

REPORT:

Cultural Heritage Evaluation Report

Copper Cliff Fire Hall

7 Serpentine Street, Copper Cliff,
Greater Sudbury, Ontario



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Project # LHC0218



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EXECUTIVE SUMMARY

The Executive Summary only provides key points from the report. The reader should examine the complete report including background research and limitations.

Letourneau Heritage Consulting Inc. (**LHC**) was retained by the City of Greater Sudbury to complete a Cultural Heritage Evaluation Report (**CHER**) for the property at 7 Serpentine Street (**the Property**) in the community of Copper Cliff, which is located within the City of Greater Sudbury, Ontario (**the City**). The Property—owned by the City—was added to the City’s Heritage Register in 2014. It was declared surplus property and marketed for sale on 25 November 2019. A Request to Initiate the Process to Designate the Property was approved by City Council on 19 May 2020. This process “...would include consulting with the Municipal Heritage Advisory Panel as required by the Act, evaluating the property pursuant to the prescribed criteria, returning to Council with a staff recommendation, issuing a “Notice of intention to designate” including the publishing of the notice in the newspaper, an appeal period and the passage of a by-law.”¹ The purpose of this CHER is to independently evaluate the Property for cultural heritage value or interest of the Property.

Based on our review and analysis, it is LHC’s professional opinion that the Property at 7 Serpentine Street has cultural heritage value or interest as it meets four of the criteria outlined under *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest*. LHC found that the Property has cultural heritage value or interest for its physical/design, historical/associative, and contextual values. Thus, it would be eligible for designation under Section 29 Part IV of the *Ontario Heritage Act*.

¹ City of Greater Sudbury City Council. 19 May 2020. Agenda. Accessed at: <https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=1470#agendaitem18697>

REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix B. All comments regarding the condition of the structures on the Property are based on superficial visual inspection and are not a structural engineering assessment, unless directly quoted from the AS2 Consulting Engineers engineering report dated 5 May 2016 for the Property. The findings of this report do not address any structural or physical condition related issues associated with the building on the Property or the condition of any heritage attributes.

With respect to historical research, the purpose of this report is to evaluate the property for Cultural Heritage Value or Interest. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, it is the professional opinion of the authors that the information collected, reviewed, and analyzed is sufficient to conduct an evaluation using *Ontario Regulation 9/06*. As such, this report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

Due to the COVID-19 pandemic access to archives, including the National Air Photos Library, Library and Archives Canada, Archives of Ontario, and the City of Greater Sudbury Archives was limited.

RIGHT OF USE

The information, recommendations and opinions expressed in this report are for the sole benefit of 'Owners'. Any other use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings and other documents as well as all electronic media prepared by LHC are considered its professional work product and shall remain the copyright property of LHC, who authorizes only the Owners and approved users (including municipal review and approval bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for the guidance of Owners and approved users.

In addition, this assessment is subject to the following limitations and understandings:

- The review of the policy/legislation was limited to that information directly related to cultural heritage management; it is not a comprehensive planning review.
- Soundscapes, cultural identity, and sense of place analysis were not integrated into this report.

Table of Contents

EXECUTIVE SUMMARY	IV
REPORT LIMITATIONS	V
RIGHT OF USE	V
1 INTRODUCTION	1
1.1.1 Property Location	1
2 STUDY APPROACH	4
2.1 Methodology.....	4
2.1.1 Legislation and Policy Review	4
2.1.2 Historical Research	4
2.1.3 Site Visit	5
2.1.4 Evaluation	5
2.2 Consultation	5
2.3 Heritage Designation Process	5
3 LEGISLATIVE AND POLICY CONTEXT.....	6
3.1 Provincial Legislative Context.....	6
3.1.1 <i>The Planning Act</i> , R.S.O. 1990, c. P.13.....	6
3.1.2 Provincial Policy Statement (2020).....	6
3.1.3 <i>Ontario Heritage Act</i> , R.S.O. 1990, c. O.18	8
3.1.4 Growth Plan for Northern Ontario	9
3.2 Municipal Policy Context	9
3.2.1 The City of Greater Sudbury Official Plan (2016, Consolidated 2019)	9
3.2.2 The City of Greater Sudbury Zoning By-Law 2010-100Z	12
3.2.3 Town Centre Community Improvement Plan and Incentive Programs	12
3.2.4 Municipal Policy Context Summary	12
4 HERITAGE DESIGNATION PROCESS	13
4.1 Steps to Designate a Heritage Property	13
4.2 Heritage Designation Discussion.....	16
5 HISTORICAL CONTEXT.....	19
5.1 Natural History	19
5.2 Plano and Early Shield Culture (6,000 B.C.E. – 4,000 B.C.E.).....	19

