24:	William S. Bowbeer with daughters (possibly Mary-Jane and Elizabeth) c. 1870. (Wayne Messecar Family Tree, Ancestry.ca). ....	41
Figure 25:	Portrait of William S. Bowbeer. Date unknown (Wayne Messecar Family Tree, Ancestry.ca).....	42

Figure 26: Detail of 1858 Tremaine Map of the County of Halton showing William Bowbeer's farm comprising the north half of Lot 10, Concession 1, North of Dundas Street. The hamlet of Postville is shown to the southeast of the farm (Tremaine, 1858).....	43
Figure 27: Detail of 1877 Map of Trafalgar showing William Bowbeer's farm comprising the north halves of Lots 9 and 10, Concession 1, North of Dundas Street (Pope, 1877).....	44
Figure 28: Photograph of Hugh Calverly (left) and a sculpture of Hugh Calverly (right), located in the Joshua Creek Heritage Art Centre (Sybil Rampen and AB, 2016).....	45
Figure 29: 1086 Burnhamthorpe Road East Property Evolution .....	47
Figure 30: The property c.1950 when the Calverley family took ownership. Note the wooden shed in the rear. The front porch of the property was removed shortly after the photograph was taken (Joshua Creek Heritage Art Centre).....	48
Figure 31: The property c. 1900 with presumably members of the Fish family (Joshua Creek Heritage Art Centre).....	48
Figure 32: Photo of the original shed (left) and images of it when it was stripped down to the structural timber frame (right). Note the new concrete foundation was added. (Sybil Rampen personal photographs).....	49
Figure 33: Joshua Creek Heritage Art Center, 2016 (AB, 2016).....	49

## LIST OF TABLES

Table 1: Evaluation of 1086 Burnhamthorpe Road East against Ontario Regulation 9/06 Criteria .....	51
Table 2: Evaluation of 1086 Burnhamthorpe Road East against Ontario Regulation 10/06 Criteria .....	53
Table 5: Evaluation of 1086 Burnhamthorpe Road East against HSMBC Criteria .....	55

## LIST OF APPENDICES

APPENDIX A	A-1	Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act
	A-2	Ontario Regulation 10/06: Criteria for Determining Cultural Heritage Value or Interest of Provincial Significance
	A-3	Historic Sites and Monuments Board of Canada's <i>Criteria, General Guidelines, &amp; Specific Guidelines for evaluating subjects of potential national historic significance</i> (2008)
APPENDIX B		By-Law 1991-074 <i>A by-law to designate 1086 Burnhamthorpe Road East as a property of historical and architectural significance</i>

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# 1 Project Overview

## 1.1 Project Background

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for part of Phase II of the Town's Cultural Heritage Landscape Strategy Implementation Project. As part of this project, a Cultural Heritage Evaluation Report was completed for the property at 1086 Burnhamthorpe Road East considering its potential as a cultural heritage landscape.

Phase I of the Cultural Heritage Landscape Strategy Implementation Project resulted in the screening-level evaluation of a total of 63 potential cultural heritage landscapes. Based on the screening evaluation, a total of eight properties were recommended as high priority for further assessment in Phase II. 1086 Burnhamthorpe Road East was identified as one of eight properties recommended to undergo a Cultural Heritage Evaluation Report to determine its cultural heritage value or interest and identify heritage attributes.

The objective of Phase II is to build on the findings of the first phase and complete cultural heritage landscape assessments for recommended properties from Phase I. Per the 2015 Request for Proposals document, Phase II includes, but is not limited to:

- Detailed research for each property;
- Evaluation of each property against the criteria of Ontario Regulation 9/06;
- A Statement of Cultural Heritage Value or Interest for each property; and,
- Assessment of the condition of the property, including built and natural features.<sup>1</sup>

One of the challenges to this project is that the primary purpose is to evaluate properties as cultural heritage landscapes; however, many conventional cultural heritage evaluation models and conservation tools were designed primarily for built heritage or individual heritage resources. Thus, it was necessary to expand the cultural heritage landscape policy analysis to include a more in-depth review of available evaluation tools.

This project built upon the evaluative methods identified in the Phase I of the Cultural Heritage Landscape Strategy Implementation Project by identifying additional evaluative methods that the municipality is able to use. This was done to determine a level of significance based on the history, evolution, and current conditions of the property within its surrounding context. To this end, the scope of this report is limited to whether or not the property meets any of the criteria in the three evaluative methods employed.

## 1.2 Methodology

The following methodology, drawing upon heritage planning best practice and current geographic research on cultural heritage landscapes, was used for this project.

### 1.2.1 Cultural Heritage Landscape Policy Analysis

The team reviewed heritage conservation best practices as they relate to cultural heritage landscapes, and reviewed the existing work completed to date by and for the Town of Oakville. This review considered how cultural heritage landscapes are identified, and evaluated.

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<sup>1</sup> Town of Oakville, Request for Proposal: Consulting Services for a Cultural Heritage Landscape Strategy Implementation. Proposal Number: Prop-22-2015, (2015): 5.

## 1.2.2 Site Specific Analysis

A site-specific analysis was undertaken for the subject property. This included:

### 1.2.2.1 Property Overview

A basic overview of the property was provided, including existing conditions, general topography and physical description, and a description of the identified and potential cultural heritage resources. The property was located using longitude and latitude as well as the Civilian UTM Grid Reference System and was mapped. Its existing planning framework was identified.

### 1.2.2.2 Property Context

The physical context of the property, including its context, adjacent properties, physical features, and general surrounding landscape was described.

### 1.2.2.3 Research

A background history for the property was developed. This integrated primary and secondary research on the property. Background research included a review of records held at the Land Registry Office, local libraries, the Oakville Historical Society archival collection, the Trafalgar Township Historical Society archival collection; as well as a review of current and historical aerial imagery and mapping.

### 1.2.2.4 Site Review

The purpose of the site review was to document current conditions and features of the property and surrounding environs. The project plan included two site visits in accordance with the Ministry of Tourism, Culture and Sport (MTCS) recommendation for property evaluation. Access was granted by the property owner. The site review was undertaken on September 20, 2016. Consultant team members present at the site review were: M. Létourneau, L. Smith, K. Hoyle, E. Eldridge, A. Barnes and C. Uchiyama. Also present during the site review were the current property owner and S. Schappert from the Town of Oakville. A second site review was undertaken on October 18, 2017 when consultant team members A. Barnes and C. Uchiyama met with representatives of the Mississaugas of the New Credit First Nation Department of Consultation and Accommodation to tour the site and discuss the property and its surrounding context.

### 1.2.2.5 Historical Themes, Cultural Heritage Landscape Layers, and View identification

Based upon the foregoing work, the team identified key thematic periods in the history of the property. Based upon those themes, key cultural heritage landscape layers and views associated with those layers were identified.

### 1.2.2.6 Draft Evaluations

As noted, in order to gauge the level of cultural heritage significance, the property, (including any potential cultural heritage landscapes) was evaluated using Ontario Regulation 9/06 criteria, Ontario Regulation 10/06 criteria, and the Historic Sites and Monuments Board of Canada's *Criteria, General Guidelines, & Specific Guidelines for evaluating subjects of potential national historic significance* (2008) ("National Historic Sites Criteria").

The property was assessed as a comprehensive layered unit that includes all structures and any other potential cultural heritage resources on site (including known or potential archaeological resources).

### 1.2.2.7 Engagement

Engagement was ongoing throughout the project, not only to gain information, but also to ensure the accuracy of the team's findings.

As part of the Public Engagement Strategy carried out in Phase I of the Cultural Heritage Landscape Strategy Implementation Project, property owners and a number of local groups with an interest in Oakville's cultural heritage were contacted.

Similarly, in Phase II selected stakeholders were contacted because they, or their affiliated institutions or organizations, had the potential to provide useful information or materials. Materials sought were specific to developing an understanding of the history of property owners, property changes, or the historical and geographical context.

The following people and/or organizations were contacted for information pertinent to 1086 Burnhamthorpe Road East:

#### Property Owner:

- S. Schappert, Heritage Planner for the Town of Oakville, carried out communication with the current owner, Sybil Rampen.
- A. Barnes contacted the owner and staff of the Joshua Creek Heritage Art Centre and Art Gallery via phone and email to discuss the history of the property, its evolution, and the history of its owner, Sybil Rampen. A number of images and documents were shared with the consultant team.
- A. Barnes and C. Uchiyama met with the current owner, Sybil Rampen, during Phase I (August 25, 2015) to discuss the history and development of the property.

#### Township of Trafalgar Historical Society (TTHS)

- Michael Reid, Chair of the TTHS was contacted on May 12, 2016 via email regarding the start-up of Phase II. A request was made about viewing any information relevant to 1086 Burnhamthorpe Road East that the TTHS might have in their collection.
- Mr. Reid suggested coming to the TTHS open house on June 17, 2016. A. Barnes attended the Open House on June 17, 2016 briefly to get a sense of the materials in their collection. A. Barnes did not carry out an exhaustive search as the Cultural Heritage Landscape Strategy Implementation Project was temporarily on hold.
- Upon the reinstatement of the project in August 2016, email communication began with TTHS members Anne Little, Michael Reid and Michelle Knolls. Direction regarding TTHS online materials was provided.
- A. Barnes followed up with A. Little in November 2016 and attempts to view the collection in December were unsuccessful. A. Barnes attended the TTHS Open House on January 20, 2017.

#### Conservation Halton

- Barb Veale, Manager of Planning and Regulation Service with Conservation Halton, was initially contacted May 12, 2016 at the onset of the Phase II. Emails were exchanged back and forth regarding any input, research or information about the property. B. Veale provided a few sources and reports that she thought might be useful; however, none were applicable to this property.

#### Oakville Public Library

- Elise Cole, Collections Librarian for Oakville Public Library, provided ongoing email communication regarding the types of materials that the Oakville Library has in their collection.

#### Oakville Historical Society

- George Chisholm, Chair of the Oakville Historical Society was initially contacted via email regarding historic information on May 12, 2016. Further emails were exchanged regarding viewing materials, and connecting the consultants with members of the Society who may have been able to provide further information.
- No specific information about this property was provided.

#### Mississaugas of the New Credit First Nation

- Engagement with the Mississaugas of the New Credit First Nation is ongoing.
- On October 18, 2016, a site visit was conducted by with representatives of the Mississaugas of the New Credit First Nation's Department of Consultation and Accommodation and consultant team members C. Uchiyama and A. Barnes. During the site visit the property was identified as a location that would have been used in the past for resources (such as medicinal plants), based on its location along a tributary of Joshua Creek and for the spring (now capped). The site was also identified as having possible spiritual associations.
- On March 24, 2017 A. Barnes met with representatives of the Mississaugas of the New Credit First Nation's Department of Consultation and Accommodation to discuss the project.

### Open House

A public meeting for the purposes of collecting background information was held on March 7, 2017. The community was invited to provide information about the history of the property at that time.

#### 1.2.3 Report

Based upon the foregoing work, this report was prepared. It includes:

- An executive summary, introduction and methodology;
- A list of sources and stakeholder engagements;
- Background information on the history, design and context of the property;
- Current and historical photographs and maps documenting the property;
- Analysis of the key historical themes, cultural heritage landscape layers, and any relevant or significant views;
- To gauge the level of cultural heritage significance, an evaluation of the property using an Ontario Regulation 9/06 Assessment, an Ontario Regulation 10/06 Assessment, and the National Historic Sites Criteria;
- A draft statement of cultural heritage value for the property that includes a description of the property, a description of its cultural heritage value, and a list of features and/or the identification of specific views that should be protected.

The report includes a list of definitions that are being employed within this assessment.

### 1.3 Definitions<sup>2</sup>

**Built heritage** means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

**Conserved** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

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<sup>2</sup> Unless otherwise noted, definitions provided reflect the definitions provided in the 2014 *Provincial Policy Statement*.

**Cultural heritage landscape** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

*It should be noted that there are two different definitions of Heritage Attributes in Ontario Legislation, and care must be taken to ensure that the definitions are used in the appropriate context.*

**Heritage attributes** (Provincial Policy Statement 2014) means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property); or,

**Heritage attributes** (Ontario Heritage Act) means in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.<sup>3</sup>

**MTCS** means Ministry of Tourism, Culture and Sport

**OHA** means Ontario Heritage Act.

**Significance** means, in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

*As stated within the PPS, criteria for determining significance for the resources (including cultural heritage and archaeology resources) e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. The PPS also notes that while some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.*

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<sup>3</sup> *Ontario Heritage Act* R.S.O. 1990, Chapter O.18.

## 2 Cultural Landscapes and the Provincial Heritage Planning Framework

### 2.1 Understanding and Defining Cultural Landscapes

The term “cultural landscape” embodies a wide range of elements, including the material, the social, and the associative. The term has been defined in different ways, resulting in the current understanding of cultural landscapes as multi-layered entities embodying, and being enabled by, cultural values. It is now understood that some of these values are potentially in conflict. However, it is important to include in any assessment of landscapes reliance on defined evaluation criteria that take into account both the physical and the cultural characteristics of the setting under study. As a result, the methodology used in this study follows this holistic path in examining the subject property.

The definition of cultural landscape, and its uses for inventory, analysis, and policymaking, has evolved over the last century. According to some recent critics of cultural landscapes within the field of geography,<sup>4</sup> there have been three major phases of the formal geographical study of cultural landscape (and, by implication, of the ways in which cultural landscapes are valued, designed or altered).

The first phase, arising in the late 19<sup>th</sup> century and lasting into the 20<sup>th</sup>, has been characterized by what is known as environmental determinism. In this way of regarding cultural landscapes, the biophysical conditions of a particular setting largely determine the character of the people who inhabit that setting. This linking of climate, topography and location led to determinations of racial character based on geographic region and created cultural and social hierarchies based on the physical characteristics of those regions. Such an approach supported colonialism, and tended to view global cultural landscapes through a Western, Anglo-Saxon lens.

As the problems associated with environmental determinism became evident in the last century, they spawned competing versions. The second phase, associated with Carl Sauer and the Berkeley School of cultural geography, is credited with coining the term “cultural landscape”. This approach rejected environmental determinism, citing cultures as discrete entities that imposed their character on physical settings. However, the underlying assumption of this approach was that cultures could be clearly defined; in other words, they were “distinct, static, and therefore predictable”<sup>5</sup>. Further, the Berkeley School tended to focus on vernacular landscapes, most often in rural areas, and often in exotic locations. But the main criticism of this approach was that it substituted cultural determinism for environmental determinism, whereby individual human action was governed, and constrained, by some higher order of culture. This “superorganic” conception of human interaction with landscape tended to lump individuals together into a supposedly homogenous cultural group, regardless of differences within such cultures, and ignoring the effects of individual values and actions. Conflict, and cultural change, were excluded from this approach. Other critiques showed the tendency of this approach to focus on the material evidence of culture, to the expense of an understanding of the influence of underlying cultural values.

These critiques led to the third and, to a large extent, current approach to cultural landscapes. Beginning in the 1980s, the so-called “new” cultural geography put human agency front and centre and expanded the scope of enquiry to include urban areas and other cultures. As defined by two of its primary authors, British cultural geographers Denis Cosgrove and Peter Jackson (1987: 95), this new approach can be described as follows:

*If we were to define this “new” cultural geography it would be contemporary as well as historical (but always contextual and theoretically informed); social as well as spatial (but not confined exclusively to narrowly-defined landscape issues); urban as well as rural; and interested in the contingent nature of culture, in dominant ideologies and in forms of resistance to them.*<sup>6</sup>

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<sup>4</sup> Hilary P.M. Winchester, *et.al.*, *Landscapes: Ways of Imagining the World*. New York, Routledge (2003).

<sup>5</sup> Hilary P.M. Winchester, *et.al.*, *Landscapes: Ways of Imagining the World*. New York, Routledge (2003): 17.

<sup>6</sup> Denis Cosgrove and Peter Jackson, “New Directions in Cultural Geography,” in *Wiley* on behalf of *The Royal Geographical Society (with the Institute of British Geographers)*. Vol. 19, No. 2 (June 1987): 95.

This approach built upon the earlier work of both American and British cultural geographers who considered cultural landscapes to have multiple meanings and, within that understanding, to find ordinary and everyday landscapes (and their portrayal in popular culture) to be valid subjects of academic study. In a similar vein was the parallel work in cultural studies in which landscapes are seen as the ground in which social relations are manifest, and relations of dominance and resistance played out. Cultural landscapes are now seen as being critical to (and often inseparable from) the concept of both individual and group identity and memory. They are also understood as often existing simultaneously as texts, symbols, and 'ways of seeing.'<sup>7</sup> From this work and that of the "new" cultural geographers has emerged an assessment of cultural landscapes as having layers of meaning, accumulated over time, each over-writing but also influenced by, the underlying layers.

As applied to the conservation of cultural landscapes, the approach has changed from a largely curatorial method, initially sponsored by individual or philanthropic efforts to counter the effects of rapid change following the Industrial Revolution. This approach was superseded by an increasing role for the state in codifying heritage values and managing cultural heritage activity, in many cases to bolster national identity and boost local and national economies via tourism. The current framework within which cultural landscapes are assessed and managed in Canada relies on professional expertise and on compliance frameworks entrenched in heritage planning policy. Similarly, at an international scale, the World Heritage Convention adopted a cultural landscapes typology for the World Heritage List in 1992 (with help from Canadian representatives), accelerating the use of cultural landscape definitions, terminology and conservation frameworks globally. What has happened more recently is an increasing recognition of the need to determine cultural heritage value holistically.

Within the Ontario heritage planning context, the terms cultural landscape and cultural heritage landscapes are often used interchangeably,<sup>8</sup> and it may be more accurate to understand a cultural heritage landscape as a *type* of cultural landscape. Nevertheless, cultural landscapes must be understood as a compilation of layers of meaning and the result of a dynamic process. Thus, the conservation of cultural landscapes can be complex and multifaceted and a single evaluative method may not be sufficient to determine the multiple values associated with layered, overlapping, and/or nested cultural landscapes; a single property may by itself contain or be located within all three types (Figure 1). Within geography, this concept is often illustrated by a comparison between landscape and a mediaeval palimpsest that has been used and reused several times. In order to understand how these different landscapes can interplay upon a single property (and leave an imprint upon the contemporary landscape).

In addition, a single property may have values that are significant at a national, provincial and/or local level to one or multiple communities. In these instances, it may be necessary to apply a range of interpretive and interdisciplinary tools and approaches to understand a property. It is with this holistic, contextual and contingent understanding that the following analysis proceeds.

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<sup>7</sup> Yvonne Whelan, "Landscape and Iconography." In. John Morrissey et al. (Eds.) *Key Concepts in Historical Geography*. London, Sage (2014): 165.

<sup>8</sup> See for example, The Ontario Heritage Trust. Cultural Heritage Landscapes – An Introduction. Updated 2012. Available at: <http://www.heritagetrust.on.ca/CorporateSite/media/ohi/PDFs/HIS-020-Cultural-heritage-landscapes---An-introduction-ENG.pdf>.

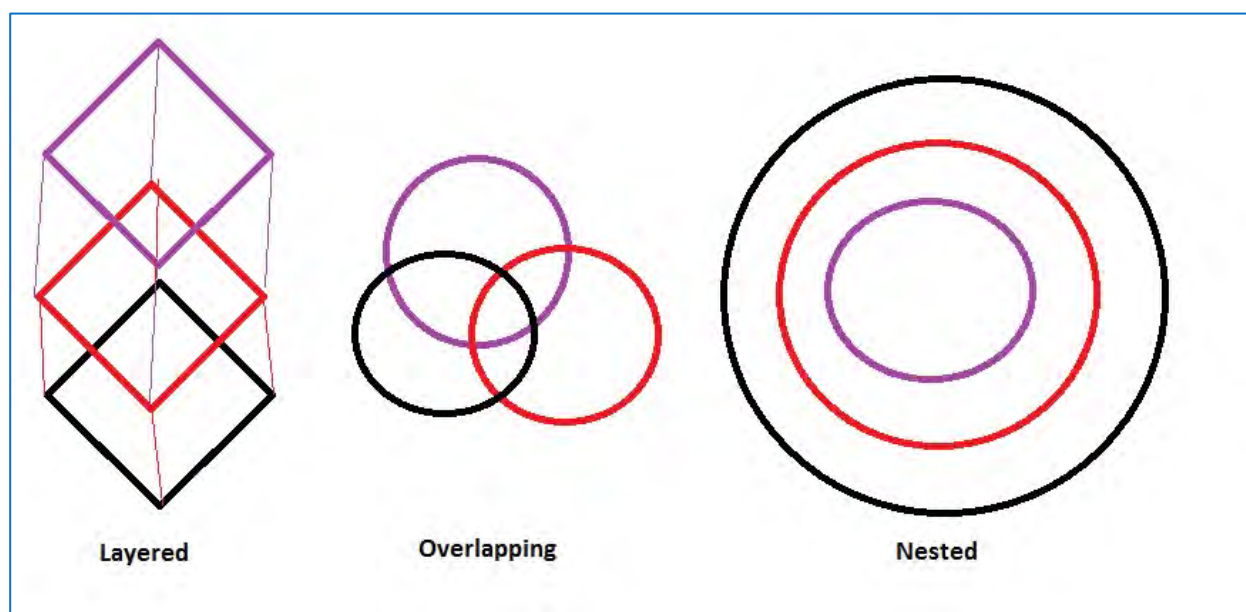


Figure 1: Graphic representation of layering, overlapping and nested cultural landscapes.

## 2.2 Cultural Heritage Landscapes under the Planning Act and the Provincial Policy

The provincial planning framework provides for the protection of cultural heritage resources, including cultural heritage landscapes, which is the term used within Ontario's legislation. In particular, under the *Planning Act*, the conservation of cultural heritage is identified as a matter of provincial interest. Part I (2, d) states "The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest". Details about provincial interest as it relates to land use planning and development in the province are outlined further within the *Provincial Policy Statement* (PPS). While the concept of cultural heritage landscape was introduced within the 1996 (1997) PPS, it was not until the 2005 revisions, with its stronger language requiring their conservation, that many communities started to explore ways to address such landscapes through policy and process. The 2014 PPS explicitly states that land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the PPS. The PPS addresses cultural heritage in Sections 1.7.1d and 2.6, including the protection of cultural heritage landscapes.

As noted, the 2014 *Provincial Policy Statement* defines cultural heritage landscapes as follows:

**Cultural heritage landscape** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

The idea of significance is also one that merits additional mention. As noted, the definition of significance is as follows:

Significance means, in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.



As stated within the PPS, criteria for determining significance for the resources (including cultural heritage and archaeology resources) e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. The PPS also notes that while some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Section 1.7 of the PPS on long-term economic prosperity encourages cultural heritage as a tool for economic prosperity by “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*” (Section 1.7.1d)

Section 2.6 of the PPS articulates provincial policy regarding cultural heritage and archaeology. In particular, Section 2.6.1 requires that “(s)ignificant built heritage resources and significant cultural heritage landscapes shall be conserved”.

The PPS makes the protection of cultural heritage, including cultural heritage landscapes, equal to all other considerations in relation to planning and development within the province.

Both the Region of Halton and the Town of Oakville have identified cultural heritage landscapes as matters of interest in their planning tools, as discussed below.

### Region of Halton Official Plan (2009)

The Region of Halton has identified heritage as a key element of the Region that must be conserved. As stated in Section 26 of its Official Plan:

In this regard, Halton will undertake the necessary steps to ensure that growth will be accommodated in a fashion that is orderly, manageable, yet sensitive to its natural environment, heritage and culture. To maintain Halton as a desirable and identifiable place for this and future generations, certain landscapes within Halton must be preserved permanently. This concept of “landscape permanence” represents Halton’s fundamental value in land use planning and will guide its decisions and actions on proposed land use changes accordingly.<sup>9</sup>

Within Section 114.1, among the Region’s Natural Heritage System objectives are the following:

114.1(1) To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated Cultural Heritage Resources.

114.1(2) To maintain and enhance the landscape quality and open space character of Escarpment features

114.1(10) To protect significant scenic and heritage resources.

114.1(13) To preserve examples of the landscape that display significant earth science features and their associated processes.

114.1(14) To preserve examples of original, characteristic landscapes that contain representative examples of bedrock, surface landforms, soils, flora and fauna, and their associated processes.

114.1(16) To provide opportunities for scientific study, education and appropriate recreation.

114.1(17) To preserve the aesthetic character of natural features.<sup>10</sup>

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<sup>9</sup> Halton Region, *Halton Region Official Plan [2009]*. December 2009: 6.

<sup>10</sup> *Ibid*: 81.

The Plan also identifies the importance of Waterfront Parks, and the protection of cultural heritage resources within these areas (Sections 133-136).

The conservation of cultural heritage landscapes is also identified as a key objective of the Region as stated in Section 146(3). This is echoed in Section 147(2)<sup>11</sup> which states it is the policy of the Region to:

Establish, jointly with the Local Municipalities and local historical organizations, criteria for identifying and means for preserving those rural and urban landscapes that are unique, historically significant and representative of Halton's heritage. The preservation of rural landscape should have regard for normal farm practices.<sup>12</sup>

The Plan also includes three specific definitions relevant to cultural heritage landscapes. They are as follows:

224. CULTURAL HERITAGE RESOURCES means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include built heritage resources, cultural heritage landscapes, and archaeological resources.

224.1 CULTURAL HERITAGE LANDSCAPES means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

225. CUMULATIVE IMPACT means the effect on the physical, natural, visual and Cultural Heritage Resources resulting from the incremental activities of development over a period of time and over an area. All past, present and foreseeable future activities are to be considered in assessing cumulative impact.<sup>13</sup>

### Town of Oakville Strategic Plans

The Town of Oakville has made the identification of cultural heritage resources a priority. In its 2007-2010 Strategic Plan, it identified the need to "Enhance Town's ability to identify and protect Heritage properties"<sup>14</sup>. In its 2015-2018 Strategic Plan, which was approved on Monday, May 25, 2015, the preparation of a Cultural Heritage Landscapes study report was identified as a major initiative. In the Town of Oakville *Vision 2057* document, heritage conservation has been identified as a key strategic direction.<sup>15</sup>

As stated:

The conservation of cultural heritage resources in the town is an integral part of the town's planning and decision making. The town uses legislation and planning to protect and conserve cultural heritage resources throughout the community. Ongoing studies and initiatives are also undertaken to continue a culture of conservation.<sup>16</sup>

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<sup>11</sup> Approved 2014-11-28.

<sup>12</sup> Ibid: 121.

<sup>13</sup> Ibid: 178-179.

<sup>14</sup> Town of Oakville. 2010a: 7.

<sup>15</sup> Town of Oakville. 2015: 3.

<sup>16</sup> Ibid: 22.

As part of these efforts, cultural heritage landscapes were specifically identified.

### Livable Oakville

The protection of cultural heritage landscapes is also a key component of *Livable Oakville* (2009 Town of Oakville Official Plan, herein "the OP"). It applies to all lands within the town (except the North Oakville East and West Secondary Plan areas). It sets out policies on the use of lands and the management of the Town's growth through to 2031.

In addition to directing intensification and urban development in six growth areas, the OP includes policies for the management and protection of the character of stable residential communities. In Section 2.2.1, it identifies preserving, enhancing, and protecting cultural heritage as a key part of making Oakville a livable community.

The OP specifically defines a cultural heritage landscape ("CHL") as:

...a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts.<sup>17</sup>

Relevant sections of the OP which address CHLs include:

- The Town may designate cultural heritage landscapes (Section 5.2.1 (e));
- The Town shall identify, evaluate and conserve cultural heritage landscapes in accordance with the Cultural Heritage Landscape Strategy (Section 5.3.12);
- Signs on cultural heritage properties or within Heritage Conservation Districts or cultural heritage landscapes shall be compatible with the architecture and character of the property or district (Section 6.15.3); and,
- Potential and identified cultural heritage landscapes shall be conserved according to the Cultural Heritage Landscape Strategy (Section 24.4.4 (d)).

Conservation of cultural heritage landscapes also extends to Section 5.2.1 h) which indicates that the Town "may establish policies and/or urban design guidelines to recognize the importance of cultural heritage context."<sup>18</sup> It is also applied in Section 6.4.2 which states that new development should contribute to the "creation of a cohesive streetscape by improving the visibility and prominence of and access to unique natural, heritage, and built features."<sup>19</sup>

### North Oakville East Secondary Plan

The subject property lies within the boundaries of the North Oakville East Secondary Plan (Official Plan Amendment 272). The purpose of the Secondary Plan is to provide detailed policies to guide the future development of the area and set out conditions for future development applications. Section 7.2.3.7 "Cultural Heritage" provides a general development objective for the conservation of cultural heritage resources, as follows:

To encourage, where appropriate and feasible, the incorporation of cultural heritage resources, including their adaptive reuse, as part of the development of North Oakville East.

The protection of cultural heritage resources is further addressed in Section 7.4.14 "Cultural Heritage Resources", which provides (in conjunction with the requirements of the *Ontario Heritage Act*) a framework for the protection of cultural heritage resources in North Oakville East. Section 7.4.14.1 "Designation of Cultural Heritage Resources" describes the power of the

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<sup>17</sup> Town of Oakville, 2009a: F-20.

<sup>18</sup> Ibid: C-10.

<sup>19</sup> Ibid: C-14 – C-15.

Town, under the *Ontario Heritage Act*, to prohibit the demolition or removal of properties designated under the Act or to attach terms and conditions to the approval of demolition. Section 7.4.14.1 (b) references the Town's *Register of Properties of Cultural Heritage Value or Interest (NOT Designated)* as a list of properties which may be considered for designation.

Section 7.4.14.3 "Integration of Heritage Resources" provides a framework for evaluation of development applications for designated and listed properties on the Town's Heritage Register, as follows:

- a) In evaluating development applications, the Town shall:
  - i) encourage the use or adaptive reuse of cultural heritage resources, or key components of such resources, whenever possible as part of the new development in situ, or on an alternate site; or,
  - ii) where resources which are not designated, and are not to be conserved, request the documentation of such resources in a cultural heritage report with a detailed property history, architectural description and photographic recording.
- b) The Town may also take additional steps to recognize the heritage of North Oakville West, including:
  - i) the use of interpretative plaques and displays;
  - ii) integration of cultural heritage landscape features into public parkland or other public facilities where feasible and appropriate;
  - iii) commemorating historic persons, families and events in the naming of public buildings, streets, parks and other public places; and,
  - iv) provision of incentives to encourage the retention of cultural heritage resources such as the establishment of an area of publicly owned land for their relocation.

Potential impacts to archaeological resources are addressed in Section 7.4.15 Archaeological Resources, which requires the completion of a Stage 2 Archaeological Assessment in areas of archaeological potential. Development and site alteration are only permitted on lands containing archaeological resources or areas of archaeological potential "if the significant archaeological resources have been conserved by removal and documentation or by preservation on site."<sup>20</sup>

### Cultural Heritage Landscape Strategy

The Town's Cultural Heritage Landscape Strategy (adopted by Oakville Council on January 13, 2014), describes three categories of cultural heritage landscapes, as a starting point for identification and classification. These categories, as defined by the Ontario Heritage Trust (2012) are based on the 1992 United Nations Educational, Scientific and Cultural Organization (UNESCO) categories (and subcategories), as follows:

**Designed Landscape** - the "clearly defined landscape designed and created intentionally by man."

**Organically Evolved Landscape** - that "results from an initial social, economic, administrative, and/or religious imperative and has developed in its present form in response to its natural environment". Within this category two sub-categories are identified:

**Relict landscape**, "in which an evolutionary process came to an end at some time in the past", and for which "significant distinguishing features, are, however still visible in material form."

**Continuing landscape** which "retains an active social role in contemporary society closely associated with the traditional way of life, and which the evolutionary process is still in progress."

<sup>20</sup> Town of Oakville, North Oakville East Secondary Plan. 2008: 30.

**Associative Cultural Landscape** – which is “justifiable by virtue of the powerful religious, artistic, or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.”<sup>21</sup>

Within the Town’s Cultural Heritage Landscape Strategy, the primary evaluative framework identified for the assessment of cultural heritage landscapes is Ontario Regulation 9/06.

Once a potential cultural heritage landscape area has been identified, it should be evaluated using the criteria provided in Criteria for Determining Cultural Heritage Value or Interest (Ontario Regulation 9/06), made under the Ontario Heritage Act.<sup>22</sup>

The document goes further, and also states:

All potential cultural heritage landscapes shall be evaluated using these criteria, in order to provide consistency in the Town’s approach to evaluation of potential resources.<sup>23</sup>

Although Ontario Regulation 9/06 is the primary evaluative framework identified in the Cultural Heritage Landscape Strategy, the Town of Oakville does note in its Official Plan that it will avail itself of all tools available to it. As outlined in Section 5.1.1 (Objectives), the general objectives for cultural heritage are:

a) to safeguard and protect cultural heritage resources through use of available tools to designate heritage resources and ensure that all new development and site alteration conserve cultural heritage resources and areas of cultural heritage significance.<sup>24</sup>

This is bolstered by Section 5.1.2 (Policies) which states:

The Town will use the power and tools provided by legislation, policies, and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, and the Municipal Act in implementing and enforcing the cultural heritage policies of the Town.<sup>25</sup>

On February 16, 2016, the Town of Oakville adopted its Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory.

The objectives of the Phase I of the Cultural Heritage Landscape Strategy Implementation were to:

1. Identify the potential cultural heritage landscapes (CHLs) to be inventoried;
2. Undertake targeted stakeholder outreach during the inventory process;
3. Develop inventory sheets for each identified candidate CHL to document existing conditions;
4. Provide a recommendation for future action on each candidate CHL; and
5. Compile findings and recommendations into a summary report to present to Oakville Town Council.

The current document is part of the Cultural Heritage Landscape Strategy Implementation, Phase II Project; which aims to:

- Undertake detailed research for each property;
- Evaluate each property against Ontario Regulation 9/06 criteria;
- Prepare a Statement of Cultural Heritage Value or Interest for each property, as applicable; and,
- Assess the condition of each property, including built and natural features.

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<sup>21</sup> Town of Oakville, *Cultural Heritage Landscape Strategy*, 2014: 5-7.

<sup>22</sup> Town of Oakville, “Section 2.4 Evaluation of Cultural Heritage Landscapes,” *Cultural Heritage Landscapes Strategy*, 2014: 9.

<sup>23</sup> Ibid: 9.

<sup>24</sup> Town of Oakville, 2009a: C-9.

<sup>25</sup> Ibid: C-9.

### 2.3 Changes since the completion of the Cultural Heritage Landscape Strategy

Since the completion of the Cultural Heritage Landscape Strategy, a new iteration of the Provincial Policy Statement (2014) was issued. Among its revisions was a clarification that cultural heritage landscapes extend beyond the physical, and can include intangible cultural heritage attributes. Indeed, the definition notes that it includes areas that MAY have been modified by human activity and are identified by a community (including an Aboriginal community) as having value. It also focuses greater attention on the interrelationships, meanings, and associations within the landscape.

The question remains following this update if Ontario Regulation 9/06 remains the most appropriate evaluative framework for the assessment of Oakville's cultural heritage landscapes. While it does provide a foundation and a common language for the assessment of properties, its analytical focus is predicated upon the evaluation of a singular piece of real property and the heritage attributes thereon for local significance. This limits its ability to respond to cultural heritage landscapes that are located across multiple properties, in instances where there are significant views that are located off a property, and in instances where the values may be of provincial or national significance. Still, it provides a common language for assessment, and in reviewing comparable municipal approaches, it is a commonly applied approach and has been already used in the Province of Ontario for the identification, evaluation, and protection of cultural heritage landscapes. However, this is with the caveat that the cultural heritage landscapes must be considered holistically and in the application of Ontario Regulation 9/06, these limitations must be recognized and acknowledged. In the absence of any other provincial evaluative frameworks for cultural heritage landscapes, and in accordance with the Town's current policies, the primary evaluative framework for this project will continue to be Ontario Regulation 9/06. Nevertheless, it is recommended that this evaluative framework be augmented with other existing Ontario and Canadian evaluative frameworks where appropriate. This is in keeping with the provincial policy statement which indicates that "criteria for determining significance for the resources...are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used."<sup>26</sup> As discussed above, this report will build on established analytical approaches to understanding and contextualizing the history and evolution of the subject property and consider the potential level of significance of the property by considering it against three evaluative frameworks.

### 2.4 Evaluation Criteria and Frameworks

The following provides a list of some of the evaluative criteria available for municipalities seeking to evaluate and conserve cultural heritage resources on properties under their jurisdiction. It should be noted that the identification of the evaluative tool should be based on a comprehensive understanding of the cultural heritage landscape, its history, and its evolution. For this project, all three of these evaluative criteria are being used to help understand the level of significance (local, provincial, and national) for the potential cultural heritage landscape being considered.

Evaluation Criteria	Description
<ul style="list-style-type: none"> <li>Ontario Regulation 9/06</li> </ul>	Under the <i>Ontario Heritage Act</i> (OHA), Ontario Regulation 9/06 (CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST) provides the minimum criteria against which a piece of real property must be evaluated in order for a municipality to designate it under Section 29, Part IV of the OHA. (Regulation attached in Appendix A)
<ul style="list-style-type: none"> <li>Ontario Regulation 10/06</li> </ul>	Under the OHA, Ontario Regulation 10/06 (CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST OF PROVINCIAL SIGNIFICANCE) provides the minimum criteria against which a piece of real property must be evaluated in order for the Province to designate it under Section 34.5, Part IV of the

<sup>26</sup> Provincial Policy Statement, 2014.

Evaluation Criteria	Description
	OHA. (Regulation attached in Appendix A). Any formal designation would require the Minister to Tourism, Culture and Sport to approve the designation.
<ul style="list-style-type: none"> <li>Criteria for National Historic Significance</li> </ul>	<p>The Historic Sites and Monuments Board of Canada document, <i>Criteria, General Guidelines, &amp; Specific Guidelines for evaluating subjects of potential national historic significance</i>, provides the criteria against which a place, a person or an event that may have been nationally significant to Canadian history, or illustrates a nationally important aspect of Canadian human history must be evaluated. Any designation would require a recommendation by the Historic Sites and Monuments Board of Canada and approved by the Minister responsible for the Board (currently the federal Minister of the Environment). Designation as a National Historic Site also requires the owner's consent; however, the commemoration of either a person or event does not require owner's consent. The boundaries of a place in this context must be clearly defined for it to be considered for designation as a national historic site, but may not be directly tied to the boundaries of a piece of real property. (Document attached as Appendix A)</p>

### 3 Study Area

The Study Area for the evaluation of the cultural heritage value of 1086 Burnhamthorpe Road East was confined to the 50-acre legal parcel of land described as "Part Lot 10, Concession 1 Trafalgar, North of Dundas Street (as in 50224), Trafalgar Township", in the Town of Oakville. Background research and the on-site review included a consideration of the possible relationships of the Study Area to its surrounding context, including: the former 100-acre Bowbeer farmstead, the historic village of Trafalgar, and Joshua Creek (Figures 4, 5 and 6).

#### Existing Designations

The property at 1086 Burnhamthorpe Road East is currently designated under Section 29, Part IV of the *Ontario Heritage Act* (by-law 1991-074) as a property of historical and architectural significance. The reasons for the designation are outlined in Schedule "A" to by-law 1991-074 (attached here as Appendix B). Schedule "A" describes the historical significance of property's direct associations with William Bowbeer, Edward Fish, and Hugh Salvin Calverly, as well as current owners, Sybil and Leo Rampen. The by-law also describes the architectural significance of the one storey, brick farmhouse constructed in 1827 and the Neoclassical style, one-and-a-half storey brick addition at the front of the house, constructed in 1853.

#### 3.1 Description of Property

<b>Municipal Address</b>	<b>1086 Burnhamthorpe Road East</b>
<b>Name (if applicable)</b>	
<b>Legal Description</b>	PT LT 10, CON 1 TRAFALGAR, NORTH OF DUNDAS STREET, AS IN 50224; OAKVILLE/TRAFALGAR
<b>Location of Property</b>	The property is located on the south side of Burnhamthorpe Road East. The property is west of Ninth Line and east of Trafalgar Road.
<b>Ownership</b>	Private
<b>Access</b>	Site review completed September 20, 2016 (ML, LS, EE, CU, KH, AB) with Town Staff (SS). A site review with representatives of Mississaugas of the New Credit First Nation Department of Consultation and Accommodation took place on October 18, 2016.
<b>Current Observed Use</b>	Residence and Joshua Creek Heritage Centre and Art Gallery
<b>Existing Heritage Designation</b>	Designated Heritage Property under Part IV of the Ontario Heritage Act. By-law No. 1991-074 'A By-law to designate 1086 Burnhamthorpe Road East as a property of historical and architectural significance.' The Reasons for Designation are reproduced here as Appendix B.
<b>General Description</b>	The property at 1086 Burnhamthorpe Road East is a small complex of buildings on a large rectangular lot. It includes a dichromatic, Neoclassical style brick house built in 1853, with a kitchen tail comprising the earlier farmhouse built in 1827, and additions built in 1976 and 2006. A barn built in 1827 has been rebuilt to serve as the Joshua Creek Heritage Art Centre. A one-lane gravel driveway at the rear of the house with a concrete bridge over the creek, leads to a bank barn and silo, all built circa 1914. The buildings are well set back from the road and accessed from two, long gravel driveways, with a small gravel parking lot off the eastern lane. A large orchard and vegetable garden are located on the northeast part of the property; the property is surrounded by open fields and pastures.

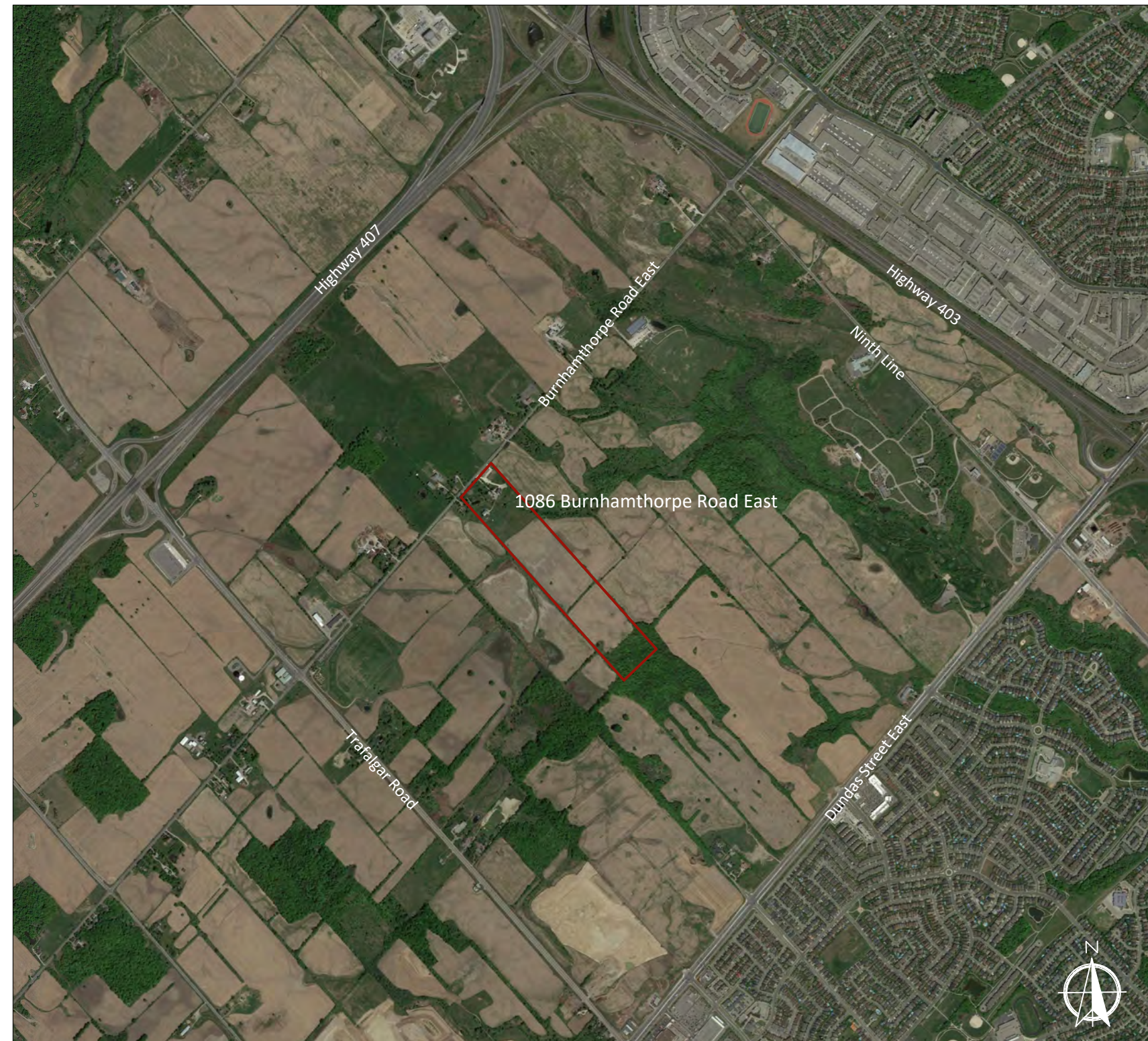




Figure 2: View of façade of the 1853 dichromatic brick farmhouse at 1086 Burnhamthorpe Road East (AB, 2016).



Figure 3: Bank Barn at 1086 Burnhamthorpe Road East, viewed from the labyrinth (CU 2015).




1086 Burnhamthorpe Road East

Corporation of the Town of Oakville  
1225 Trafalgar Rd  
Oakville, ON  
L6H 0H3

Air photo dated May 22, 2015 obtained  
from Google Earth

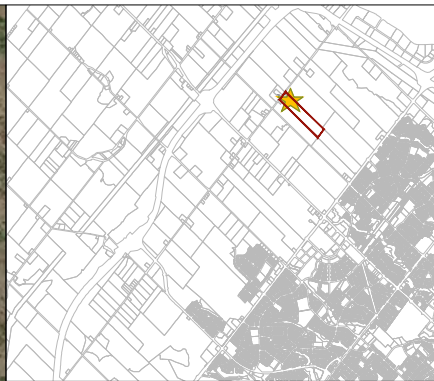
**Figure 4:**  
Location of 1086  
Burnhamthorpe  
Road East

**LEGEND**

 CHL Study Property



Drawing not to scale



Corporation of the Town of Oakville  
1225 Trafalgar Rd  
Oakville, ON  
L6H 0H3

Air photo dated May 22, 2015 obtained from  
Google Earth

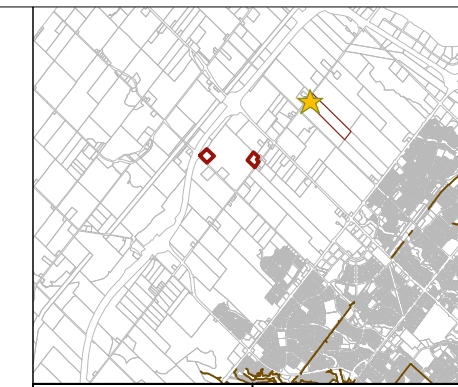
Figure 5:  
1086 Burnhamthorpe  
Road East, Current  
Conditions

**LEGEND**

— CHL Study Area



Drawing not to scale



Corporation of the  
Town of Oakville  
1225 Trafalgar Rd  
Oakville, ON  
L6H 0H3

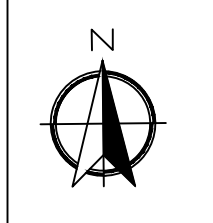


Figure 6:  
1086 Burnhamthorpe  
Road East, built and  
natural features

**LEGEND**

	Assessment Boundary
	Building
	CHL Study Area
	Paved Patio
	Manicured Garden
	Gravel Drive / Parking
	Coniferous Tree
	Deciduous Tree
	Watercourse
	Road
	Site Structures

Drawing not to scale

### 3.2 Context

The property located at 1086 Burnhamthorpe Road East is situated on the south side of Burnhamthorpe Road East, east of Trafalgar Road and west of Ninth Line. The property is located at the headwaters of Joshua Creek, which runs through the property south of the farmhouse, and northeast of the bank barn (Figures 4 and 5). Land use around the property remains largely agricultural in nature. Large, open fields interspersed with small woodlots are located to the north, east, south, and west; although residential development has begun to extend north of Dundas Street.

Historically, Bowbeer farm spanned approximately 200 acres. Post's Corners (later Postville, then Trafalgar) at the corner of Dundas Street and Trafalgar Road was the nearest hamlet to the property as the farm developed.

The most notable topographic feature in the vicinity is a tributary of Joshua Creek. The headwaters of the creek are located on the property, and the creek intersects the property south of the farmhouse and shed and north of the bank barn and fields. The meandering creek and its valley define the rolling topography of the property, with the creek and valley lands forming the low point of the property and the farmhouse, gallery, and bank barn sited above on higher ground.

### 3.3 Current Conditions

The property at 1086 Burnhamthorpe Road East is a 50-acre parcel comprising a grouping of former farmstead buildings which are now used as a private residence and the Joshua Creek Heritage Art Centre. The private residence is comprised of a one-and-a-half storey brick house, built in a Neoclassical style in 1853. It faces the road but is separated from the public right-of-way by a deep lawn and accessed via a long, gravel driveway. Extending from the rear of the house is a small, one-storey brick structure, now used as a kitchen, but originally built in 1827 as the first farmhouse on the site.<sup>27</sup> Two further additions, built in 1976 and 2006, extend to the rear of the 1827 structure. Directly adjacent to the residence, a former shed dating to 1827, has been completely rebuilt to form a two-storey, L-shaped wood-frame art gallery known as the "Joshua Creek Heritage Art Centre". A separate, long, gravel driveway, parallel to the first one, leads from the road to a small, gravel parking lot adjacent to the art centre. Both the private residence and the art centre are surrounded by ornamental gardens. Behind the private residence and the art centre, the gravel laneway turns continues westward, crossing Joshua creek with the aid of a concrete bridge built circa 1914, and reaching a large t-shaped bank barn and silo (both also built in 1914). Because of the great distance between the buildings and the road, and the placement of trees along the creek, most of the buildings are obscured from the road. An orchard and vegetable garden are located to the northeast of the art centre.

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<sup>27</sup> This information is based on previous research and is included in the existing designation by-law for the property.



Figure 7: Dates of construction of farmhouse and additions.

### 3.3.1 Structures

The residence comprises four adjoining structures. The Neoclassically styled farmhouse that forms the front and key part of the private residence was built in 1853 by William S. Bowbeer. The section is a one-and-a-half storey, dichromatic brick, Neoclassical style farmhouse constructed by William S. Bowbeer. The Neoclassical house includes a number of details that are characteristic of the style, including its symmetry, rectangular plan, side-gable roof, with three-bay façade, and central projecting frontpiece below a gable peak (Figure 8). Brick chimneys are located at either end of the gable. A decorative cornice moulding encircles the house below the overhanging eaves with gable returns on the side elevations and the central front gable. A cross is located below the gable peak (Figure 9). The wide front door case is recessed with decorative panels; a transom runs along the top and sidelights flank the door. A half-circle, fan-like linette window is located above the entrance. The dichromatic effect of the exterior brickwork is achieved by using two colours of brick: a deep red for the walls and a contrasting buff-coloured brick for the detailing, including headers above openings and quoins at the corners of the building and frontpiece. A number of interior elements have been retained, including: an arch above the front door with a central band of flowers (Figure 10); wood casings (Figure 11); wide, planked wood flooring; and the stairs with balustrade.

The kitchen tail comprises a one storey brick house constructed by William Bowbeer in 1827. The building retains its rectangular plan, gable roof and a large hearth on the interior (Figure 13).

Two frame additions are attached to the rear of the 1827 structure. The first is a rectangular building with a workshop space, built in 1976 as a separate building. The second is an addition built in 2006 to connect the 1976 building to the 1827 kitchen tail.

A wooden deck runs along the eastern elevation of the 1827 and 2006 structures, and the farmhouse is currently surrounded by gardens.

The Joshua Creek Heritage Art Centre is an L-shaped, frame structure. It comprises the renovated 1827 shed which serves as gallery space, and a two-storey addition along the east of the former shed, which provides office and workshop space for the centre (Figure 13). The building retains a number of structural elements from the shed, including hand-hewn timber supports (Figure 14).

A large bank barn with a gambrel roof, built in 1914, is located to the south of the farmhouse on a prominence overlooking the creek and fields (Figure 15). A silo is attached to the east end of the barn (Figure 16). The silo is constructed of

rusticated concrete blocks, an innovative approach that was popular around 1914 when it was constructed. A portion of the barn, forming the trunk of the 'T' off the south of the bank barn, was lost in a 1996 storm and was rebuilt sometime after 2006.



Figure 8: Façade of farmhouse at 1086 Burnhamthorpe Road East (CU 2016).



Figure 9: Detail of gable peak (CU 2015).





Figure 10: Interior, arch above front door (CU 2016).



Figure 11: Interior, example of surviving window casing (CU 2016).



Figure 12: Interior, 1827 kitchen tail, hearth (CU 2016).



Figure 13: Joshua Creek Heritage Art Centre (CU 2016).



Figure 14: Interior, gallery, Joshua Creek Heritage Art Centre (CU 2015).



Figure 15: 1914 Bank barn (CU 2015).



Figure 16: Silo (CU 2015).

### 3.3.2 General Landscape

In addition to the before mentioned structures, 1086 Burnhamthorpe has a number of notable landscape features.

The property is accessed via two separate driveways, one leading to the Joshua Creek Heritage Art Centre and one leading to the farmhouse. The latter follows the early 20<sup>th</sup> century configuration and still has several trees from the remnant tree lines that once flanked the driveway (Figure 16). The driveway passes along the north side of the farmhouse and bends to the southeast, towards the bank barn. A circa 1914 concrete bridge carries the driveway over the creek.

A tributary of the Joshua Creek intersects the property between the farmhouse and bank barn. The creek and two ponds, form the low-point of the property's topography. A shallow pond, created by the watering of cattle over many years, is located to the south of the c.1914 bridge (Figure 17). A longer pond, located to the north of the bridge, was created from the creek bed by the current owners. The water levels within the creek fluctuate with the creek bed running dry in hot summer months. The western reach of the creek is characterized by a number of mature trees, primarily willow (*Salix sp.*) and black walnut (*Juglins nigra*), which border the creek. Grasses, shrubs, and copses of willow (*Salix sp.*) surround the eastern reach of the creek, creating a more open meadow character.

The south end of the property comprises open agricultural fields (Figure 18). At the southern edge of the property is a woodlot containing a variety of deciduous and coniferous trees and understory vegetation. Sparse hedgerows frame the eastern and western edges of the property, with the eastern hedgerow becoming denser as it reaches the northern corner of the property. The hedgerows and woodlot visually define a boundary around the site.

To the immediate south of the bank barn is pasture and a mowed labyrinth feature overlooking the creek and capped spring.

The topography around the house and Joshua Creek Heritage Art Centre building is generally flat to gently rolling. The buildings are surrounded by manicured lawn bordered by mature coniferous and deciduous trees. Manicured gardens frame the gallery and house. A large, tiered perennial garden extends the length of the southwest edge of the house and art centre. Areas along the western driveway leading to the farmhouse and Burnhamthorpe Road have been left to grow wild, creating mixed stands of both native and non-native vegetation.

Mature specimen trees found on the property include a large spruce (*Picea sp.*) in front of the house, and a substantial black walnut on the front lawn, aligned with the front entrance. A horse chestnut (*Aesculus sp.*) is located at the north-west corner of the house. A large mature apple tree is located behind the gallery; this tree is the last vestige of the original orchards. An abandoned spring, now capped with concrete, is located close to the old apple tree.

Two large vegetable gardens are located on the property. Close to Burnhamthorpe Road, a large community garden is divided into plots available to members of the public, as part of the programming associated with the arts centre. A private vegetable garden, established around 1950, is located on the west side of the property between the creek and the road. An apple orchard planted around 2009 and now comprising approximately 50 trees, sits adjacent to the community gardens.

Paved patios are located outside both the house and the gallery space. A small pool with a waterfall has been constructed within the patio area of the gallery. A small shed to the south of the pool contains the pumping equipment for the fountain.

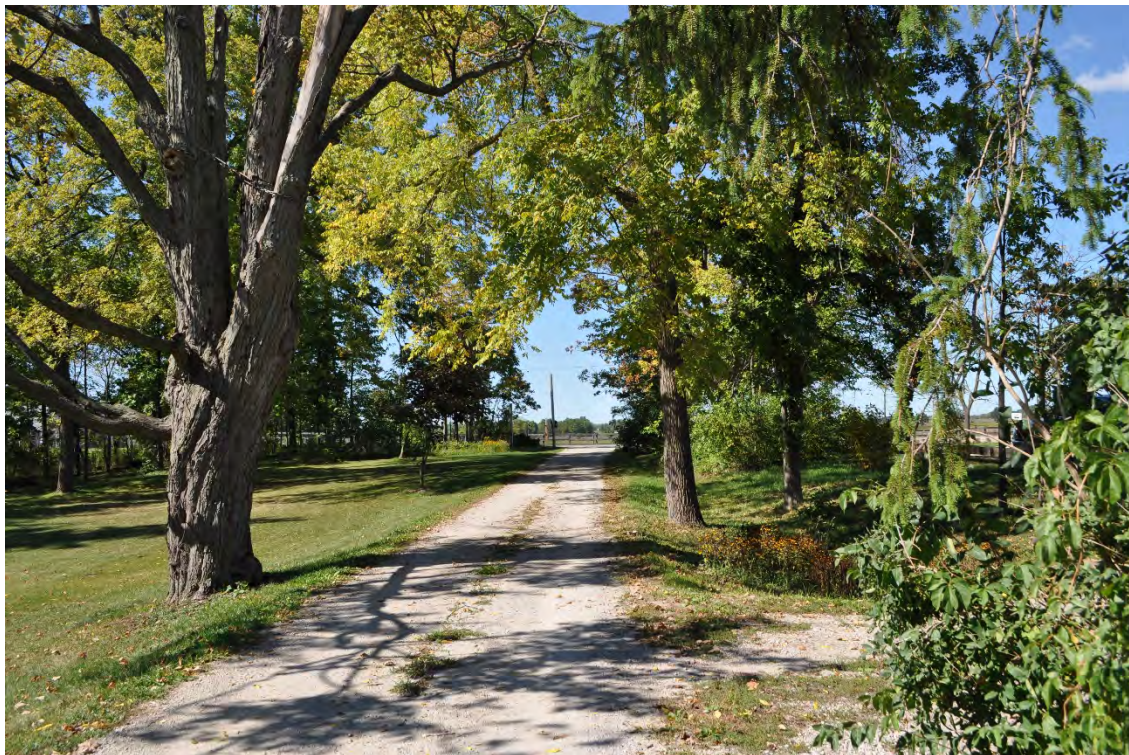


Figure 17: Gravel laneway leading from the private residence to Burnhamthorpe Road East, facing north (CU 2016).



Figure 18: Concrete bridge over Joshua Creek, built circa 1914 (CU 2015).



Figure 19: Agricultural fields at south end of property (CU 2016).



Figure 20: View of barn from north of creek (CU 2015).

## 4 History

### 4.1 History of the Area

The following sections (4.1.1 to 4.1.3) describe general patterns of land use and development in and around the property at 1086 Burnhamthorpe Road East. Section 4.2 provides an outline of property-specific land-use beginning with the 1806 survey of the property by Deputy Surveyor Samuel S. Wilmot.

#### 4.1.1 Pre-European Contact

##### Paleo-Indian (9500-8000 BC)

The cultural history of southern Ontario began around 11,000 years ago,<sup>28</sup> following the retreat of the Wisconsin glacier. During this archaeological period, known as the Paleo-Indian period (9500-8000 BC), the climate was similar to the modern sub-arctic; and vegetation was dominated by spruce and pine forests. The initial occupants of the province, distinctive in the archaeological record for their stone tool assemblage, were nomadic big-game hunters (i.e., caribou, mastodon and mammoth) living in small groups and travelling over vast areas of land, possibly migrating hundreds of kilometres in a single year.<sup>29</sup>

##### Archaic (8000-1000 BC)

During the Archaic archaeological period (8000-1000 BC) the occupants of southern Ontario continued to be migratory in nature, although living in larger groups and transitioning towards a preference for smaller territories of land – possibly remaining within specific watersheds. Within Oakville, known Archaic sites tend to be distributed along the Bronte Creek drainage basin.<sup>30</sup> The stone tool assemblage was refined during this period and grew to include polished or ground stone tool technologies. Evidence from Archaic archaeological sites points to long distance trade for exotic items and increased ceremonialism with respect to burial customs towards the end of the period.<sup>31</sup>

##### Woodland (1000 BC – AD 1650)

The Woodland period in southern Ontario (1000 BC–AD 1650) represents a marked change in subsistence patterns, burial customs and tool technologies, as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BC), Middle Woodland (400 BC–AD 500) and Late Woodland (AD 500-1650). During the Early and Middle Woodland, communities grew in size and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting. There is evidence for incipient horticulture in the Middle Woodland as well as the development of long distance trade networks.

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agricultural village-based communities around AD 500–1000. It was during this period that corn (maize) cultivation was introduced into southern Ontario. Princess Point Complex (AD 500–1000) sites provide the earliest evidence of corn cultivation in southern Ontario. Large Princess Point village sites have been found west of Oakville, at Coote's Point, and east of Oakville, in the Credit River valley; although none have been found within Oakville.

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<sup>28</sup> Chris Ellis and D. Brian Deller, "Paleo-Indians," (1990): 37.

<sup>29</sup> David s. Smith, "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I," n.d., Accessed online August, 2015 <http://www.oakville.ca/culturerec/is-firstnations.html>.

<sup>30</sup> Smith, "Part II," n.d., Accessed online August, 2015 <http://www.oakville.ca/culturerec/is-firstnations.html>.

<sup>31</sup> Chris Ellis *et.al.*, "The Archaic," (1990): pp. 65-66.



The Late Woodland period is divided into three distinct stages: Early Iroquoian (AD 1000–1300); Middle Iroquoian (AD 1300–1400); and Late Iroquoian (AD 1400–1650). The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded village sites which included more and larger longhouses. These village communities were commonly organized at the tribal level; by the 1500s, Iroquoian communities in southern Ontario – and northeastern North America, more widely – were politically organized into tribal confederacies. South of Lake Ontario, the Five Nations Iroquois Confederacy comprised the Mohawk, Oneida, Onondaga, Cayuga, and Seneca, while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron and Neutral Confederacies. Oakville is located in a transitional or frontier territory between the Neutral and Huron.

During this period, domesticated plant crops were supplemented by continued foraging for wild food and medicinal plants, as well as hunting, trapping, and fishing. Camp sites from this period are often found in similar locations (if not the same exact location) to temporary or seasonal sites used by earlier, migratory southern Ontario populations. Village sites themselves were periodically abandoned or rotated as soil nutrients and nearby resources were depleted; a typical cycle for village site may have lasted somewhere between 10 and 30 years.<sup>32</sup> A number of late Woodland village sites have been recorded along both the Bronte and Sixteen Mile Creeks.

### European Contact (c.1650)

When French explorers and missionaries first arrived in southern Ontario during the first half of the 17<sup>th</sup> century, they encountered the Huron, Petun and – in the general vicinity of Oakville – the Neutral. The French brought with them diseases for which the Iroquois had no immunity, contributing to the collapse of the three southern Ontario Iroquoian confederacies. Also contributing to the collapse and eventual dispersal of the Huron, Petun, and Neutral, was the movement of the Five Nations Iroquoian Confederacy from south of Lake Ontario. Between 1649 and 1655, the Five Nations waged military warfare on the Huron, Petun, and Neutral, pushing them out of their villages and the general area. As the Five Nations moved across a large hunting territory in southern Ontario, they began to threaten communities further from Lake Ontario, specifically the Ojibway (Anishinaabe). The Anishinaabe had occasionally engaged in military conflict with the Five Nations over territories rich in resources and furs, as well as access to fur trade routes; but in the early 1690s, the Ojibway, Odawa and Patawatomí, allied as the Three Fires, initiated a series of offensive attacks on the Five Nations, eventually forcing them back to the south of Lake Ontario. Oral tradition indicates that the Mississauga played an important role in the Anishinaabe attacks against the Iroquois. A large group of Mississauga established themselves in the area between present-day Toronto and Lake Erie around 1695, the descendants of whom are the Mississaugas of the New Credit First Nation.<sup>33</sup>

Throughout the 18<sup>th</sup> century, the Mississaugas who settled in between Toronto and Lake Erie were involved in the fur trade. Although they did practice agriculture of domesticated food crops, they continued to follow a seasonal cycle of movement for resource harvesting. Families were scattered across the wider hunting territory during winter months, hunting deer, small game, birds and fur animals. In spring, groups moved to sugar bushes to harvest sap prior to congregating at the Credit River.<sup>34</sup> The Credit was an important site in the spring for Salmon. The Credit was also the location where furs and pelts were brought to trade.

Agricultural crops were planted in early summer, including: corn, squash, and beans. These crops were harvested in the summer and fall, along with wild crops such as berries, mushrooms, roots, and wild rice. Wilmot's 1806 survey map of Trafalgar Township shows the locations of the Mississauga's agricultural fields at the mouths of the Bronte and Sixteen Mile

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<sup>32</sup> Smith, David. "Part III," n.d., Accessed online August, 2015 <http://www.oakville.ca/culturerec/is-firstnations.html>.

<sup>33</sup> Mississaugas of the New Credit First Nation, "The History of the Mississaugas of the New Credit First Nation," 2015: 5-6.

<sup>34</sup> The name for the Credit River and by extension the Mississaugas of the Credit, derives from the practice of French, and later English, traders providing credit to the Mississaugas at that river location.

Creeks. These tracts of land at the mouths of the creeks were delineated as part of the 1806 Treaty 13A,<sup>35</sup> which defined specific rights to fisheries in the Bronte (Twelve Mile) Creek, Sixteen Mile Creek, Etobicoke River, and the Credit River. With the pressures of European settlement mounting in the area, the lands at the mouth of the Twelve Mile and Sixteen Mile Creeks were surrendered in treaties in 1820 in which the Mississaugas retained only a 200-acre reserve on the east bank of the Credit River.<sup>36</sup>

#### 4.1.2 Early Settlement (1795-c.1850)

The property at 1086 Burnhamthorpe Road East is part of a former 200-acre survey lot comprising Lot 10, Concession I, North of Dundas Street, Trafalgar Township.

The earliest portion of Trafalgar Township to be surveyed was Dundas Street which was an important and strategic military transportation route between York (Toronto) and the lakehead at Dundas (Hamilton) - in 1795. Deputy Provincial Surveyor Samuel S. Wilmot surveyed the County of Halton, including Trafalgar Township, in 1806 using Dundas Street as a baseline. Dundas Street through Trafalgar Township had been partially cleared by 1800, but in order to ensure the timely clearing and improvement of "The Dundas Road" allowance, the first lots to be granted to settlers were along this route.<sup>37</sup> Early settlers were "required to clear 5 acres, fence in their lots and build a house" and the properties which boarded on a road had to clear the trees within 100 feet and make improvements to the road.<sup>38</sup>

By 1805, all of the land along the northern shores of Lake Ontario had been delineated into three Townships, with the exception of the Reserve of the Mississaugas, found between Burlington Bay and Etobicoke. The following year, the British government acquired portions of the Mississauga tract in order to open up the area and encourage settlement. Deputy Surveyor Samuel S. Wilmot carried out a detailed land survey dated June 28, 1806 which he titled "Trafalgar: Plan of the Second Township, In [sic] the tract of Land lately Purchased from the Mississauga Indians".

Settlement of Trafalgar Township began in the spring and summer of 1807.<sup>39</sup> As a result, a number of small hamlets and villages in what is now North Oakville were established prior to 1820 when the remainder of the Mississauga Tract was ceded to the Crown and land at the mouth of the Sixteen Mile Creek and Bronte Creek was available for purchase.

Early families included names such as: Biggar (sometimes Bigger), Bowbeer, Clements, Featherstone, Kaitting, Munn, Post, Fish and Snider. Wilmot's 1806 survey map shows the locations of Clergy and Crown reserves as well as numerous private grants. As land was settled and cleared a number of hamlets were established along Dundas Street, including:

- Sixteen Hollow (Proudfoot's Hollow);
- Palermo;
- Merton;
- Trafalgar (Post's Corners, Postville);
- Munn's Corners;
- Sniders Corners; and
- Glenorchy.

<sup>35</sup> Mississaugas of the New Credit First Nation, "The History of the Mississaugas of the New Credit First Nation," 2015: 12.

<sup>36</sup> Sheila Campbell and Betty-Jean Lawrence, "The Treaty Period (1801-1847)," n.d., Accessed August, 2015 at <http://www.oakville.ca/culturerec/firstnations-essay6.html>.

<sup>37</sup> Judith Bourke, "Sixteen Hollow – 1820-1880," n.d., Accessed August, 2015 <http://www.oakville.ca/culturerec/is-sixteen.html>

<sup>38</sup> *Early Ward 5 History*, Trafalgar Township Historical Society.

<sup>39</sup> Robert Gourlay, "Trafalgar's Story, 1817," *Trafalgar Township Historical Society*. Summer 2014 Newsletter: 7. Accessed online September, 2015 <http://www.tths.ca/Newsletter-Summer2014.pdf>

Dundas Street played an important role in the development of the township; by the 1820s stage coach lines were established along the route. As Oakville Harbour grew in importance, wheat and other exports were able to be shipped out of Oakville and, to a lesser extent, Bronte.

The hamlet of Trafalgar, also known as Post's Corners from about 1815 to 1851 and Postville by c. 1857, was located at the intersection of Trafalgar Road and Dundas Street. It was the location of the post office, local store, school, and a steam saw mill. Ephraim Post owned properties at the southeast and northeast corners of the intersection and opened a tavern there in 1816.<sup>40</sup> By 1877, the hamlet was known as Trafalgar.

#### 4.1.3 Agriculture and Industry

William Bowbeer established his farm and began clearing and cultivating the property in the 1820s, as described in detail below in Section 4.2. The following section describes the development of agricultural in the general area.

Among Oakville's early exports were timber and potash, as local farmers undertook the process of clearing their land. By the 1840s and 1850s a great deal of land had been cleared and wheat fields were quickly established, followed by diversified grain crops. Following the crash in wheat prices in 1857, fruit, in particular strawberries, began to be farmed commercially. By 1870, the area had more than 300 acres of strawberries and orchards were thriving in other parts of the township. The 1877 Historical Atlas identified Oakville as the "greatest strawberry growing district in the Dominion." Among the early strawberry growers were John Cross, J. Hagarman, Captain John A. Chisholm, W.H. Jones, Captain W.B. Chisholm, E. Skelly, J.T. Howell, and A. Mathews. This burgeoning fruit industry led to the need for baskets. John Cross set up a factory to produce baskets, of wood veneer fastened with strips of punched tin, in the winter months. Following suit, John A. Chisholm began producing baskets on his farm. His sons bought a second factory in 1874, the former Victoria Brewery.

During the 1870s and 1880s, fruit growing and basket production became two of Oakville's primary industries. The Chisholm's basket factory was purchased in the 1880s by Pharis Doty and Son and moved. It was owned by the Oakville Basket Company in 1893 when it burned down and was quickly rebuilt.

The 1877 map of Trafalgar South<sup>41</sup> illustrates the prevalence of apple-growing in the area around the subject property (Figure 20). The map shows the prevalence of orchards along Dundas Street and Burnhamthorpe Road. William S. Bowbeer appears to have had four orchards on his property. There is no evidence to indicate development or significant change in the area in the last quarter of the 19<sup>th</sup> century.

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<sup>40</sup> Trafalgar Township Historical Society, "Early Ward 5 History," Accessed October 2016 at <http://www.tths.ca/ward5.html>.

<sup>41</sup> J.H. Pope. "Township of Trafalgar South," in the Illustrated Historical Atlas of the County of Halton Ont. Compiled and drawn from official plans and special surveys by J.H. Pope Esq. Toronto, Walker & Miles (1877).

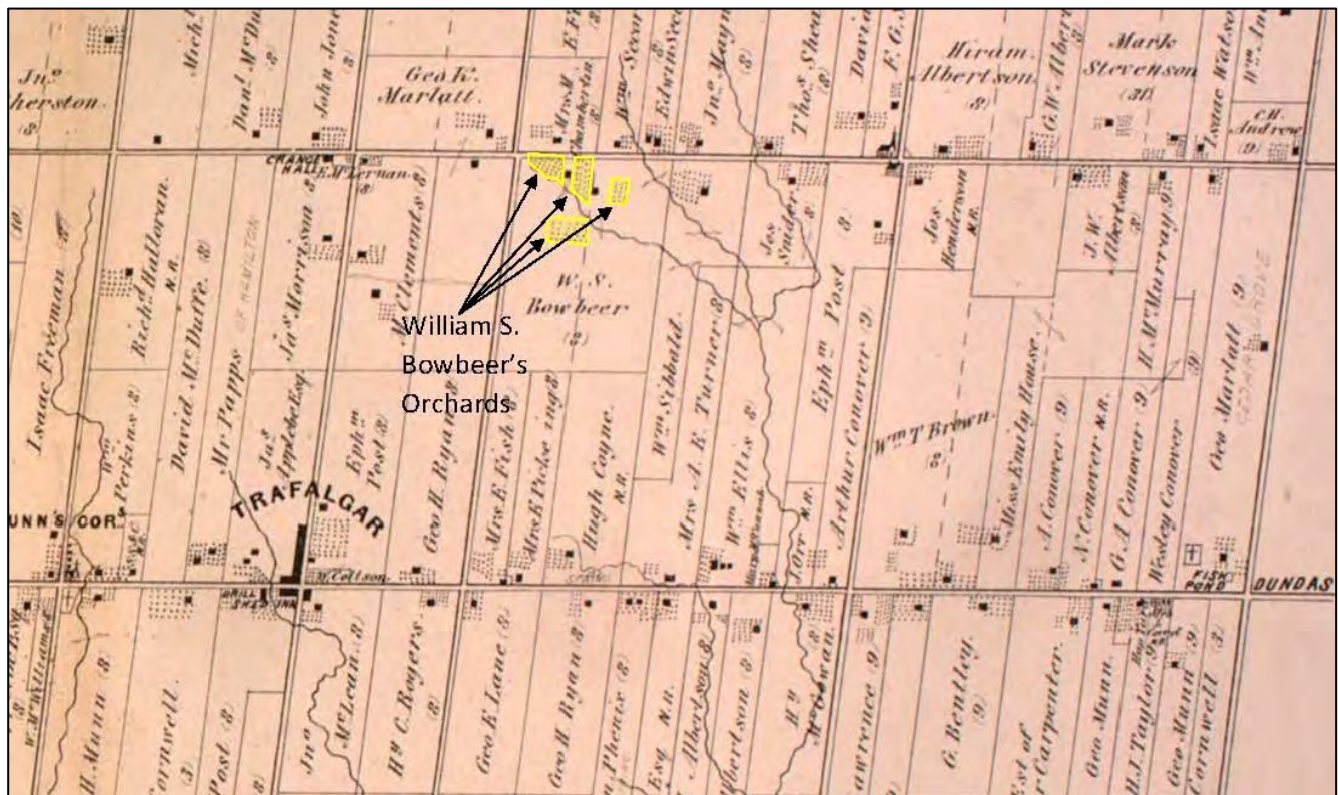


Figure 21: Detail of 1877 map of Trafalgar Township showing orchards along Dundas Street and Burnhamthorpe Road (Pope, 1877).

#### 4.1.4 20<sup>th</sup> Century Development

Following the Second World War, the population along Ontario's lakeshore between Toronto and Hamilton experienced significant growth. As with other lakeshore towns and villages, the populations of Oakville and Bronte expanded northward from their respective urban cores, into the agricultural lands that once comprised a portion of an approximately 15,000-acre "fruit belt", well-known for its small fruits, vegetables, and orchards.<sup>42</sup> There were still approximately 1000 fruit and vegetable farms remaining in the lakeshore region as late as the 1940s, nearly all of which have been lost to suburban growth.<sup>43</sup>

With the increase in automobile traffic following the Second World War, and the continued growth of Oakville, the landscape around Dundas Street was dramatically altered. The widening of roads and the construction of turning lanes resulted in the loss of numerous older buildings; this is particularly notable in the former village of Trafalgar (also known as Post's Corners or Postville). The southern portion of Trafalgar Township amalgamated with the Town of Oakville in 1962, and the area continued to see dramatic changes as it transitioned from rural to central suburban core.<sup>44</sup> By 2009, much of the land south of Dundas Street was developed into residential or commercial land use areas.

<sup>42</sup> John and Monica Ladell, *Inheritance*, Toronto, Dundurn Press (1986): 236.

<sup>43</sup> *Ibid.*

<sup>44</sup> Town of Oakville. Heritage Planning, Planning Services. North Oakville Heritage Resource: Review and Strategy. 2010b: 17.

## 4.2 Land Use History

### Lot 10, Con I, NDS

The original 200 acres of land associated with Lot 10, Con I, North of Dundas Street was patented to George McKinley (sometimes 'McKinney') on September 18, 1810.<sup>45</sup> He is also shown on the 1806 Wilmot survey, prior to the patent (Figure 21). McKinley sold the rear (north) 100 acres of the lot to William Phoenix on December 24, 1819. Two years later, on March 22, 1822, the north 100-acre parcel was purchased by William Bowbeer.<sup>46</sup>

William Bowbeer (b. 1795 England, d.1861 Ontario)<sup>47</sup> was an English immigrant and early settler in Trafalgar. He married local resident Mercy (Mevira) Fish (Figure 22) around 1818. Mercy (b. abt 1794<sup>48</sup>, in Delaware, NY, d.1869) and William had at least three children: William S. Bowbeer (b. 1819, d. 1900); Tamzan A. Bowbeer Graham (b. 1821, d. 1869); and John Bowbeer (b. 1839, d. 1848).

William Bowbeer was a farmer. In 1827 he built a simple, one-storey, brick house (now the kitchen tail of the extant residence) and a large, wooden shed (now incorporated in the art centre) on the 100-acre parcel.<sup>49</sup>

William transferred the 100-acre property to his eldest son, William Somerset Bowbeer, on March 10, 1841.<sup>50</sup> He and Mercy appear to have moved to Townsend in Haldimand County, where they were listed as farmer and housekeeper, respectively, in the 1861 Census for Canada West, Norfolk. Mercy's place of death in 1869 was listed as Townsend, Haldimand County.<sup>51</sup>

William Somerset Bowbeer (Figures 23 and 24) was born in 1819. At the age of 20, he married Mary Anderson on November 24, 1839. Together, they had at least 12 children:<sup>52</sup> Charles (b. 1840); William Somerset (1842-1850); Mary Jane (1844-1865); Drusilla (1846-1887); George (1848-1887); Margaret (1851-1920); James (1852-1873); Mercy Ann (1854-1856); Sarah Phoebe (1855-1857); William Bradford (1859-1864); Albert<sup>53</sup> (1862); and Annie (1863-1884).<sup>54</sup>

The 1851 census lists William Bowbeer working as a farmer and living in framed one-and-a-half storey house.<sup>55</sup> Also listed are his wife, Mary, and their children, Charles, Mary J, Drusilla, George, and Margaret. They reported one death that year, that of a 9-year-old; presumably their second son, William.<sup>56</sup> William is believed to have built the one-and-a-half storey, dichromatic brick, Neoclassical style house in 1853.<sup>57</sup> It is unclear if this frame structure was completely removed and replaced with the extant one-and-a-half storey brick house, or if the frame structure was bricked in 1853. The earlier 1827

<sup>45</sup> LRO # 20 Reel ER6

<sup>46</sup> Note: Documents also list spellings as : Bowbier, Bowbees,

<sup>47</sup> Find a grave.com, William Bowbeer, Munn Cemetery.

<sup>48</sup> Various censuses have different dates (1798, 1795), death certificate is 1793 and her gravestone reads 1797.

<sup>49</sup> Town of Oakville. By-law 1991-74.

<sup>50</sup> LRO#20, Abstracts

<sup>51</sup> Archives of Ontario; Series: MS935; Reel: 2

<sup>52</sup> Ancestry.com Messecar Family History. Accessed October 2015, from <http://trees.ancestry.com/tree/8538269/person/-934671164>

<sup>53</sup> Albert is listed in the 1871 Census as one of their children and the census notes that he was 'not of sound mind'. This is the only reference to him found and his death and location of burial are unknown.

<sup>54</sup> Find a Grave Website. William S. Bowbeer Headstone located in Munn's Cemetery; Library and Archives Canada; Ottawa, Ontario, Canada; Census Returns For 1861; Roll: C-1031; Year: 1871; Census Place: *Trafalgar, Halton, Ontario*; Roll: C-9955; Page: 38; Family No: 141.

<sup>55</sup> Year: 1851; Census Place: *Trafalgar, Halton County, Canada West (Ontario)*; Schedule: A; Roll: C\_11726; Page: 111; Line: 19

<sup>56</sup> Ibid.

<sup>57</sup> Town of Oakville By-law 1991-74

home, constructed by his father, became the kitchen tail. Some of the bricks<sup>58</sup> for the 1853 house may have been fired in a kiln on the property.<sup>59</sup>

The 1861 agricultural census indicates that the Bowbeers had a prosperous farm. On the 100-acre property, 80 acres were under cultivation, 62.5 under crops, 15 under pasture, 2.5 under orchard or garden. The cash value of farm was \$6000, with farming implements valued at \$300.<sup>60</sup> The farmhouse is listed as a one-and-a-half storey brick structure in 1861.<sup>61</sup> William S. Bowbeer's property is shown on the 1858 Tremaine map of Halton County. Although little detail is shown of the farm itself, the hamlet of Postville is shown to the southeast of the farm, with a steam saw mill, school, and post office (Figure 25).

William S. Bowbeer served as Deputy Reeve in 1863 and as Magistrate for Halton County.<sup>62</sup>

The Bowbeer farm continued to prosper in the 1860s and William expanded its boundaries. The 1877 Map of Trafalgar indicates that William S. Bowbeer had purchased the adjacent lot and his farm comprised the north halves of Lots 9 and 10.<sup>63</sup> The extant house is depicted on Lot 10, along Joshua Creek and surrounded by orchards. A second structure is depicted on Lot 9, adjacent to the lot boundary (Figure 26).

Following Mary's death in 1884, William married Annie Shannon on December 7, 1892 in Hamilton, Ontario.<sup>64</sup> William S. Bowbeer, his wife Mary, and most of their children are buried at Munn's Cemetery. William Bowbeer Sr. and his wife Mercy are also believed to be buried at this cemetery.

On April 1, 1882, William S. Bowbeer sold the property to James Stephens (also spelled 'Stevens').<sup>65</sup> James Stephens sold the property to James Sherwood on October 30, 1894; he, in turn, sold the property to Edward Fish.<sup>66</sup>

Edward Fish was the son of Joseph Fish Jr. and Eliza Ann (née Defield) Fish. The Fish family were early settlers in the area and Edward Fish had owned land nearby since at least 1878.<sup>67</sup> Edward Fish was born on November 27, 1827 in Trafalgar, and married Elizabeth Ann Thompson. Together they had at least three children: Welsey (b. abt. 1863); Lilly (abt. 1865); and Milo Franklin Fish (b. 1870, d.1935).<sup>68</sup>

Edward acquired the deed to 106 acres of the former Bowbeer farm, on February 25, 1899. Following Edward's death on April 29<sup>th</sup> 1902, his wife Eliza Ann, as executor, transferred 100 acres to Edward's brother, Charles Wesley Fish, on December 1, 1902. Edward's youngest child, Milo Franklin Fish (in partnership with various Fish family members), granted the 100-acre property to John Gordon Joyce on March 17, 1917.<sup>69</sup>

Born in Trafalgar, John Gordon Joyce appears to have been the only child of Samuel and Rachel Joyce.<sup>70</sup> Prior to his 1917 purchase of the property, he lived with his mother and uncle (George). They moved to the property with him in 1917. The

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<sup>58</sup> If bricks were fired on the property, it seems likely that these would have been the buff-coloured bricks. Shale for "Burlington buff" bricks is still quarried nearby. This would also contribute to the relatively early use of dichromatic brick decoration. The style was more popular in the 1870s when brick was more commonly transported by rail.

<sup>59</sup> Personal communication, Sybil Rampen.

<sup>60</sup> Library and Archives Canada; Ottawa, Ontario, Canada; Census Returns For 1861; Roll: C-1031

<sup>61</sup> Library and Archives Canada; Ottawa, Ontario, Canada; Census Returns For 1861; Roll: C-1031; Page 57; Line 9.

<sup>62</sup> Town of Oakville By-law 1991-74

<sup>63</sup> 1158 Burnhamthorpe Road is located on Lot 9, Concession 1, NDS.

<sup>64</sup> Archives of Ontario; Toronto, Ontario, Canada; *Registrations of Marriages, 1869-1928*; Series: MS932; Reel: 80

<sup>65</sup> LRO# 20, Abstracts, Reel ER6

<sup>66</sup> LRO# 20 Abstracts Reel ER6

<sup>67</sup> In 1877, Fish owned the north half of Lot 10, Con II, and south half of Lot 10, Con I.

<sup>68</sup> Find a grave. Edward Fish. <http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=11563362&ref=acom>

<sup>69</sup> LRO# 20, Abstracts. Reel ER6

<sup>70</sup> Reference Number: *RG 31*; Folder Number: *61*; Census Place: *Trafalgar (Township), Halton, Ontario*; Page Number: *4*

Joyce family farmed the property and often took hay to be sold at the St. Lawrence Market in Toronto.<sup>71</sup> Following John Gordon Joyce's death, the executors of his estate sold the property to Hugh Salvin Calverly on May 31, 1950.

Hugh Calverly (Figure 27) came to the area in 1920. He was a Captain in the Canadian Signaler Corps. who earned two metals for bravery and served in Gallipoli, Palestine and the Western Front in the First World War. He was wounded by glass and suffered from 'shell shock' upon his return. He became a chicken farmer and was an accomplished artist.<sup>72</sup>

According to Sybil Rampen (née Calverly), her father, Hugh, purchased the property at 1086 Burnhamthorpe Road East at auction for \$1350, intending it for her brother, Michael. Michael Calverly rebuilt the crumbling foundations of the house and farmed the land for a few years. He relocated to Alberta with his wife, Gwen, and child to live and work on a cattle farm. At the time, Sybil was working as a teacher. She moved onto the property in 1954. She and her husband Leo Rampen took legal ownership in 1956. The couple met in Europe and together had six children, five sons and one daughter.

When they arrived on the property in 1950s, Sybil recalls "a row of peonies marched across the centre of the lawn with evening primrose, double buttercups and phlox still surviving from the 19<sup>th</sup> century."<sup>73</sup> In 1954, the front lawn had "hydro poles down the centre plus rabbit hutches, and was overgrown with burdock and wild raspberries. All this was slowly cleared away and a rose garden, stone path and shrubs replaced the front veranda".<sup>74</sup> Sybil continues to plant native trees on the property and today there are dozens of different types of trees.

Sybil and Leo Rampen raised their children on the property, and Sybil continues to live there today. In 2008, Sybil renovated the 1827 shed into a creative hub, known as the Joshua Creek Heritage Art Centre, adding a large, two-storey section, but keeping the original timber beams exposed. The centre has a gallery, a studio, and is operated as a community centre. Joshua Creek Heritage Art Centre hosts a wide range of activities including: ten community gardens; weddings; art shows; full moon ceremonies; Doors Open; church talks; retreats; tree walks; and a variety of art classes and workshops.

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<sup>71</sup> Personal Communication, Sybil Rampen, 2016.

<sup>72</sup> Ibid.

<sup>73</sup> Notes from Sybil Rampen, from the October 2016 *Presidential Report* for Joshua Creek Heritage Art Centre.

<sup>74</sup> Notes from Sybil Rampen, from the October 2016 *Presidential Report* for Joshua Creek Heritage Art Centre.

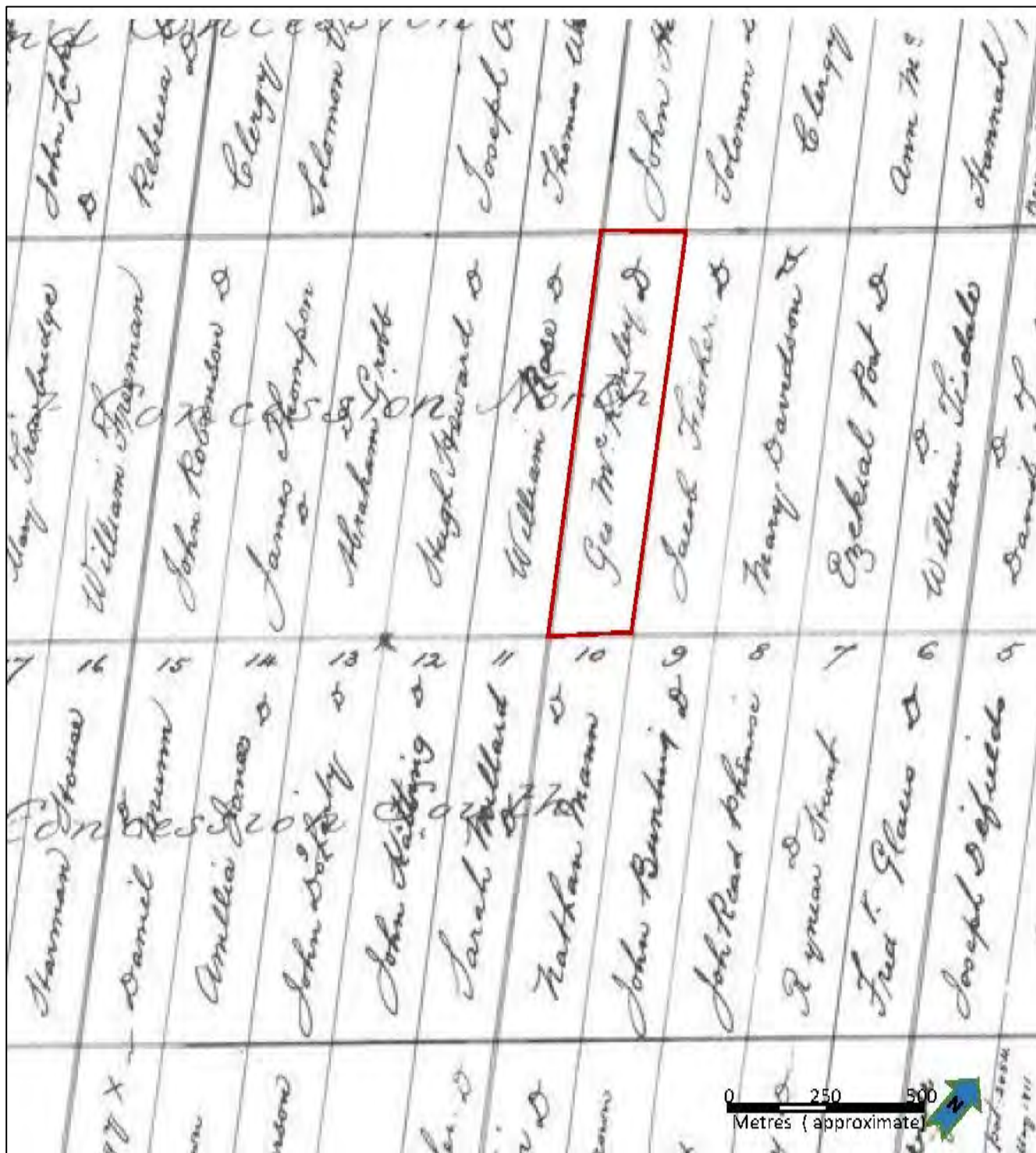


Figure 22: Detail of 1806 Wilmot Survey showing Lot 10, Concession I, NDS owned by George McKinley (Wilmot, 1806).





Figure 23: Portrait of Mercy Fish Bowbeer. Date unknown. (Wayne Messecar Family Tree, Ancestry.ca).



Figure 24: William S. Bowbeer with daughters (possibly Mary-Jane and Elizabeth) c. 1870. (Wayne Messecar Family Tree, Ancestry.ca).



Figure 25: Portrait of William S. Bowbeer. Date unknown (Wayne Messecar Family Tree, Ancestry.ca).

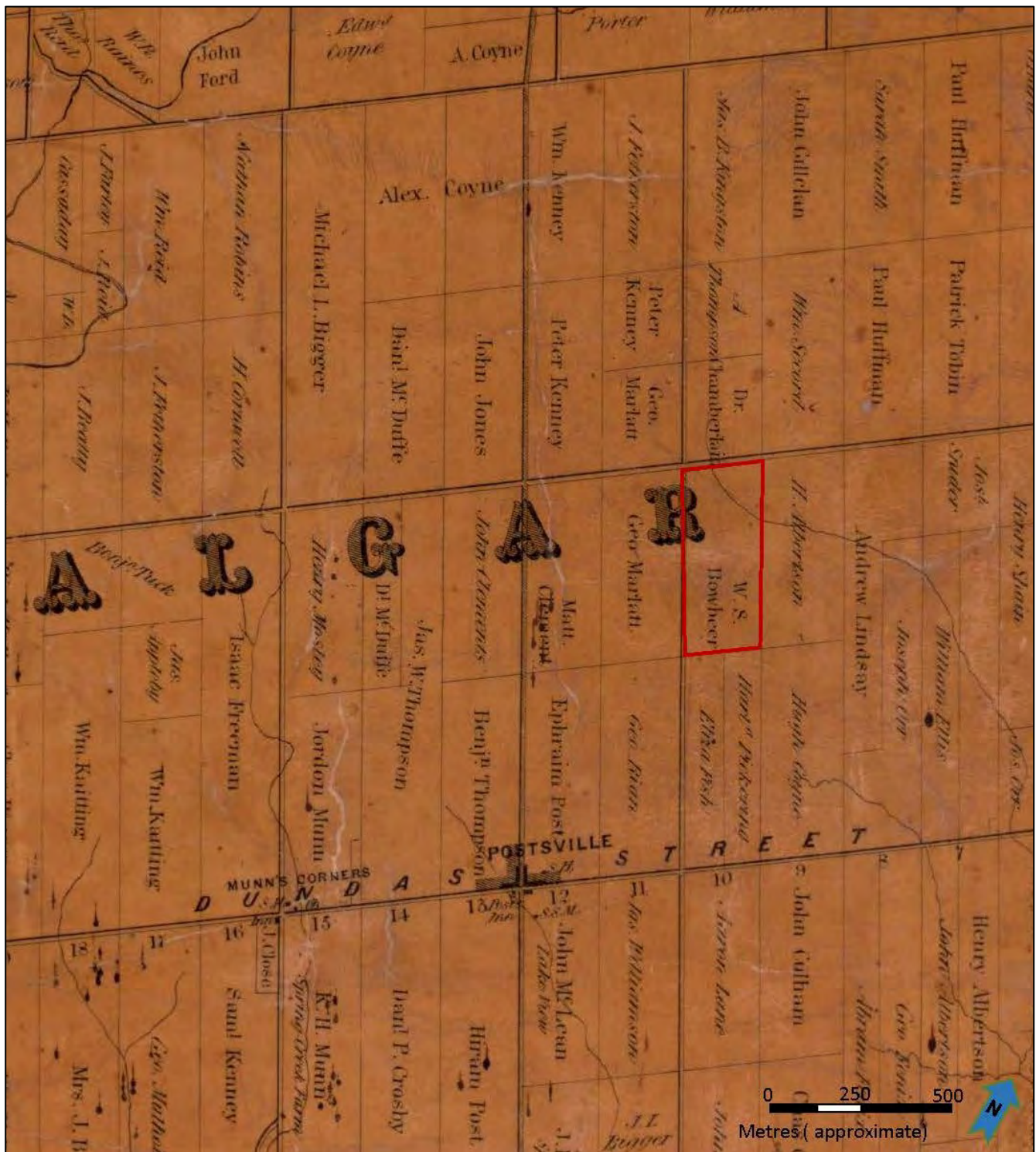


Figure 26: Detail of 1858 Tremaine Map of the County of Halton showing William Bowbeer's farm comprising the north half of Lot 10, Concession 1, North of Dundas Street. The hamlet of Postville is shown to the southeast of the farm (Tremaine, 1858).



Figure 27: Detail of 1877 Map of Trafalgar showing William Bowbeer’s farm comprising the north halves of Lots 9 and 10, Concession 1, North of Dundas Street (Pope, 1877).

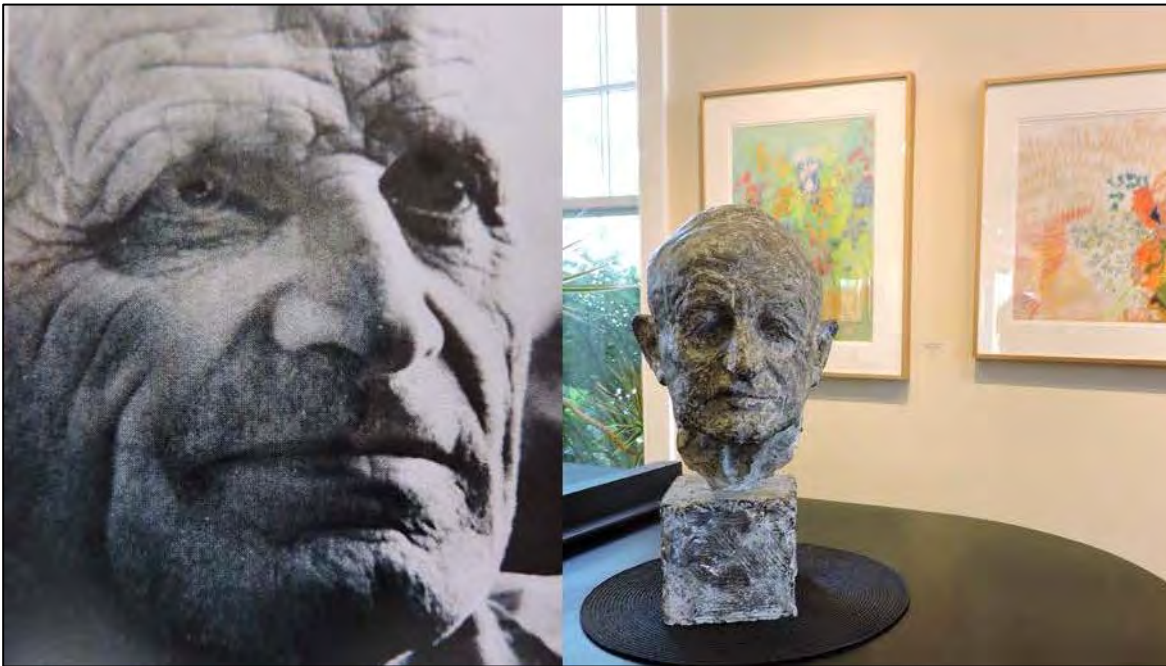


Figure 28: Photograph of Hugh Calverly (left) and a sculpture of Hugh Calverly (right), located in the Joshua Creek Heritage Art Centre (Sybil Rampen and AB, 2016).

### 4.3 Property Evolution

The property has evolved since originally settled by William Bowbeer in 1822. As described, above, portions of the 100-acre farmstead have been severed and sold; however, components of the agricultural complex have been retained as the property has evolved to include the Joshua Creek Heritage Art Centre.

Figure 29 illustrates changes to the property and its surroundings since 1960 by overlaying the current property boundary over air photos from 1960, 1995, 2006, and 2015.

The 1960 air photo shows the current approximately 50-acre property south of Burnhamthorpe Road. The house and bank barn (with its former rear tail off the south) are visible in the photograph. The 1827 shed is not discernable in the 1960 air photo; however, a stand of trees appears to be obscuring it. A photograph from around 1950 shows the shed to the northeast of the farmhouse, shielded by a tree. The pond southwest of the house (along Joshua Creek) is visible in the 1960 air photo and has since been surrounded by trees. The long laneway, running from Burnhamthorpe Road to the bank barn is visible in the photograph, as is the c.1914 bridge over the creek. The portion of the laneway running to the house was flanked, in 1960, by trees. Remnant orchard trees from William S. Bowbeer's farm are visible to the east of the laneway.

Subsequent air photos (1995, 2006 and 2015) show the continued evolution of the complex; although the configuration of the built features, and the open fields to the south of the barn remain intact.

The façade of the Neoclassical farmhouse has changed very little. A front porch, added in the early 20<sup>th</sup> century was removed by the Calverly-Rampen family (Figures 30 and 31). Likewise, a number of interior finishes have been conserved.

Changes to the agricultural buildings include the loss of the bank barn tail in a 1996 storm. The bank barn and tail are shown on the 1960 and 1995 air photos. The 2006 photo shows only the main barn structure. The tail was reconstructed prior to the 2015 image. It appears as early as 2009 on aerial imagery.

Likewise, the changes to the 1827 shed are visible on Figure 29. Although the shed is obscured by trees on the 1960 image, it is visible near its current location on the 1995 image and 2006 image. The current L-shaped configuration of the structure, with its two-storey office and workshop space (constructed 2008) is visible on the 2015 image. Figures 32 and 33 illustrate the changes to the 1827 structure.

The construction of the Joshua Creek Heritage Art Centre has resulted in alterations to the landscape in order to accommodate new uses. Notably, parking surfaces and additional outdoor patio spaces have been added, as well as a community garden. The labyrinth in the meadow, south of the barn is also visible in the 2015 aerial image.

### Key Themes

Based upon a review of a review of the history of the property within its geographical and historical context, a number of key thematic periods in the history of the property were identified. It is based upon these themes that key cultural landscape layers and views associated with those layers were identified.

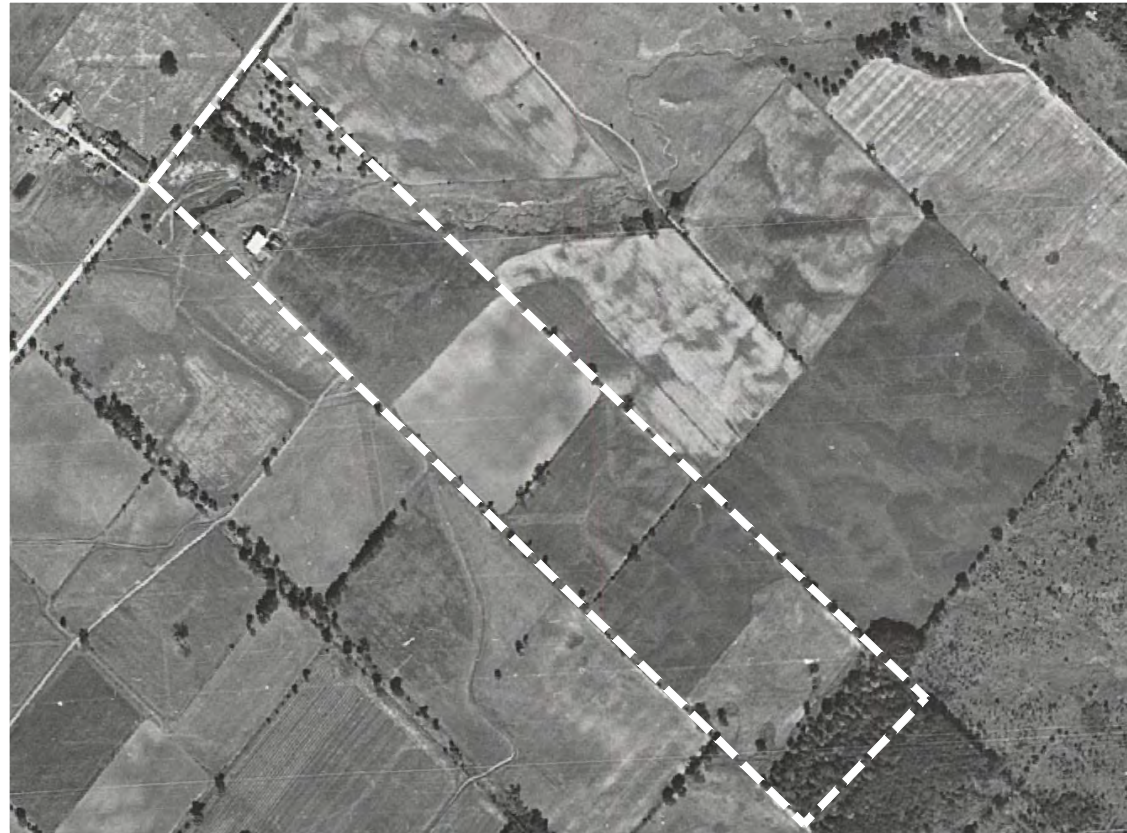
Key themes for 1086 Burnhamthorpe Road East include:

- Pre-European contact land-use along Joshua Creek;
- Early settlement of Trafalgar Township South;
- Late-19<sup>th</sup> and early 20<sup>th</sup> century agriculture in North Oakville; and,
- The development and operation of the Joshua Creek Heritage Arts Centre.

### Key Views

- There are viewscapes within the property that may warrant formal visual analysis, including views from the pasture/labyrinth toward the agricultural fields, and views between the buildings.

1960



1995



2006



2015



Corporation of the  
Town of Oakville  
1225 Trafalgar Rd  
Oakville, ON  
L6H 0H3



1086 Burnamthorpe Road  
Subject Property Evolution

Drawing not to scale



Figure 30: The property c.1950 when the Calverley family took ownership. Note the wooden shed in the rear. The front porch of the property was removed shortly after the photograph was taken (Joshua Creek Heritage Art Centre).



Figure 31: The property c. 1900 with presumably members of the Fish family (Joshua Creek Heritage Art Centre).





Figure 32: Photo of the original shed (left) and images of it when it was stripped down to the structural timber frame (right). Note the new concrete foundation was added. (Sybil Rampen personal photographs).



Figure 33: Joshua Creek Heritage Art Center, 2016 (AB, 2016).

## 5 Evaluation

### 5.1 Evaluation of Cultural Heritage Value or Interest

As outlined in the introduction, this property has been considered against three different evaluative systems. The following provides the results of these evaluations. Guiding documents are provided in Appendix A.

#### 5.1.1 Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act

Evaluation of the Cultural Heritage Value or Interest of the property at 1086 Burnhamthorpe Road East was guided by the evaluation criteria provided in *Ontario Regulation 9/06: Criteria for determining cultural heritage value or interest under the Ontario Heritage Act*. A discussion of the evaluation follows. Table 1 provides a summary.

Evaluation of the design value or physical value considered common components and layouts of 19<sup>th</sup> century to early 20<sup>th</sup> century farmstead design.

The topography of the north half of Lot 10, Concession I NDS would have been a determining factor in the layout of the Bowbeer Farm. A key component in the layout of 19<sup>th</sup> century farms and the location of farm buildings was access to water. Prior to the 1860s when well-digging became increasingly more common, settlers relied on surficial bodies of water.<sup>75</sup> In the case of this property, Joshua Creek and the spring would have provided the Bowbeer family reliable access to water and the selection of the location for the house and outbuildings was undoubtedly influenced by this watercourse and the resulting topography. The Bowbeer family chose for their house and outbuildings high points of elevation within their property. Edward Fish later constructed a bridge over the creek and constructed the bank barn and silo on the highest point of the property. This choice was both practical – as a raised area would have provided better drainage and been easier to excavate for basement construction. In addition, the location of the house provided convenient access to Burnhamthorpe Road. Given William Bowbeer's British ancestry, the choice of location may have also been inspired by his own experience with old British farmsteads which "ride high on hills"<sup>76</sup> providing not only practical benefits, but also intangible benefits such as views of the surrounding landscape.<sup>77</sup>

The layout of the farmhouse and outbuildings is a representative southern Ontario farm layout. Typical farmstead components which generally comprised the "nerve centre of the operating farm"<sup>78</sup> -in addition to the house and barn - included "silos, smoke-houses, wells, corn cribs, sheds, driveways, utility lines, windmills, and tree-line windbreaks."<sup>79</sup> A well and pump, cistern, and privy would also have been found in the vicinity of the house. The house, with its most attractive, public face to the road, shielded more utilitarian features from public view. The kitchen was generally located to the rear of the house and acted as the access to and from the farm's activity areas.

In these respects, the property at 1086 Burnhamthorpe Road East provides an example of the general building location and configuration of a 19<sup>th</sup> century farm. However, additional landscape features and alteration of the buildings have been the result of the evolved use of the property as a cultural centre.

Evaluation of the historical or associative value of the property took into consideration historic themes which emerged from historical research on the general area (see Section 4.1) as well as property-specific research (see Section 4.2).

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<sup>75</sup> Thomas F. McIlwraith, *Looking for Old Ontario*. Toronto, Dundurn Press (1999): 242.

<sup>76</sup> Ronald Blythe, *Akenfield: Portrait of an English Village*. Harmondsworth: Penguin Books (1969): 20, as cited in McIlwraith, *Looking for Old Ontario*. (1999): 242.

<sup>77</sup> McIlwraith, (1999): 242.

<sup>78</sup> Ibid: 243.

<sup>79</sup> Ibid: 243.

The property is associated with early settler William Bowbeer, who settled on the north 100 acres of Lot 10, Concession I NDS in 1822 and built the one storey brick kitchen tail in 1827. He sold the property to his son, William Somerset Bowbeer in 1841, when he and his wife relocated to Haldimand County. It was William S. Bowbeer who constructed the one-and-a-half storey, three-bay, dichromatic brick, Neoclassical house in 1853. William Bowbeer served as Deputy Reeve for Trafalgar Township and as Magistrate for Halton County while living on the property. The property is also associated with Sybil Rampen, who established the Joshua Creek Heritage Art Centre and has had an influence on local arts and culture. The centre hosts a wide range of activities including: ten community gardens; weddings; art shows; full moon ceremonies; Doors Open; church talks; retreats; tree walks; and a variety of art classes and workshops. The property is associated with the theme of agriculture in the 19<sup>th</sup> century, and early 20<sup>th</sup> century, when Edward Fish purchased the Bowbeer farm (1899) and constructed the bank barn and bridge in 1914. The property's association with the theme of agriculture in North Oakville was continued well into the 20<sup>th</sup> century under the ownership of the Rampens.

Due to its location along a tributary of Joshua Creek, the property in general has the potential to yield information that contributes to the archaeological record.

Evaluation of the contextual value of the property took into consideration the current conditions of the property in relation to its surrounding area, which included: its immediate surroundings; Joshua Creek; North Oakville; and the geographic township of Trafalgar more generally.

A tributary of Joshua Creek intersects the property. The meandering watercourse and its valley define the property, forming the low point of the landscape, with the structures located on the high ground that surrounds it. Present-day land use around the property is primarily agricultural. The property is an important feature in maintaining a connection to the rural character of this area.

The Joshua Creek Heritage Art Centre is a local landmark.

Table 1: Evaluation of 1086 Burnhamthorpe Road East against Ontario Regulation 9/06 Criteria

O.Reg. 9/06 Criteria	Criteria Met (y/n)	Justification
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,	Y	<ul style="list-style-type: none"> <li>The cultural heritage landscape at 1086 Burnhamthorpe Road East has evolved in a way that has incorporated representative components of a 19<sup>th</sup> to early-20<sup>th</sup> century agricultural landscape into a rural artistic centre.</li> <li>The 1853 house is a representative example of the Neoclassical style, with a three-bay façade, projecting frontispiece, dichromatic brick decorative elements, and cornice and returns.</li> <li>The silo is a representative example of its building type and the use of rusticated concrete blocks in the early 20<sup>th</sup> century.</li> <li>The bank barn is a representative example of early 20<sup>th</sup> century agricultural building construction.</li> </ul>

O.Reg. 9/06 Criteria	Criteria Met (y/n)	Justification
ii. displays a high degree of craftsmanship or artistic merit, or	N	The cultural heritage landscape at 1086 Burnhamthorpe Road East was designed and constructed using materials and methods common of their dates of construction.
iii. demonstrates a high degree of technical or scientific achievement.	N	The cultural heritage landscape at 1086 Burnhamthorpe Road East was designed and constructed using materials and methods common of their dates of construction.
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,	Y	<ul style="list-style-type: none"> <li>• The cultural heritage landscape at 1086 Burnhamthorpe Road East is associated with First Nations land-use of Joshua Creek. The site would have been used for resources (e.g., medicinal plants) and for the spring (now capped) that is located along the creek. The site has also been identified as having possible spiritual associations.</li> <li>• The cultural heritage landscape at 1086 Burnhamthorpe Road East is directly associated with early settler William Bowbeer, who purchased the property in 1822 and constructed the one storey brick farmhouse which now comprises the kitchen tail of the farmhouse.</li> <li>• The cultural heritage landscape at 1086 Burnhamthorpe Road East is directly associated with William S. Bowbeer, who served as Deputy Reeve of the Township of Trafalgar and as a Magistrate for Halton County while living at the property. William S. Bowbeer constructed the dichromatic brick farmhouse in 1853.</li> <li>• The cultural heritage landscape at 1086 Burnhamthorpe Road East is associated with the theme of agriculture in Trafalgar Township in the 19<sup>th</sup> and 20<sup>th</sup> centuries.</li> <li>• The cultural heritage landscape at 1086 Burnhamthorpe Road East is associated with Sybil Rampen, founder of the Joshua Creek Heritage Art Centre.</li> </ul>
ii. yields, or has the potential to yield information that contributes to an understanding of a community or culture, or	Y	The property has the potential to yield information that contributes to the archaeological record of the area.

O.Reg. 9/06 Criteria	Criteria Met (y/n)	Justification
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Y	The cultural heritage landscape at 1086 Burnhamthorpe Road East reflects the work of Sybil Rampen, who has had a significant impact on the local artistic community.
3. The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	Y	The cultural heritage landscape at 1086 Burnhamthorpe Road East is important in maintaining the rural character of the area.
ii. is physically, functionally, visually or historically linked to its surroundings, or	Y	The cultural heritage landscape at 1086 Burnhamthorpe Road East is physically linked to its surrounding, primarily through Joshua Creek.
iii. is a landmark.	Y	The Joshua Creek Heritage Art Centre is a landmark.

### 5.1.2 Ontario Regulation 10/06: Criteria for Determining Cultural Heritage Value or Interest of Provincial Significance

Evaluation of the Cultural Heritage Value or Interest of the property at 1086 Burnhamthorpe Road East was guided by the evaluation criteria provided in *Ontario Regulation 10/06: Criteria for determining cultural heritage value or interest of Provincial Significance*.

Considering the property in the broader context of Ontario's history, it does not appear to represent or demonstrate any themes or patterns which are significant in the province's history. In general, the property and its history are associated with locally significant themes and figures, rather than broader provincial themes. Table 2 provides a summary of the results of that evaluation.

Table 2: Evaluation of 1086 Burnhamthorpe Road East against Ontario Regulation 10/06 Criteria

O.Reg. 10/06 Criteria	Criteria Met (y/n)	Summary
A property may be designated under section 34.5 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest of provincial significance:		
1. The property represents or demonstrates a theme or pattern in Ontario's history.	N	While the property includes components and a layout which is an example of Ontario's farming history, it is not provincially significant.
2. The property yields, or has the potential to yield, information that contributes to an understanding of Ontario's history.	N	While the property has the potential to yield information, the information that would be significant at a local, rather than provincial, level.
3. The property demonstrates an uncommon, rare or unique aspect of Ontario's cultural heritage.	N	The property does not demonstrate a provincially significant uncommon, rare or unique aspect of Ontario's cultural heritage
4. The property is of aesthetic, visual or contextual importance to the province.	N	The property does not demonstrate provincially significant aesthetic, visual or contextual importance.

O.Reg. 10/06 Criteria	Criteria Met (y/n)	Summary
5. The property demonstrates a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.	N	The property does not demonstrate a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.
6. The property has a strong or special association with the entire province or with a community that is found in more than one part of the province. The association exists for historic, social, or cultural reasons or because of traditional use.	N	The property does not have a provincially significant or special association.
7. The property has a strong or special association with the life or work of a person, group or organization of importance to the province or with an event of importance to the province.	N	The property does not have a provincially significant or special association. The property is associated with William Bowbeer, William S. Bowbeer, and Sybil Rampen, who are locally, but not provincially significant.
8. The property is located in unorganized territory and the Minister determines that there is a provincial interest in the protection of the property.	N	The property is not located in unorganized territory.

### 5.1.3 Evaluation of National Historic Significance

Evaluation of the property at 1086 Burnhamthorpe Road East per the National Historic Sites Criteria involved the comparison of nationally significant farmstead and agricultural sites against the current conditions of the cultural heritage landscape at 1086 Burnhamthorpe Road East. Comparative examples of National Historic Sites that reflect 19th agricultural philosophies include:

- Motherwell Homestead National Historic Site of Canada, Abernethy SK
- Thistle Ha' National Historic Site of Canada, Pickering Township ON
- Seager Wheeler's Maple Grove Farm National Historic Site of Canada, Rosthern SK

The Motherwell Homestead National Historic Site of Canada is a 3.59-hectare farmstead developed by W.R. Motherwell from 1882 to 1939. It was recognized by the Historic Sites and Monuments Board of Canada (HSMBC) in 1966 for "its association with the career of W. R. Motherwell and in its illustration of an individual dispersed prairie homestead planned around scientific farming principles."<sup>80</sup>

Thistle Ha' National Historic Site of Canada is an 80-hectare agricultural landscape established around 1840, comprising a stone house, large wooden barn, and various outbuildings. It was designated by the HSMBC in 1973 because of its "historic

<sup>80</sup> Historic Sites and Monuments Board of Canada Minutes, May 1966 as cited on *Canada's Historic Places* <http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=1209&pid=0>.

associations with John Miller; a pioneer, importer and breeder of pedigree livestock in Canada. Miller's example played an important role in improving stock breeding throughout North and South America in the 19th century."<sup>81</sup>

Seager Wheeler's Maple Grove Farm National Historic Site of Canada is a 17-hectare farmstead established in 1898. The site was designated by the HSMBC in 1994 for its association with Seager Wheeler, a farmer, agronomist and pioneering seed breeder who established the farm in 1898. "The site includes various buildings, archaeological resources, and landscape features that depict a model farm of the Wheat Boom era from 1898-1940."<sup>82</sup>

The aforementioned sites were recommended for designation by the HSMBC on the basis of their national significance. In each instance, in addition to being an intact agricultural landscape, the site is associated with a theme or event that contributed to the development of Canada – such as the Wheat Boom era in the prairies – and/or a well-known figure who contributed to the advancement of Canadian agricultural sciences – such as pioneering seed breeder Seager Wheeler, livestock breeder John Miller, or W.R. Motherwell, a well-known figure in the advancement of scientific farming principles in Canada.

Although the Bowbeer Farm was a prosperous farm and the extant Joshua Creek Heritage Art Centre has an influence on the community, no evidence was found to suggest an influence outside of the local community and it is unlikely that the property would be considered nationally significant by the HSMBC.

Table 3: Evaluation of 1086 Burnhamthorpe Road East against HSMBC Criteria

HSMBC Criteria	Meets Criteria (y/n)	Summary
1. <b>A place</b> may be designated of national historic significance by virtue of a direct association with a nationally significant aspect of Canadian history. An archaeological site, structure, building, group of buildings, district, or cultural landscape of potential national historic significance will:		
a) illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada; or	N	The cultural heritage landscape at 1086 Burnhamthorpe Road East was designed and constructed using methods and materials common of their dates of construction.
b) illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada; or	N	The cultural heritage landscape at 1086 Burnhamthorpe Road East reflects many of the components and layout of a mid- to late-19 <sup>th</sup> century evolved agricultural landscape; however, this property does not illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada.
c) be most explicitly and meaningfully associated or identified with persons who are deemed of national historic importance; or	N	The associations of the cultural heritage landscape at 1086 Burnhamthorpe Road East are local.

<sup>81</sup> Historic Sites and Monuments Board of Canada Minutes, June 1973 as cited on *Canada's Historic Places* <http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=9632&pid=0>.

<sup>82</sup> Historic Sites and Monuments Board of Canada Minutes, November 1994 as cited on *Canada's Historic Places* <http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=12136&pid=0>.

d) be most explicitly and meaningfully associated or identified with events that are deemed of national historic importance.	N	The property is not explicitly and meaningfully associated or identified with any defining action, episode, movement, or experience in Canadian history.
2. <b>A person</b> (or persons) may be designated of national historic significance if that person individually or as the representative of a group made an outstanding and lasting contribution to Canadian history.	N	The associations of the cultural heritage landscape at 1086 Burnhamthorpe Road East are local.
3. <b>An event</b> may be designated of national historic significance if it represents a defining action, episode, movement, or experience in Canadian history.	N	The associations of the cultural heritage landscape at 1086 Burnhamthorpe Road East are local.

## 5.2 Cultural Heritage Landscape and Results of Evaluation

Based upon the foregoing analysis, it is the professional opinion of the project team that the property is a *significant cultural heritage landscape* as defined under the 2014 *Provincial Policy Statement*.

The property at 1086 Burnhamthorpe Road East **meets** the criteria of Ontario Regulation 9/06 for determining cultural heritage interest or value under the *Ontario Heritage Act*.

However, it **does not meet** the criteria of Ontario Regulation 10/06 or the National Historic Sites Criteria.

Based upon the analysis of the property, there are several views within the property that may warrant formal visual analysis; such as views between the meadow, east of the bank barn, towards the farmhouse and agricultural fields, and views from the rear of the farmhouse towards the agricultural fields.

## 5.3 Summary of Evaluation Findings

### 5.3.1 Boundaries of Cultural Heritage Landscape

The Study Area for the evaluation of the cultural heritage value of 1086 Burnhamthorpe Road East was confined to the 50-acre legal parcel of land described as "Part Lot 10, Concession 1 Trafalgar, North of Dundas Street (as in 50224), Trafalgar Township", in the Town of Oakville.

The property located at 1086 Burnhamthorpe Road East is situated on the south side of Burnhamthorpe Road East, east of Trafalgar Road and west of Ninth Line. The property is located at the headwaters of Joshua Creek, which runs through the property south of the farmhouse, and northeast of the bank barn (Figures 4 and 5). Land use around the property remains largely agricultural in nature. Large open fields with smaller tree wood lots are located to the north, east, south, and west; although residential development has begun to extend north of Dundas Street.

The most notable topographic feature in the vicinity is a tributary of Joshua Creek. The headwaters of the creek are located on the property, and the creek intersects the property south of the farmhouse and shed and north of the bank barn and fields. The meandering creek and its valley define the rolling topography of the property, with the creek and valley lands forming the low point of the property and the house, gallery, and bank barn sited above on higher ground.

### 5.3.2 Summary of Cultural Heritage Value

The property at 1086 Burnhamthorpe Road East, as a whole, has physical/design value as a representative example of an evolved landscape comprising an agricultural landscape and the current Joshua Creek Heritage Art Centre landscape. The cultural heritage landscape of the property includes the farmhouse (built in 1827 with additions in 1853, 1976 and 2006), the



Joshua Creek Heritage Art Centre building, including the remnant structure of an 1827 shed, a bank barn, concrete silo and concrete bridge, all built circa 1914, landscaped gardens, and rolling fields.

The cultural heritage landscape at 1086 Burnhamthorpe Road East has evolved in a way that has incorporated representative components of a 19th to early-20th century agricultural landscape into an art centre set in a rural landscape. Individual features that contribute to the overall cultural heritage landscape include the 1853 house, which is a representative example of the Neoclassical style, with its symmetrical, three-bay façade, projecting frontispiece, dichromatic brick decorative elements, and cornice and returns. Individual outbuildings are representative of their types and construction materials, in particular the silo and the large bank barn.

The cultural heritage landscape at 1086 Burnhamthorpe Road East is associated with First Nations land-use of Joshua Creek. The site would have been used for resources (e.g., medicinal plants) and for the spring (now capped) that is located along the creek. The property has the potential to yield information that contributes to the archaeological record of the area. The site has also been identified as having possible spiritual associations. The property is also directly associated with early settler William Bowbeer, who purchased the property in 1822 and constructed the one-storey brick farmhouse which now comprises the kitchen tail of the farmhouse, and with William S. Bowbeer, who served as Deputy Reeve of the Township of Trafalgar and as a Magistrate for Halton County while living at the property.

The Joshua Creek Heritage Art Centre landscape layer at 1086 Burnhamthorpe Road East is associated with Sybil Rampen, who has had a significant impact on the local artistic community.

The cultural heritage landscape at 1086 Burnhamthorpe Road East is important in maintaining the rural character of the area and it is physically linked to its surroundings, primarily through Joshua Creek. The Joshua Creek Heritage Art Centre is a landmark.

### 5.3.3 Key Features

Key features of the cultural heritage landscape at 1086 Burnhamthorpe Road East include the complex of structures amid a rolling topography, characterised by the low-lying, meandering tributary of Joshua Creek and its valley, and higher areas with structures. The property includes a number of key features, including the 1827 and 1853 portions of the farmhouse, the Joshua Creek Heritage Art Centre building (former 1827 shed and addition), the c. 1914 bank barn and silo, c.1914 bridge, landscaped gardens, and rolling fields.

Key features of the cultural landscape which may warrant conservation include:

- The property as a coherent whole, which is legible as an evolved landscape integrating 19<sup>th</sup> and 20<sup>th</sup> century agricultural components and layout with the Joshua Creek Heritage Art Centre landscape, including: its farmhouse, built in 1853, with a rear tail comprising an earlier farmhouse built in 1827; the Joshua Creek Heritage Art Centre building built as a shed in 1827 and extensively rebuilt in 2008; the bank barn and silo built in 1914 that are accessed via a gravel laneway and c.1914 bridge; the meadow and labyrinth area, south of the barn, overlooking the creek valley; and the rolling agricultural fields;
- The organization of the property into three distinct areas separated by tree plantings and the creek: the farmhouse and landscaped garden and lawn; the Joshua Creek Heritage Art Centre, community gardens and orchard; and the barn and silo area, meadow/labyrinth and open, rolling agricultural fields;
- The layout of the property and its circulation routes, with agricultural components connected by gravel-surface laneways;
- The one-and-a-half storey, Neoclassical style, dichromatic brick farmhouse built in 1853, with its exterior decorative elements (cornice moulding, eaves returns, buff brick headers and quoins, wide front entrance with recessed casing, transom, sidelights, and half round linette) and interior wood details (decorative arch above the front door,

casings, floors); and the one-storey, brick, kitchen tail with interior hearth and rectangular plan, built as an earlier farmhouse in 1827;

- The Joshua Creek Heritage Art Centre building, including timber frame elements from the 1827 shed on the site;
- The two-and-a-half storey bank barn built circa 1914 with its frame construction and tall rubblestone foundation, and silo;
- The gravel laneway running from the road to the farmhouse, and from there to the bank barn over a circa 1914 concrete bridge;
- The landscaped gardens surrounding the farmhouse and Art Centre building, in particular: the mature specimen trees, including the spruce, black walnut, and horse chestnut, which are planted near the house; the old apple tree which is a vestige of an earlier orchard and the commemorative trees throughout the site;
- The meadow, labyrinth area, and rolling agricultural fields to the south of the barn;
- The Joshua Creek valley as a defining natural and topographical feature of the site, with the treed/naturalized banks of the creek on the west side of the property and the open wet meadow around the creek on the east side of the property; and,
- Views and physical access to and from the agricultural area and the residential area.

## 6 Conclusions

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for Phase II of a Cultural Heritage Landscape Strategy Implementation; including the completion of a Cultural Heritage Evaluation Report for the property at 1086 Burnhamthorpe Road East. A site review was undertaken on September 20, 2016. Permission to access the property was provided by the current tenant.

Although cultural heritage landscapes have been identified as a type of cultural heritage resource by the Province of Ontario, there is no standard methodological approach for the assessments of cultural heritage landscapes in the province. Building on the Town's existing cultural heritage landscape strategy, this project considers the layered, nested, and overlapping aspects of cultural heritage landscapes (include views associated with properties) that included the development of a land-use history of the property and the documentation of current conditions. To better understand the potential cultural heritage values and the potential level of significance of the property being considered, three evaluation methods were used. These include the criteria in Ontario Regulation 9/06, Ontario Regulation 10/06, and the National Historic Sites Criteria.

Based on upon the above approach, in the professional opinion of the project team, the property at 1086 Burnhamthorpe Road East is a *significant cultural heritage landscape* as defined within the 2014 *Provincial Policy Statement*. Following the application of the three evaluative methods used for this project, it was determined that the property does not meet the criteria of Ontario Regulation 10/06 or National Historic Sites Criteria. However, it was confirmed that the property does meet the criteria of Ontario Regulation 9/06 and does have cultural heritage value.

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## 8 APPENDIX A – Evaluation Criteria

## Ontario Heritage Act

### ONTARIO REGULATION 9/06 CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

**Consolidation Period:** From January 25, 2006 to the [e-Laws currency date](#).

No amendments.

*This is the English version of a bilingual regulation.*

#### 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.



## Ontario Heritage Act

### ONTARIO REGULATION 10/06

#### CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST OF PROVINCIAL SIGNIFICANCE

**Consolidation Period:** From January 25, 2006 to the [e-Laws currency date](#).

No amendments.

*This is the English version of a bilingual regulation.*

##### Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 34.5 (1) (a) of the Act. O. Reg. 10/06, s. 1 (1).

(2) A property may be designated under section 34.5 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest of provincial significance:

1. The property represents or demonstrates a theme or pattern in Ontario's history.
2. The property yields, or has the potential to yield, information that contributes to an understanding of Ontario's history.
3. The property demonstrates an uncommon, rare or unique aspect of Ontario's cultural heritage.
4. The property is of aesthetic, visual or contextual importance to the province.
5. The property demonstrates a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.
6. The property has a strong or special association with the entire province or with a community that is found in more than one part of the province. The association exists for historic, social, or cultural reasons or because of traditional use.
7. The property has a strong or special association with the life or work of a person, group or organization of importance to the province or with an event of importance to the province.
8. The property is located in unorganized territory and the Minister determines that there is a provincial interest in the protection of the property. O. Reg. 10/06, s. 1 (2).



Historic Sites and  
Monuments Board  
of Canada

Commission des lieux et  
monuments historiques  
du Canada

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# Criteria

## General Guidelines

## Specific Guidelines

for evaluating subjects of potential national  
historic significance

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*Spring 2008*



# Historic Sites and Monuments Board of Canada

## Criteria, General Guidelines & Specific Guidelines

<b>Introduction</b>	<b>1</b>
About the National Commemoration Program	1
About this Booklet	1
<b>1. Criteria for National Historic Significance (1998)</b>	<b>3</b>
<b>2. General Guidelines (1998)</b>	<b>5</b>
<b>3. Specific Guidelines: Place</b>	<b>7</b>
3.1 Extra-Territorial Commemorations	7
3.2 Commemoration of Cemeteries	7
3.3 Churches and Buildings Still in Religious Use	7
3.4 Archaeological Sites	8
3.5 Facades of Historical Structures Integrated into Modern Developments	8
3.6 Identification of Historic Districts of National Significance	9
3.7 Identification of Schools of National Significance	9
3.8 Monuments Which Themselves Have Commemorative Purpose	10
3.9 Commemoration of Movable Heritage Property	10
3.10 Identification of Parks and Gardens of National Significance	10
3.11 Identification of Rural Historic Districts of National Significance	11
3.12 Country Grain Elevators	11
3.13 Assessing Sites Associated with Persons of National Historic Significance	11
3.14 Built Heritage of the Modern Era	12
3.15 Framework for Identifying and Assessing Settlement Patterns	13
3.16 Historic Engineering Landmarks	13
3.17 Assessing the National Historic Significance of Lighthouses	14
3.18 Aboriginal Cultural Landscapes	14
3.19 Shipwrecks of National Historic Significance in Canada	14
3.20 Commemoration of Court Houses	15
<b>4. Specific Guidelines: Person</b>	<b>17</b>
4.1 Commemoration of Governors-General	17
4.2 Provincial Figures Both Prior to and Subsequent to Confederation	17
4.3 Commemoration of Prime Ministers	17
4.4 Individuals of Importance in the Canadian Economy	18
4.5 Canadians Who Developed an Image of Canada Abroad	18
4.6 Evaluating Canadian Architects	18
4.7 Evaluating Canadian Athletes	19
<b>5. Specific Guideline: Events/Other</b>	<b>21</b>
5.1 Origins of Settlements	21
5.2 Pre-Confederation Events	21
5.3 Assessing the Role of Organized Religion in the Social Development of Canada	21

5.4	Ethnic or Religious Groups _____	22
5.5	Disasters and Disaster Areas _____	22
5.6	Commemoration of Post-Secondary Educational Institutions _____	22
<b>6.</b>	<b><i>Specific Guidelines: Forms of commemoration</i></b> _____	<b>23</b>
6.1	Monuments Not Owned by the Department _____	23
6.2	Distinctive Monuments _____	23
6.3	Quality and Content of Plaque Inscriptions _____	24
6.4	The Use of Non-Official Language on Commemorative Plaques _____	24
6.5	Consultation on Commemorative Plaque Texts _____	25
6.6	Style and Layout of Plaque Inscriptions _____	25
6.7	Dual or Multiple Plaquing of a Designation _____	26
<b>7.</b>	<b><i>Specific Guidelines: Procedure</i></b> _____	<b>27</b>
7.1	Original Fabric on the Ground Floors of Buildings _____	27
7.2	Deferred Matters _____	27
7.3	National Historic Sites Whose Commemorative Integrity Has Been Destroyed _____	27
7.4	Preparation of Submissions to the [Status of Designations] Committee _____	28
7.5	Determining Designated Place _____	28
7.6	Changing the Directory of Designations of National Historic Significance _____	29
7.7	Guidelines for Establishing Names for National Historic Sites _____	30

# Introduction

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## About the National Commemoration Program

Since 1919, the Historic Sites and Monuments Board of Canada (HSMBC) has advised the Minister responsible for Parks Canada on the designation of nationally significant places, persons and events and on the marking of these subjects to enhance awareness, appreciation and understanding of Canada's history. The HSMBC is a statutory advisory group composed of members from each province and territory in Canada.

The HSMBC encourages the public to become involved in the commemoration of Canada's rich and diverse heritage. Nominations are received by the HSMBC's Secretariat, which verifies the subject's conformity with the Board's criteria and guidelines. If the application satisfies requirements, the subject is brought forward for the consideration of the HSMBC in the form of a formal research paper at either its Fall or Spring meeting. The Board's recommendations to the Minister of the Environment are recorded in the form of Minutes of Proceedings. Once the Minister has approved the Minutes, applicants are informed of the outcome of their nominations.

## About this Booklet

Over time, the HSMBC has developed a number of policies, criteria and guidelines within which to frame its advice to the Minister. The terminology has evolved with the Board's adoption of the "Criteria for National Historic Significance and General Guidelines" in 1998. "Policy" now refers solely to Parks Canada's "Guiding Principles and Operational Policies." The "criteria" are those found in the "Criteria for National Historic Significance." And the term "guideline" refers to both the "General Guidelines" as adopted by the Board in 1998, and the "Specific Guidelines," which are based on Board decisions to address specific aspects of commemoration, adopted through the years.

This booklet contains direct citations from the Board's Minutes. Where the terminology has been changed in citations to reflect current usage, the change is indicated by square brackets [ ]. Italics are used to reflect the commentary and explanatory notes added by the HSMBC's Secretariat to place the citations into context. The specific guidelines in each section are presented in chronological order. The

booklet will be updated annually by the Secretariat to include any new guidelines approved by the Board. This version is a compilation of Board decisions regarding criteria and guidelines up to and including those recorded in its Spring 2007 Minutes.

# 1. Criteria for National Historic Significance (1998)

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Any aspect of Canada's human history may be considered for Ministerial designation of national historic significance. To be considered for designation, a place, a person or an event will have had a nationally significant impact on Canadian history, or will illustrate a nationally important aspect of Canadian human history.

Subjects that qualify for national historic significance will meet one or more of the following criteria:

1. **A place** may be designated of national historic significance by virtue of a direct association with a nationally significant aspect of Canadian history. An archaeological site, structure, building, group of buildings, district, or cultural landscape of potential national historic significance will:
  - a) illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada; or
  - b) illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada; or
  - c) be most explicitly and meaningfully associated or identified with persons who are deemed of national historic importance; or
  - d) be most explicitly and meaningfully associated or identified with events that are deemed of national historic importance.
2. **A person** (or persons) may be designated of national historic significance if that person individually or as the representative of a group made an outstanding and lasting contribution to Canadian history.
3. **An event** may be designated of national historic significance if it represents a defining action, episode, movement, or experience in Canadian history.





## 2. General Guidelines (1998)

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Considerations for designation of national historic significance are made on a **case-by-case basis**, in accordance with the above criteria and in the context of the wide spectrum of Canada's human history.

An **exceptional** achievement or **outstanding** contribution clearly stands above other achievements or contributions in terms of importance and/or excellence of quality. A representative example may warrant a designation of national historic significance because it eminently typifies a nationally important aspect of Canadian history.

An **explicit** and **meaningful** association is direct and understandable, and is relevant to the reasons associated with the national significance of the associated person or event.

**Uniqueness or rarity** are not, in themselves, evidence of national historic significance, but may be considered in connection with the above criteria for national historic significance.

**Firsts**, per se, are not considered for national historic significance.

In general, only **one commemoration** will be made for each place, person, or event of national historic significance.

### PLACES (2007)

Buildings, ensembles of buildings, and sites **completed by 1975** may be considered for designation of national historic significance.

A place must be in a **condition that respects the integrity** of its design, materials, workmanship, function and/or setting to be considered for designation of national historic significance, insofar as any of these elements are essential to understand its significance.

The **boundaries** of a place must be clearly defined for it to be considered for designation as a national historic site.

Large-scale **movable heritage properties** that would not normally be considered suitable for museum display may be considered for designation of national historic significance.

### PERSONS

Persons **deceased for at least twenty-five years** may be considered for designation of national historic significance, with the exception of Prime Ministers, who are eligible for commemoration immediately upon death.

## **EVENTS (2002)**

Events that **occurred at least 40 years ago** may be considered for designation of national historic significance. Historic events that continue into the more recent past will be evaluated on the basis of what occurred at least 40 years ago.

### 3. Specific Guidelines: Place

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#### 3.1 Extra-Territorial Commemorations

*In 1960, the Board considered a proposal for the Government of Canada to take over the General Simcoe family burial ground at Wolford in the United Kingdom.*

It was moved, seconded and carried,

That the Board deem it not advisable to recommend historical commemorations outside the boundaries of Canada.

*The Board continues to not recommend the designations of sites that are not on Canadian soil, however, the Board has recommended the commemoration of persons and events outside of Canadian territory.*

#### 3.2 Commemoration of Cemeteries

*Prior to 1990, the Board had long held a policy of not recommending the commemoration of grave sites, save for those of the Fathers of Confederation and those of archaeological significance. The Board recommended in October 1969:*

that, in view of the fact that Board [guidelines] excludes from commemoration graves, except for those of Fathers of Confederation, no action can be taken with respect to the Old Loyalist Burial Ground, Saint John, N.B.

*In June 1990:*

The Board then reaffirmed its long-standing interest in the commemoration of cemeteries and graves of archaeological significance and of the graves of the Fathers of Confederation. Further, following discussion, the Board recommended that its [guidelines] respecting the commemoration of cemeteries be expanded as follows:

that the Board consider eligible for commemoration only those cemeteries which are exceptional examples of designed or cultural landscapes in accordance with the following criteria;

- 1) it is a cemetery representing a nationally significant trend in cemetery design;
- 2) it is a cemetery containing a concentration of noteworthy mausoleum, monuments, markers or horticultural specimens;
- 3) it is a cemetery which is an exceptional example of a landscape expressing a distinctive cultural tradition.

#### 3.3 Churches and Buildings Still in Religious Use

*For a number of years, churches and other buildings still used for religious purposes were excluded from commemoration; however, in June 1970, the Board recommended that:*

in the consideration of churches and other buildings still in use for religious purposes the same [guidelines] of historic and/or architectural significance as in the case of other matters coming before the Board should apply, and that commemoration of such structures should normally be by plaquing only, with the possibility of architectural advice being provided when necessary; only in cases of outstanding historical and/or architectural significance should a recommendation for financial assistance be made.

*This recommendation was further refined in June 1976, and in June 1977, when the Board recommended:*

that the June 1976 recommendations, which, in summary, state that all religious buildings should be evaluated as any other building using the [guidelines] already established by the Board, be reaffirmed;

that these [guidelines] be applied in a judicious manner so as to provide proper selection of religious buildings for commemoration;

that the following definition of a religious property be adopted:

A religious property is a building whose greater part is in active and frequent use either for public religious worship, or by a religious community or for other religious purposes, whether or not secular events also occur within that building. Any other building which is adjoining or adjacent to it, perceived as part of the same architectural complex, under the same (or related) ownership, and of related use shall be considered as a portion of the same religious property;

that it resist any suggestion to establish quotas based on denominational or regional consideration.

*Current guidelines do not, of course, preclude churches and other buildings still used for religious purposes from commemoration.*

### **3.4 Archaeological Sites**

*In June 1978:*

Concerning archaeological sites in general, the Board recommended that a declaration of national significance be based on one or more of the following [guidelines]:

- a) substantive evidence that a particular site is unique, or
- b) that it satisfactorily represents a particular culture, or a specific phase in the development of a particular cultural sequence, or
- c) that it is a good typical example, or
- d) that it otherwise conforms to general Board [guidelines] touching the selection of historic sites for national recognition.

### **3.5 Facades of Historical Structures Integrated into Modern Developments**

*In November 1986:*

The Board then turned to the question of whether facades integrated into modern developments were suitable subjects for commemoration and, if so, under what conditions. Following discussion, the Board expressed its opinion that when the facade of a structure alone is retained, the integrity of the building that once existed has to all intents and purposes been destroyed. Consequently, it recommended that

the facades of historical structures incorporated into contemporary developments are not suitable subjects for commemoration at the federal level, save for those facades that could be considered, in and of themselves, to be of exceptional significance.\*

\* i.e., facades that are intrinsically works of art of major significance or those that represent a significant technological innovation.

### 3.6 Identification of Historic Districts of National Significance

*In November 1987, the Board adopted the following definition and guidelines:*

Historic districts are geographically defined areas which create a special sense of time and place through buildings, structures and open spaces modified by human use and which are united by past events and use and/or aesthetically, by architecture and plan.

- 1) Historic districts constitute appropriate subjects for commemoration, and those of national significance will include one or more of the following:
  - a) a group of buildings, structures and open spaces, none of which singly need be of national architectural significance, but which, when taken together, comprise a harmonious representation of one or more styles or constructions, building types or periods;
  - b) a group of buildings, structures and open spaces, none of which may be of individual historical significance, but which together comprise an outstanding example of structures of technological or social significance;
  - c) a group of buildings, structures and open spaces which share uncommonly strong associations with individuals, events or themes of national significance.
- 2) Above all, an historic district of national significance must have a “sense of history”: intrusive elements must be minimal, and the district’s historic characteristics must predominate and set it apart from the area that immediately surrounds it.
- 3) A commemorated historic district will be subject to periodic review in order to ensure that those elements which define its integrity and national significance are being reasonably maintained.

### 3.7 Identification of Schools of National Significance

*In November 1988, the Board agreed that:*

in order to be considered for possible commemoration on grounds of national historic and/or architectural significance, a school, be it rural public, urban public, private or [Aboriginal] must meet one or more of the [specific guidelines] which follow:

- 1) The school building or complex (and its setting) retains its integrity and is representative of type, particularly in the relationship of form to function.
- 2) The school building or complex (and its setting) retains its integrity and is representative of significant developments or changes in educational practices and theory which found expression through architectural design.
- 3) The school building or complex is a superior example of an architectural style prominent in the context of Canadian architecture.
- 4) The school building or complex is of national historic significance by virtue of its associations with:
  - a) prominent Canadian educators;
  - b) important and innovative educational practices;
  - c) a number of individuals who, over time, graduated from it and gained prominence in later life.

### **3.8 Monuments Which Themselves Have Commemorative Purpose**

*In November 1989, the Board considered the possible significance of the Welsford-Parker Monument in Halifax, deferred from the previous June.*

Following considerable discussion, the Board recommended that

as a matter of policy, it not consider commemorating monuments unless those monuments were, intrinsically, works of art or architecture of national historic and/or architectural significance.

The Board shared the Committee's belief, however, that it would be entirely appropriate for it to make a monument the focus of a commemoration of a nationally significant aspect of Canadian history, if the monument were closely associated with the subject of commemoration and appeared to be the most appropriate location at which to recognize its significance. In such cases, it was suggested that the commemorative plaque be erected on a plinth or stand so as not to detract from the monument itself.

### **3.9 Commemoration of Movable Heritage Property**

*In July 2003, the Board replaced the former 1991 guidelines with the following:*

Nominations of large-scale movable heritage properties, particularly those that are in essence fixed at a specific place (excepting movement related to conservation), will be evaluated against the Board's standard criteria for sites of national historic significance. Only on an exceptional basis would large-scale movable heritage properties that remain mobile and easily moved, or frequently moved for reasons not related to conservation, be considered candidates for national commemoration, and then more probably as "events."

### **3.10 Identification of Parks and Gardens of National Significance**

*In November 1994, the Board recommended that:*

A park or a garden may be considered of national significance because of:

- 1) the excellence of its aesthetic qualities;
- 2) unique or remarkable characteristics of style(s) or type(s) which speak to an important period or periods in the history of Canada or of horticulture;
- 3) unique or remarkable characteristics reflecting important ethno-cultural traditions which speak to an important period or periods in the history of Canada;
- 4) the importance of its influence over time or a given region of the country by virtue of its age, style, type, etc.;
- 5) the presence of horticultural specimens of exceptional rarity or value;
- 6) exceptional ecological interest or value;
- 7) associations with events or individuals of national historic significance;
- 8) the importance of the architect(s), designer(s), or horticulturalist(s) associated with it.

The Board stated, however, that it expected the case for national commemoration of any garden or park would not rest solely on one of the eight guidelines adopted, save in the most exceptional of circumstances.

Further, with respect to guidelines 7) and 8) above, the Board felt that normally it would be more appropriate to recognize gardens and parks whose national significance derived from their associative values with individuals (architects/designers) or events of national significance through commemoration of the individuals or events themselves at the garden or park in question.

### 3.11 Identification of Rural Historic Districts of National Significance

*In November 1994, the Board adopted the following:*

#### Definition

Rural historic districts are geographically definable areas within a rural environment which create a special sense of time and place through significant concentrations, linkages and continuity of landscape components which are united and/or modified by the process of human use and past events.

#### [Guidelines]

Rural historic districts of national significance:

- 1) contain a significant concentration, linkage, or continuity of landscape components, which when taken together comprise an exceptional representation and/or embody the distinctive characteristics of types, periods, or methods of land occupation and use, illustrating the dynamics of human interaction with the landscape over time; and/or
- 2) contain a significant concentration, linkage, or continuity of landscape components, which when taken together comprise an outstanding example of a landscape of technological or social significance; and/or
- 3) contain a significant concentration, linkage, or continuity of landscape components which share common associations with individuals or events of national significance.

### 3.12 Country Grain Elevators

*In November 1995, the Board adopted the following:*

A row of country grain elevators may be considered to be of national significance if:

- 1) the row is comprised of three or more adjacent elevators;
- 2) all the elevators in the row were built before 1965;
- 3) all the elevators in the row are substantially intact, mechanically and architecturally;
- 4) the row of elevators is accessible and stands on a rail line in a rural context within a grain growing region;
- 5) the row has some symbolic value in the region.

The Committee and the Board agreed ... that there might well be elevators brought forward for consideration, either individually or in groups, which did not meet the above [guidelines], but, which, because of technological, architectural or historical importance, clearly merited review. They also agreed that, should such situations arise, it would be reasonable to assess them on an individual basis.

The members then discussed the importance of attempting to ensure that any rows of country grain elevators designated by the Board had a chance of surviving intact over the long term.

### 3.13 Assessing Sites Associated with Persons of National Historic Significance

*The following guidelines first adopted in June 1996, and later amended in June 2001:*

1. The National Significance of the Associated Individual
  - 1.1. The national significance of an individual should be the key to designating places associated with them; the nominated sites must communicate that significance effectively.
  - 1.2. A nominated site should be assessed for all its pertinent associative and physical values.



2. Types of Association and their Evaluation
  - 2.1 For a site to be designated for its association with a nationally significant person, the nature of the association **will be important**, and will be one or a combination of the following:
    - A site directly and importantly associated with a person's productive life often best represents his or her significant national contribution.
    - A birthplace, a childhood home, or a site associated with a person's formative or retirement years should relate persuasively to the national significance of the person.
    - A site that is attributed to be the source of inspiration for an individual's life work requires scholarly judgement of that relationship.
    - A site associated with a consequential event in a person's life must be demonstrably related to his national significance.
    - A site that has become a memorial (that is, that has symbolic or emotive associations with a nationally significant person) must demonstrably speak to the significance of the person in the eyes of posterity.
  - 2.2 When a nominated site is reviewed for its association with a nationally significant person, all sites prominently associated with the individual will be compared, with a view to choosing the site(s) that best tell(s) the national historic significance of the individual.
  - 2.3 Where the associated individual is the designer of the site, and their national significance lies with that aspect of their lives, then the nominated site should be evaluated for physical as much as associative values.
3. Related Commemorations at One or More Places
  - 3.1 A long, complex or multi-faceted life can warrant more than one commemoration, provided nationally significant aspects of that life are reflected in each of the commemorations.
4. The Test of Integrity
  - 4.1. A site must retain sufficient integrity or authenticity to convey the spirit of the place, and/or to tell the story of the national significance of the person.
  - 4.2. The richness of association of the individual, or the closeness of the identification of the individual with the nominated site, may override degrees of physical modifications to the site.
  - 4.3. A site that has symbolic and emotive associations with a nationally significant person may be designated for that association where the degree of compelling emotive attachment is established by research and analysis.

### 3.14 Built Heritage of the Modern Era

*The following guidelines first adopted in November 1997, and later amended in July 2007:*

A building, ensemble or site that was created during the modern era may be considered of national significance if it is in a condition that respects the integrity of its original design, materials, workmanship, function and/or setting, insofar as each of these was an important part of its overall intentions and its present character; and

- 1) it is an outstanding illustration of at least one of the three following cultural phenomena and at least a representative if less than an outstanding illustration of the other two cultural phenomena of its time:
  - a) changing social, political and/or economic conditions;
  - b) rapid technological advances;
  - c) new expressions of form and/or responses to functional demands; or
- 2) it represents a precedent that had a significant impact on subsequent buildings, ensembles, or sites.

### 3.15 Framework for Identifying and Assessing Settlement Patterns

*In November 1997:*

The Board noted that this paper provided a useful and clear elaboration of [guidelines] for a multifarious subject and requested that any future briefing materials on priority sub-themes related to settlement patterns follow this framework.

The Board then accepted (with minor changes as bolded below) the subtypes of the categorical framework for settlement patterns proposed in Mr Mills paper as well as the [guidelines] for settlement pattern commemoration.

The subtypes are: Patterns of Distribution; Dispersed Rural Settlement; Nucleated Settlement Patterns - Hamlets and Villages; and, Nucleated Settlement Patterns - Towns and Cities.

The [guidelines] proposed to provide a conjectural framework for identifying settlement patterns of possible national significance are: Historical/ Precontact Associations; Representative Characteristics; and, Resource Integrity and Completeness.

*The definitions, characteristics, subtypes and specific guidelines for identifying and assessing settlement patterns are found in the report entitled “Canadian Settlement Patterns, Historic Sites and Monuments Board of Canada Framework Study” (Fall 1997).*

### 3.16 Historic Engineering Landmarks

*In November 1997, “Historic Engineering Landmarks Project, Consultations on Prioritizing Sites for Potential Commemoration” was presented to the Board, which approved the following:*

Resources will be assessed primarily for their engineering significance, but also for their historical significance with respect to their impact on Canadian history and Canada’s development. A forty-year rule is also applied to preclude the selection of engineering landmarks of the present era.

To merit inclusion on the list of engineering landmarks, a site has to meet one or more of the following guidelines:

- embody an outstanding engineering achievement;
- be intrinsically of outstanding importance by virtue of its physical properties;
- be a significant innovation or invention, or illustrate a highly significant technological advance;
- be a highly significant Canadian adoption or adaptation;
- be a highly challenging feat of construction;
- be the largest of its kind at the time of construction, where the scale alone constituted a major advance in engineering;
- have had a significant impact on the development of a major region in Canada;
- have particularly important symbolic value as an engineering and/or technical achievement to Canadians or to a particular Canadian cultural community;
- be an excellent and early example, or a rare or unique surviving example, of a once-common type of engineering work that played a significant role in the history of Canadian engineering; and/or
- be representative of a significant class or type of engineering project, where there is no extant exceptional site to consider for inclusion.

### **3.17 Assessing the National Historic Significance of Lighthouses**

*In December 1998, the Board approved the following guidelines:*

A lighthouse or light station may be considered of potential national historic significance if its current physical context and historic integrity respect or potentially respect its ability to meet two or more of the following guidelines:

- 1) It illustrates a nationally important historical theme in maritime navigation.
- 2) It is an important engineering achievement related to its primary functions.
- 3) It is a superior or representative example of an architectural type.
- 4) It is nationally symbolic of the Canadian maritime tradition.

### **3.18 Aboriginal Cultural Landscapes**

*In June 1999, the Board recommended the following definition and guidelines:*

An Aboriginal cultural landscape is a place valued by an Aboriginal group (or groups) because of their long and complex relationship with that land. It expresses their unity with the natural and spiritual environment. It embodies their traditional knowledge of spirits, places, land uses and ecology. Material remains of the association may be prominent, but will often be minimal or absent.

- 1) The long associated Aboriginal group or groups have participated in the identification of the place and its significance, concur in the selection of the place, and support designation.
- 2) Spiritual, cultural, economic, social and environmental aspects of the group's association with the identified place, including continuity and traditions, illustrate its historical significance.
- 3) The interrelated cultural and natural attributes of the identified place make it a significant cultural landscape.
- 4) The cultural and natural attributes that embody the significance of the place are identified through traditional knowledge of the associated Aboriginal group(s).
- 5) The cultural and natural attributes that embody the significance of the place may be additionally comprehended by results of academic scholarship.

On the matter of self-definition by Aboriginal groups, the Board felt that appropriate consultations would alleviate any concerns about overlapping interests in a given area by different Aboriginal groups. It was agreed that the Board must be satisfied that there is agreement by all interested parties, Aboriginal and non-Aboriginal, before considering a cultural landscape for its historic significance.

### **3.19 Shipwrecks of National Historic Significance in Canada**

*In December 2000, the Board recommended:*

For designation purposes, shipwreck shall mean an artifact representing a ship, boat, vessel or craft, whatever its type, which is deemed to have sunk, been driven aground, run aground or wrecked, and has been abandoned, thus putting an end to its career.

The shipwreck will be submerged and possibly embedded in an ocean, lake or waterway floor, be lying or buried in a tidal flat, beach or any other type of shore, including a modified ancient shore.

The physical condition of the shipwreck may vary. The shipwreck may be in one piece or in the form of remains spread out over a large area. In the latter case, a shipwreck may be nominated as an archaeological site or as archaeological remains, depending on the approach necessary to document it.

Included in the definition of shipwreck or shipwreck site will be the vestiges associated with the structure, cargo, equipment, human remains and personal effects of occupants, fragmented remains associated with these items and any natural accretions following the shipwreck. By extension, a shipwreck designated an archaeological site will include the preceding elements and even any natural accretions following the shipwreck, which may help to reconstitute the context of the wreck's evolution and to clarify its specific attributes.

### **3.20 Commemoration of Court Houses**

*In June 1980, the Board recommended [...]*

that Court Houses selected for commemoration by the Board would be identified as falling into one of three distinct categories:

These categories are:

Category I: One Court House in each province, which is to be commemorated as being representative of the judicial institution in that province.

Category II: Court Houses, which are to be commemorated as being representative of significant functional types.

Category III: Court Houses, which are to be commemorated for reasons other than those stated in categories I and II; i.e., on the grounds of architectural merit, of aesthetic appeal or as exemplifying the work of a major architect.



## 4. Specific Guidelines: Person

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### 4.1 Commemoration of Governors-General

*This guideline was first adopted in June 1968, but was modified in December 2005 to read:*

A governor may be designated of national historic significance if that person, in the performance of his or her vice-regal duties, made an outstanding and lasting contribution to Canadian history. To be regarded as a subject of national significance, a governor:

- 1) will have had a determining influence or impact on the constitutional evolution of Canada; [and/or]
- 2) will have had a determining influence or impact on Canadian external relations or military issues; [and/or]
- 3) will have had a determining influence or impact on the socio-cultural or economic life of the nation; [and/or]
- 4) will have distinguished himself or herself in an exceptional way by embodying the values of Canadians [and/or] by symbolizing Canada at home and abroad.\*

\* A governor who is of national historic significance because of achievement(s) outside the functions of viceroy, and not within, will be considered only in light of the Criterion for Persons of National Historic Significance.

### 4.2 Provincial Figures Both Prior to and Subsequent to Confederation

*This guideline was first adopted in November 1973, but was modified in November 1990 to read:*

any provincial or territorial figure of significance prior to the entry of the province or territory, in which the individual is active, into Confederation may be considered to be of national significance; but, post- Confederation figures who are of provincial or territorial significance must be proven to be of historic significance on the national scale, if they are to merit federal commemoration.

### 4.3 Commemoration of Prime Ministers

*In December 2004, the Board asked that this guideline begin with the following statement:*

Prime Ministers are eligible for consideration as national historic persons immediately upon death.

*In May 1974, the Board recommended:*

- 1) that the commemoration may take a number of forms: in some instances only the standard plaque may be erected; in some instances a distinctive monument may be more appropriate; and in others it may be desirable and practicable to acquire a house associated with a Prime Minister for preservation;
- 2) that the Board recognizes the desirability of retaining for the nation memorabilia, papers and other artifacts associated with Prime Ministers and it recommends that exploratory discussions be undertaken as soon as possible between officers of the [National Historic Sites Directorate],

the [National Archives of Canada] and the [Canadian Museum of Civilization] with a view to determining the most desirable way of ensuring the preservation of such materials. In the context of these discussions consideration should be given to the possibility of entering into agreements with incumbent Prime Ministers concerning the disposition of the appropriate effects;

- 3) that when a decision has been taken to acquire a house it would be most appropriate to choose one that is either closely associated with the most important period in the Prime Minister's career or which has very close family ties. When the Prime Minister is survived by a widow then life tenancy to the widow will in all cases be granted should she desire it;
- 4) that the present policy of not, with very rare exceptions, commemorating birthplaces and graves of Prime Ministers should be re-affirmed.

*The National Program of Grave Sites of Canadian Prime Ministers is an additional form of commemoration.*

#### **4.4 Individuals of Importance in the Canadian Economy**

*In November 1990, the Board adopted the following guidelines for assessing the national significance of leaders in the economic field:*

- 1) Economic leaders must have made a contribution to Canadian life that is of a definite or positive or undeniable kind.
- 2) Economic leaders must have made contributions, which are of national significance rather than of provincial or territorial importance.
- 3) In the consideration of business or economic leaders, where it seems appropriate that in the absence of outstanding individuals, firms which are no longer in existence may be commemorated.

#### **4.5 Canadians Who Developed an Image of Canada Abroad**

*In November 1996, the Board recommended:*

In exceptional circumstances, Canadians whose major accomplishments took place abroad may be recommended to be of national historic significance irrespective of whether or not those accomplishments had a direct impact on Canada, as long as the individual developed or sustained an image of Canada abroad, as was the case with Dr. Norman Bethune.

#### **4.6 Evaluating Canadian Architects**

*In July 2003, the Board adopted the following guidelines:*

An architect or, when appropriate, an architectural firm of national significance will have made an outstanding and lasting contribution to Canadian history. In this context, a contribution to Canadian history is:

- 1) a significant and/or influential creative architectural design achievement, either as a practitioner or as a theorist, as exemplified by a body\* of consistently exceptional design work; and/or
- 2) a significant and/or influential contribution to the profession and discipline of architecture in Canada, as an exceptional educator, writer, organizer, or other activity not directly related to the architectural design process.

\* In cases where an architect's reputation is based on a single (or small number of) exceptional architectural achievement(s), the individual work(s) should be considered for designation of national significance, not the architect *per se*.

#### **4.7 Evaluating Canadian Athletes**

*In July 2007, the Board adopted the following guidelines:*

An athlete may be considered of national historic significance if:

- 1 a) he or she fundamentally changed the way a sport in Canada is played through his or her performance; and/or,  
b) he or she greatly expanded the perceived limits of athletic performance; and
- 2) he or she came to embody a sport, or had a transcendent impact on Canada

Note: When these guidelines are applied to a sport team, the team will be presented to the Board as an "event" rather than a "person"





## 5. Specific Guideline: Events/Other

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### 5.1 Origins of Settlements

*In 1923*, the subject of settlements throughout Canada was thoroughly gone into in all its phases, and the following resolution was passed:

That the Board has considered with care the communication of Mr. W.H. Breithaupt, President of the Waterloo Historical Society, with reference to the proposed monuments to commemorate the pioneers of the County of Waterloo, as well as representations from other districts as to similar proposals therein, and desires to express its hearty approval of every effort to perpetuate and honour the memory of the founders of settlements, throughout the Dominion, and its high appreciation of Mr. Breithaupt's patriotic objects and efforts.

The Board, however, has to deal with so many sites of outstanding national importance which require priority of action that it feels it would **not be advisable for it to undertake at present action in the matter of the placing of memorials in connection with early settlements in Canada.**

*This policy has been reaffirmed numerous times. For example, in October 1967:*

In connection with the proposal to commemorate the Founding of Pictou, the Board reaffirmed its policy of not recommending the commemoration of settlement origins; but recommended that the Department suggest to the Government of Nova Scotia the appropriateness of a provincially sponsored commemoration.

*In October 1969:*

The Board reaffirmed its policy of not recommending the origins of existing communities for commemoration, but considered that the significance of former settlements and colonizing ventures should be considered each on its own merits.

### 5.2 Pre-Confederation Events

*In November 1973, the Board recommended that:*

pre-Confederation events should be regarded on their individual merits on a line basis, i.e., as significant events in the development of a region which later became a province of Canada.

### 5.3 Assessing the Role of Organized Religion in the Social Development of Canada

*In November 1973, the Board enunciated that:*

while recognizing the overwhelming impact of organized religion on the development of Canada, prefers for the present that the Board should deal with items in this category on an individual basis as they arise and that they be reviewed in the light of the Policy Statement's first stated [guidelines], i.e., a site, structure or object shall be closely associated or identified with events that have shaped Canadian history in a prominent way, or illustrate effectively the broad cultural, social, political, economic or military patterns of Canadian history.

## 5.4 Ethnic or Religious Groups

*In November 1977, the Board recommended that:*

religious and ethnic groups, per se should not be specifically commemorated but that we should pay particular attention to the contributions of such ethnic and religious groups as represented in buildings of national architectural or historical significance, individual leaders of national importance, or events of national historic significance.

*In June 2002, the joint Cultural Community and Criteria Committees recommended, and the Board accepted, that this guideline be amended as follows:*

The Board will assess the national historic significance of places, persons and events associated with the experience of ethnic or religious groups in Canada, rather than advocating an approach that would consider the commemoration of ethnic or religious groups themselves.

## 5.5 Disasters and Disaster Areas

*In November 1982:*

Following considerable discussion, the Board was unanimous in its recommendation that:

it continue to be guided in its deliberations by the 1967 “National Historic Sites Policy”

Amended as follows:

normally disasters will be excluded from consideration by the Board unless there is evidence that their long-term impact has been such that they would merit consideration under Criterion 1.6.ii of the general Board criteria [in the “Parks Canada Policy” (1979)], that is to say - as events which shaped Canadian history.

*In November 1997, the Board reviewed its existing guideline and:*

agreed that it would consider only the most exceptional disasters if they were seen to have caused changes to some facet of Canadian society, for example, changes to social programs, public policy, or causing long-standing economic impacts.

## 5.6 Commemoration of Post-Secondary Educational Institutions

*In February 1992, following three requests in one year asking that it consider the possible national significance of institutions of higher learning, the Board asked the Criteria Committee to reflect on the matter. In November 1992, the Committee and, in turn, the Board recommended:*

that due to the increasing number and complexity of post-secondary institutions which have been established in recent decades, and the consequent difficulty of assessing their significance to Canada in a rigorous and equitable manner, the Board should no longer recommend the commemoration of such institutions, per se. The Board, however, should continue to consider nationally significant aspects of universities, colleges and training schools, such as founders, administrators, faculty members, benefactors, and individual faculties or departments, as well as school and university architecture and research contributions.

## 6. Specific Guidelines: Forms of commemoration

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### 6.1 Monuments Not Owned by the Department

*In October 1967:*

The Board reviewed the proposal of the Montmagny-L'Islet Historic Monuments Society, requesting federal assistance for a monument to Étienne-Pascal Taché. Considerable discussion ensued on the Department's monuments [guidelines]. The Board then passed the following resolution:

The Board as a policy does not recommend that the Minister contribute to the construction of monuments not owned or built by the Department, and further, recommends that in those cases in which the Department builds a monument, the Department should determine and control the design.

*The above guideline was reiterated by the Board at its June 1985 meeting.*

### 6.2 Distinctive Monuments

*In June 1968, the Board recommended the following:*

The Criteria Committee of the Board has had under consideration the future [guidelines] that should be followed with respect to distinctive monuments. It makes the following recommendations:

- 1) It is essential, for the future guidance of the Board, that precise and more restrictive principles should govern the choice of such monuments;
- 2) The Board believes that in the vast majority of cases the desire for a distinctive monument could and should be satisfied by a slight modification to the existing setting of the standard plaque. Where practical and appropriate, the design of the setting could be varied so as to represent the achievement of the person or the nature of the event to be commemorated, and in a manner suitable to the location;
- 3) Where existing standard plaques or settings must be replaced, the principles given in (2) above should be borne in mind;
- 4) With respect to distinctive and more elaborate monuments the Board believes that even its limited experience has indicated the many and serious problems involved. In the light of that experience it seems clear that those subjects selected for such commemoration should be few in number and should, in the opinion of the Board be either persons of quite exceptional importance, especially outstanding or unique fields of significant endeavour, or events which would be nationally regarded as turning points of decisive importance in Canadian history.

The Committee then considered what guidelines should be followed by the [Program] in respect to the design of distinctive and elaborate monuments, and recommended that the following considerations should be borne in mind:

- a) The National Historic Sites [Directorate] should be leaders in the field of designing distinctive monuments, and should not be slaves to tradition. Designs in all cases should be distinguished and exciting and not second-rate or banal, and landscaping should always be carefully planned.
- b) The [Directorate] should, in the choice of sculptors, be guided by the advice of the Directors of the National Gallery of Canada and of the leading government-operated gallery in the province concerned, and of the Board member in that province.

- c) The type and design of the monument in each instance will vary according to the person or event to be commemorated, the theme to be emphasized, the location of the monument and any special local circumstances that have to be taken into consideration.
- d) Generally the design will not be completely abstract and should be able to convey to the average member of the public some feeling of the theme to be emphasized in connection with the person or event.
- e) The most important audience to reach in every instance is the younger generation, for whom Canadian history must be made to live in all its excitement and significance.

### 6.3 Quality and Content of Plaque Inscriptions

*In June 1988, the Board, following discussion, accepted the following recommendations regarding plaque inscriptions.*

The Board first stated that it believed that the primary purpose of its plaques was to educate and it followed, therefore, that plaque inscriptions should be above all else informative. With this in mind, the Board put forward a number of specific recommendations to serve as guidelines when drafting plaque inscriptions:

- 1) a plaque inscription must state clearly why the subject of commemoration is of national significance;
- 2) an attempt should be made to put a human face on all inscriptions, in order to make them understandable to a general audience;
- 3) appealing words and phrases (e.g., “legendary character”) should be used in inscriptions when appropriate, as they add colour and tend to make the text more memorable;
- 4) when possible the title of the plaque should be used to convey information – this information need not be repeated in the text;
- 5) if in the title, birth and death dates should not be repeated in the text;
- 6) dates should be used judiciously in texts and be inserted only when relevant;
- 7) texts dealing with architecture should, whenever possible, have a historical anchor;
- 8) architects and architectural firms need not be identified in an inscription if they are not of some prominence in their own right.

*In November 1997, the Board further added:*

that in preparing inscriptions, staff should ensure that the first sentence clearly indicate the reason for national significance. Further, national significance must be a single, compelling justification and not a layering of many unrelated items, none of which on its own would constitute grounds for national significance.

### 6.4 The Use of Non-Official Language on Commemorative Plaques

*In June 2000, a report was presented to the Board on the use of non-official languages on commemorative plaques. The Board approved the following guidelines:*

- The Board may recommend the use of non-official languages when the national historic significance of the subject makes it appropriate to do so.
- Inscriptions which include non-official languages must conform to the *Official Languages Act* and the “Federal Identity Program Policy” with respect to precedence of English and French, and bilingual HSMBC corporate signature.

- Additional languages appear with the official languages on one plaque. In exceptional circumstances the Board may recommend separate, non- official language plaques. Such plaques will be erected with the bilingual plaque and will carry the Board’s bilingual corporate signature.
- Non-official language inscriptions will be written according to the same linguistic standards as the official languages.

## 6.5 Consultation on Commemorative Plaque Texts

*Since 1993, commemorative plaque texts have been sent to appropriate groups and/or individuals for comments or “vetting” before being reviewed by either the Inscriptions Committee or the full Board.*

*The vetting process provides stakeholders with the opportunity to verify historical facts and to offer their perspective for the text. While the Inscriptions Committee and the Board give every consideration to vettors’ comments, not all comments may be incorporated into the final text.*

*The Board adopted the following guidelines in June 2000 and made modifications in November 2001. The final version reads:*

- A Board plaque commemorates a person, place or event of national historic importance. It has a commemorative objective defined by the Board, and from a technical point of view, it must conform to a standard length.
- The text, usually in its first sentence, must clearly indicate the reason for national historic significance, as described in the Board Minutes.
- The authorship of the plaque text lies with the Board, and final approval of the text is given by the full Board.
- The Board seeks consistency in style, tone and arrangement of its plaque inscriptions; vettors are therefore discouraged from making comments on these matters.
- A report of the vettors’ comments is included with the text when it is submitted to the Inscriptions Committee for review.

## 6.6 Style and Layout of Plaque Inscriptions

*In June 2001, the Board approved the proposed plaque design and editing guidelines as follows:*

- Textual material should be written for a high school reading level.
- A dynamic writing style should be used as opposed to a documentary style, which is more suited for a specialized audience.
- Titles for plaque inscriptions should be brief, simple and set out in distinctive type, using familiar and descriptive language, designed to draw the readers attention.
- Length of text should be limited to a maximum of 500 characters in each language in order to attract and retain reader attention.
- Plaque inscriptions should be divided into three short paragraphs. Each paragraph should begin with a larger capital letter than the capital letters used in the text.
- A line of text should have at least 45 characters and not more than 55 to 65 characters to facilitate scanning the information.

- Type style should be a serif character, which helps to clearly delineate each letter. Goudy font meets this requirement and in addition, offers the proper combination of height, width and thickness of character to enhance text readability.
- The font size for the body of a plaque text should be between 40 and 45 points, with 60 points for the title and 40 points for the sub-title.
- Factors such as spacing between letters, lines and paragraphs facilitate scanning, as well as left and right text justification.

## 6.7 Dual or Multiple Plaquing of a Designation

*In December 2002, the Board approved these guidelines as follows:*

Under normal circumstances, a single plaque will be erected for each person, event, or site designated of national historic significance. In rare instances, a dual or multiple plaquing of a designation may be considered as an option:

- where two or more discrete locations are explicitly and meaningfully associated or identified with a *national historic person*, and are integrally related to the national historic significance of the person; or
- where there are two or more discrete locations in different regions that are explicitly and meaningfully associated with a *national historic event*, and that played an integral part in establishing its national historic significance; or
- where there are two or more distinct components or phases of a *national historic event* that played an integral part in establishing its national historic significance, and are essential in conveying national historic significance; and that are directly associated with different locations; or
- where the significance of a *national historic event* resides in its great geographical extent and impact on two or more regions, and its national historic significance can be conveyed in a substantially more explicit and meaningful manner by marking its geographical extent; or
- where the configuration of a *national historic site* is such that it would render the commemoration substantially more explicit and meaningful.

For national historic events that encompass great geographical extent, only one plaque should be erected in any one region or province.

## **7. Specific Guidelines: Procedure**

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### **7.1 Original Fabric on the Ground Floors of Buildings**

*In June 1988, the Board recommended that:*

as a guideline for future deliberations, the Board stated that the survival of original street-level entries and of original fabric on the ground floors of buildings brought forward for consideration were factors of such importance that the lack of either on a structure would seriously affect that structure's potential for designation.

*In November 1988, the Board reiterated its above recommendation, and:*

emphasized that, in future, architectural papers should clearly identify contemporary fabric in buildings when it was felt that the nature and extent of the use of new materials might be a determining factor in determining the significance of the structure in question.

### **7.2 Deferred Matters**

*In the context of a discussion of Fort Whoop-Up, Alberta, in November 1989, the Board noted that:*

often, matters are deferred in order that additional material may be brought together on the subject which will permit the Board to objectively assess its national significance and put forward a recommendation to the Minister, in that regard. As the practice of waiting for formal Ministerial approval of all Board recommendations often resulted in lengthy delays in the resubmission of deferred items to the Board, which seemed to it to be unnecessary, it recommended that

the Minister consider deferred items to constitute non-recommendations of the Board, in order that such items might be followed up in advance of his/her approval of the minutes in which they appear.

### **7.3 National Historic Sites Whose Commemorative Integrity Has Been Destroyed**

*In December 2002, the Board received a discussion paper that explored various approaches to the treatment of national historic sites that have lost their commemorative integrity and recommended that:*

On the advice of the Historic Sites and Monuments Board of Canada, the Minister may transfer a National Historic Site of Canada (NHSC) from the official list of NHSC to a list of NHSC whose commemorative integrity has been destroyed. Such action will rarely be undertaken and then only when:

- 1) the commemorative integrity of the site has been destroyed through loss or impairment of the resources directly related to the reasons for designation, or
- 2) the reasons for designation of a national historic site can no longer be effectively communicated to the public.



## 7.4 Preparation of Submissions to the [Status of Designations] Committee

*In December 2000, the Board approved the following guidelines:*

- 1) In considering a proposal to clarify the designated place of an existing national historic site, the current Board will use a strict constructionist approach to interpreting Board recommendations of record (i.e. recommendations from previously approved Minutes of Board meetings), insofar as they relate to designated place.
- 2) In considering new proposals to expand the designated place of an existing national historic site, the Board will not be constrained by recommendations of record, but will treat each new proposal on its merits, and with the understanding that the owner(s) of property directly affected by the proposed expansion of the designated place would need to give their consent.
- 3) In the interests of efficiency and of documenting decisions regarding designated place and commemorative intent, submissions should consist of a briefing note format, with the most essential information and analysis in a short paper, and additional material, chiefly Board Minutes, any preceding Agenda Paper or Submission Report, and maps or plans, in appendices.
- 4) The Parks Canada multi-disciplinary team will assess the feasibility of organizing the issues which require the Committees attention according to province/territory, table these issues by province/territory, and arrange to have the Board member of the relevant province or territory attend the Committees meetings.
- 5) In light of the time-sensitive nature of many of the requests that will be brought forward for clarification, Parks Canada will determine an approach to expediting the Committees recommendations for review and approval by the Minister.

## 7.5 Determining Designated Place

*In the Fall of 1999, with amendments in June 2001, the Board approved the following guidelines:*

- 1) The approved Board Minute is considered the definitive statement of the Board's intent;
- 2) If the approved Minute refers to a description in an Agenda Paper or Submission Report relating to the extent of the "designated place," then that description should be consulted;
- 3) A plaque inscription will not be used to determine the "designated place";
- 4) The reasons given for national significance do not determine the "designated place";
- 5) The "designated place" is the place that was considered by the Board at the time it made its recommendation, unless otherwise specified in the Minute; and,
- 6) When the boundaries of a national historic site were not defined at the time of designation, and the physical feature named in the recommendation of national historic significance was located on a single legally-defined property at the time of designation, the boundaries of the designated place are deemed to be the boundaries of the property at that time, subject to the Scope and Exceptions statement that accompanies this guideline.

Scope:

- Date and wording of the designation: the national historic site was designated before 1999; it was not assigned boundaries at the time of designation, but instead was designated by name.
- Property boundaries at the time of designation: at the time of designation, the whole of the nationally significant feature (or features) was located on a single, legally-defined property or parcel of land, or on adjoining properties owned by the same person or persons.

- Current property boundaries: since the time of designation, the property has not been subdivided or had its boundaries redrawn in a way that affects ownership of the feature named in the designation.

Exceptions:

General exceptions: for reasons of size and complexity, several types of properties are excluded from the application of this guideline. These exceptions relate to sites where the designated feature forms all or part of any of the following:

- An institutional complex, such as a university, hospital, ecclesiastical precinct, or airport;
- Defence works, notably forts, and sites of military operations, such as battlefields;
- A trading post, whether styled a “fort” or not;
- A fairground;
- A linear route or property (e.g. railway stations, roundhouses, dams, bridges, aqueducts, canals and trails);
- A Canadian Forces Base;
- A First Nations Reserve;
- Lands administered by Parks Canada;
- An extensive property, such as an estate or an industrial complex, which was subdivided before designation in a manner that left potential Level One resources (either above or below ground) outside the administered place;
- Sites designated for their archaeological value, or as cultural landscapes of associative value.

Special exception: vessels which are considered to be “places”, shipwrecks, and moveable cultural heritage objects are also excluded. In some cases (e.g. Alexander Graham Bell museum collection) the objects themselves are Level One cultural resources.

## **7.6 Changing the Directory of Designations of National Historic Significance**

*In December 2002, the Board approved the procedures as follows:*

- Approved Minutes will continue to be used to determine the existence of designations and to determine the category to which they belong. Changes to the Directory will therefore be based on scrutiny of approved Minutes. Plaque texts, departmental publications and administrative correspondence may be consulted for context and corroboration, but will not be used to overrule the Minutes.
- When research confirms the existence of an administrative error in the Directory, an administrative process will be followed to correct it. That process will employ the interdisciplinary team which oversees reports to the Status of Designations Committee (SDC).
- The SDC will be informed in a brief note of each correction to the Directory which arises from administrative error in the past and which results in a change in the number of designations in any category. This note will be the official confirmation of the change.
- Changes arising from ambiguity or new knowledge will continue to receive the Board’s attention through formal reports to the SDC.

## 7.7 Guidelines for Establishing Names for National Historic Sites

*In December 2003, the Board approved the guidelines as follows:*

Four principles will be taken into account when site names are chosen; these are (i) well-established usage, (ii) historic usage, (iii) communication of the reasons for designation, and (iv) brevity and clarity. Ideally, Parks Canada and site owners will submit names which conform to all these principles. Often, though, it will be necessary for one or more principles to prevail over the others. The four principles are stated and explained in the first four proposed guidelines. The last two proposed guidelines deal with the use of official geographical names, and with the official status of names of national historic sites.

1. When a proposed or recommended national historic site already has an established name, that name should be used, unless there are good reasons to the contrary.

Notes:

- a. This principle is particularly appropriate when a site has had the same name throughout most of its recorded history. Established names may be one or more of the following: the name on the owner's publications or Web site; a name carved onto a building on the site, or written on a permanent sign; a name well-established in local usage. When there are variants of an established name, the full legal name will not necessarily be the best choice, especially if this is long, or generally not known in its locality; the choice shall be made in accordance with these guidelines as a whole.
- b. Bar U Ranch NHSC (Longview, Alberta), Fort Wellington NHSC (Prescott, Ontario) and Kicking Horse Pass NHSC (Yoho National Park of Canada, British Columbia) are examples of sites whose names were well established before they were designated as national historic sites.
- c. For sites not administered by Parks Canada, it is preferable for Parks Canada and the partner to use the same name. For example, the Emily Carr House NHSC in Victoria, British Columbia, is called Emily Carr House by its owner. However, if the name used by the site's owners or stakeholders communicates a different message than does the Board designation, the Board may recommend a different name. In the case of the Old Woodstock Town Hall NHSC (Woodstock, Ontario), the partner's name for the site is the Woodstock Museum. Since the Board designation clearly refers not to the museum, but to the architecture and former function of the town hall itself, Parks Canada uses a different name than does the partner.

In cases when a partner uses a different name than the official one, Parks Canada will use the generic "National Historic Site of Canada" ("lieu historique national du Canada") only with the Board-approved specific, and will encourage the partner to follow the same practice.
- d. A commercial name will not be used, even if it is the name used by the owner, unless this name reflects the reason for designation.
  - i. Maplelawn & Gardens NHSC (Ottawa, Ontario) is currently operated as a business called the Keg Manor. This name reflects its current use rather than its historic significance. In



- when there are multiple reasons for national significance, requiring an arbitrary choice.

Rocky Mountain House NHSC was recognized in 1926 for “its connection with early trade, discovery and exploration towards the westward.” This was supplemented as follows in 1968: “and to interpret three major themes: the fur trade, David Thompson, and the role of the Peigan (Blackfoot) Indians.”

- when the factors that underpin national significance are too complex or abstract to express in a few words.

St. Mary’s Basilica NHSC (Halifax, Nova Scotia) was recognized “because of its central role in the religious history of Nova Scotia and more particularly because of its association with individuals and events that played a central role in the emancipation of Roman Catholics in the Province and in Canada.”

#### 4. An ideal name is brief, clear and pleasing.

##### Notes:

- All official names must include the generic “National Historic Site of Canada” (“lieu historique national du Canada”). In addition, official site names will normally appear as plaque titles. For the specific part, then, brevity is of particular importance.
- It will normally not be necessary to specify locality, religious denominations, or similar identifiers in a site’s official name. In exceptional cases, such words may be required to avoid confusion at a local or national level. For example, in the case of St. John the Baptist Anglican Cathedral NHSC (St. John’s, Newfoundland) and St. John the Baptist Roman Catholic Basilica NHSC (St. John’s, Newfoundland), religious denominations are specified to distinguish between two sites with the same name, in the same locality.

Even if it is not part of the official name, this type of identifier may still be included in the descriptive note in the Directory of Designations.

- Dual or alternate names will be avoided in the future. The Directory of Designations, for example, currently contains entries such as Malahat Building / Old Victoria Custom House NHSC (Victoria, British Columbia), consisting of two names of apparently equal status. Rarely, separate aspects of a site’s history may be jointly reflected in a double-barrelled name joined by a long dash, for example, Port-la-Joye – Fort Amherst NHSC (Rocky Point, Prince Edward Island). In addition, it will sometimes be appropriate to use the conjunction “and” to link two places that are physically separate but jointly designated, for example, Arvia’juaq and Qikiqtaarjuk NHSC (Arviat, Nunavut).
- It is preferable not to use the word “site” in the specific part of the name, given that “National Historic Site of Canada” will always be part of the official name.
- “National Historic Site of Canada” is the only approved generic, and terms such as “National Historic District” or “National Rural Historic District” will not be used, either as a generic or within the specific.

5. When the name of a designation incorporates a geographic name approved by the Geographical Names Board of Canada, that approved form will normally be used.

Notes:

- a. The Geographical Names Board of Canada (GNBC) is the national body which coordinates all matters affecting geographical nomenclature in Canada. Geographical name decisions approved by the appropriate federal, provincial or territorial authority become official decisions of the GNBC (Order-in-Council P.C. 2000-83).
  - b. The GNBC-approved form of a geographic name should be used when it is part of the name of a designation. For example, the Smiths Falls Bascule Bridge NHSC incorporates the name of a settled place in Ontario, which has been approved by the GNBC as Smiths Falls (rather than Smyth's Falls or Smith's Falls, even though these forms were used in early official documents).
  - c. When a different, or earlier, form of a name than the one approved by the GNBC is used, it must be justified on historic grounds, or be part of an established name.
6. All official forms of names of designated national historic sites will be explicitly part of the Historic Sites and Monuments Board of Canada's advice to the Minister.

Notes:

- a. Names of designations will be among the details of the commemoration, which will be recommended by the Board to the Minister, and, when approved, will be the official names of these sites. Changes to official names will similarly require a Ministerially approved recommendation of the Board.
- b. All names of designations will have an official form in each of the official languages of Canada. These versions are not considered to be multiple names, but two forms of a single name, and they will be derived using established toponymic and translation rules. The Board may, at its discretion, recommend adoption of further forms of the name in another language that is directly related to the reasons for the commemoration.
- c. The present guidelines provide direction concerning the choice of names for future national historic sites, and name changes to existing designations, if required. These names will be considered official names.

Names, which have been explicitly addressed by the Board in the past, are also considered to be official. For example, in 1995 the Board recommended that the name Atherley Narrows Fish Weirs National Historic Site be changed to Mnjikaning Fish Weirs National Historic Site (Atherley, Ontario).

Procedures:

1. Names will be researched and documented at the time of preparation of submission reports. All submission reports will contain a documented statement of the proposed name(s) for designation.

This should include the current name as well as previous names by which the site has been known and, when appropriate, should reflect consultation with site owners or stakeholders.

2. Submission reports will provide the proposed name(s) only in the language of the paper. All required language forms of the name will be included in the Board minutes. The appropriate toponymic and translation authorities will be consulted in the derivation of the translated forms.
3. Name changes must be approved by the HSMBC.

## 9 APPENDIX B – By-Law 1991-074



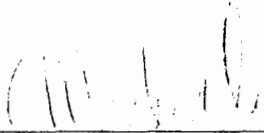
THE CORPORATION OF THE TOWN OF OAKVILLE  
BY-LAW 1991-74

A by-law to designate 1086 Burnhamthorpe Road East  
as a property of historical and  
architectural significance

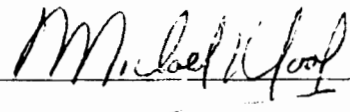
THE COUNCIL ENACTS AS FOLLOWS:

1. The property municipally known as 1086 Burnhamthorpe Road East is hereby designated as a property of historical and architectural value and interest pursuant to the Ontario Heritage Act for reasons set out in Schedule "A" to this By-law.
2. The property designated by this By-law is the property described in Schedule "B" attached to this By-law.

PASSED by the Council this 22<sup>nd</sup> day of April, 1991.



MAYOR



CLERK

## SCHEDULE "A" TO BY-LAW 1991-74

### HISTORICAL SIGNIFICANCE

The land which is known as 1086 Burnhamthorpe Road East was patented in 1810 by George McKinney. The property was sold to William Bowbeer in 1822. Mr. Bowbeer built a small one storey brick house on the site in 1827. William Bowbeer's son, William Somerset Bowbeer, took over ownership of the property in 1841 and in 1853 he built a fine 1 1/2 storey neoclassical, brick structure and incorporated the original house into the building as a kitchen. According to Mrs. Rampen, current owner of the house, the bricks for the house are believed to have been made in a kiln on the property. William Somerset Bowbeer raised fine cattle, and appears to have been a significant figure in the Township of Trafalgar, having served as Deputy Reeve in 1863 and 1864, and as a Magistrate for Halton County.

In 1899, the property was sold to Edward Fish. The Fish family were and continue to be, a significant family in the area, having owned the land immediately across Burnhamthorpe Road as far back as the 1878 Atlas, and up to the present day.

In 1917, the property was sold to John Gordon Joyce who lived on the property until 1950 when the land was sold to Hugh Salvin Calverly, a long time resident of the area. In 1956, Mr. Calverly's daughter Sybil and her husband Leo Rampen took over ownership of the land.

### ARCHITECTURAL SIGNIFICANCE

The house at 1086 Burnhamthorpe Road was built in two stages. The first was a simple one storey brick structure which was built in 1827. This section which has been significantly changed since that time now serves as a kitchen and is hidden behind the much larger and more detailed main section built in 1853. The main section, built by William Somerset Bowbeer, is of the neoclassical style and is a 1 1/2 storey red brick structure with a symmetrical three bay facade, two chimneys and a projecting frontpiece.

The frontpiece is typical of the Neoclassical style with a full length rectangular transom light, sidelights and a central gable with an outstanding 1/2 round fanlike linette window. The entire building is ringed by detailed neoclassical cornice and returns. The structure is further enhanced by the use of buff coloured brick trim as lintels, "mock quoins" on the corners, and around the linette window. The house is marked with medium painted, three over four sash windows, framed by shutters on the front facade. The interior of the house is set out along the lines of a formal centre hall composition.

**SCHEDULE "B" TO BY-LAW 1991-74**

ALL and singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Oakville, in the Regional Municipality of Halton and being composed of the east half of the north half of Lot number 10, in the First Concession, North of Dundas Street in the said Township of Trafalgar, containing fifty (50) acres more or less.

As previously described in Inst #50224.

4 71 1