5.3	Middle Shield Culture (4,000 B.C.E. – 500 B.C.E.)	19
5.4	Late Western Shield Culture (500 B.C.E. – 900 C.E.).....	20
5.5	Anishinabek Nation (900 C.E. – To Present)	20
5.6	Early Euro-Canadian History – Fur Trade.....	20
5.7	Early Euro-Canadian History – European Immigration and Treaties	21
5.8	Sudbury’s Railway and Mining Company Town History	22
5.9	Copper Cliff’s Mining Company Town History	24
5.10	The City of Greater Sudbury Amalgamation	25
5.11	Copper Cliff Fire Hall History and Morphology	27
6	PROPERTY CONTEXT	35
6.1	Property Description.....	35
6.2	Existing Conditions.....	35
6.2.1	Surrounding Context	35
6.2.2	7 Serpentine Street Exterior	38
6.2.3	7 Serpentine Street Interior	43
7	EVALUATION	47
7.1	Summary of Evaluation	50
8	PROPOSED STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST	51
8.1	Legal Description and Civic Address	51
8.2	Description of Property	51
8.3	Summary of Cultural Heritage Value or Interest	51
8.4	Heritage Attributes.....	52
9	PHYSICAL CONDITION.....	53
10	CONCLUSION	54
	SIGNATURES	55
	REFERENCES	56
	APPENDIX A: QUALIFICATIONS.....	62
	APPENDIX B: GLOSSARY	65
	APPENDIX C: DESIGNATION FLOWCHART.....	67
	APPENDIX D: COMPARABLE NORTHERN ONTARIO FIRE HALLS.....	68

Figures

Figure 1: Greater Property location (Source: LHC, 2020).	2
Figure 2: Property location, current conditions (Source: LHC, 2020).	3
Figure 3: Robinson-Huron Treaty Map. (Source: Atikameksheng Anishnawbek First Nations, 2020).	22
Figure 4: Sudbury Junction in early 1880s (Source: Exporail/CP Collection: A18622; CP, 2020)	23
Figure 5: View of Sudbury in 1883 (Source: University of Sudbury, 2013).	23
Figure 6: Bird's Eye View of Copper Cliff (Source: Copper Cliff Museum)	25
Figure 7: Image taken at the opening of Copper Cliff Mine, 1886 (Source: Copper Cliff Museum).	26
Figure 8: Photo of Copper Cliff in 1912, Granite Street (Source: Copper Cliff Museum).	26
Figure 9: Cropped view of the 1884 Patent Plan of McKim with The Canadian Copper Company. (Source: Archives of Ontario, RG 1-100-0-0-1509. Annotations by LHC.).	29
Figure 10: The Copper Cliff fire brigade on Serpentine Street in 1902. (Source: City of Greater Sudbury Heritage Museums Collection, CC0239EN).	30
Figure 11: View facing west along Serpentine Street in 1913 with the Fire hall tower (left side of image, Source: City of Greater Sudbury Heritage Museums Collection, CC0117EN).	30
Figure 12: View east along Serpentine Street in the early 20 th century with the Fire hall tower (right side of image). Source: City of Greater Sudbury Heritage Museums Collection, CC0055EN).	31
Figure 13: Firehall and Serpentine Street in the 1940s. (Source: City of Greater Sudbury Heritage Museums Collection, MK4472EN).	31
Figure 14: Group of INCO pensioners gathered in the Fire Hall (Source: INCO Triangle, 1948, p. 8).	32
Figure 15: The Fire Hall hose tower "...undergoing a well-earned face-lifting after 44 years of uncomplaining service" in 1955 (Source: INCO Triangle, 1955).	32
Figure 16: 1957 Fire Insurance Plan of Copper Cliff showing the hose tower (Source: The City of Greater Sudbury).	33
Figure 17: 1975 aerial photo showing that the hose tower is no longer present (Source: City of Greater Sudbury)	34
Figure 18: Serpentine Street facing west. The former hospital is at the end of the street with a green roof. (Source: ML, 2020).	35
Figure 19: Serpentine Street facing east. The INCO Superstack is a prominent part of the view (Source: CY, 2020).	36
Figure 20: View of the southern side of the Fire Hall and Guest House from Godfrey Drive (Source: CY, 2020).	36
Figure 21: Residential land use at the corner of Park Street and Oliver Street north-west of the Property (Source: CY, 2020).	37
Figure 22: Residential land use, Vale Canada Limited mining operations, and INCO Superstack east of the Property (Source: CY, 2020).	37
Figure 23: Exterior of the Fire Hall (Source: ML, 2020).	39
Figure 24: Exposed concrete rubble foundations covered in parking on the northwest corner (Source: ML, 2020).	39

Figure 25: South elevation showing the back entrance and decommissioned hose tower (Source: CY, 2020).....	40
Figure 26: Southern elevation showing the back entrance (Source: ML, 2020).	40
Figure 27: Front entrance and planter with information sign (Source: ML, 2020).	41
Figure 28: East elevation showing the two sealed windows and the base of the decommissioned hose tower (Source: ML, 2020).	41
Figure 29: Detail of the northern elevation windows with brick voussoirs (Source: ML, 2020). ..	42
Figure 30: Front entrance on northern elevation with shaped transom window openings (Source: ML, 2020).....	42
Figure 31: Western room (Source: ML, 2020).	43
Figure 32: Eastern room, dining hall (Source: CY, 2020).	44
Figure 33: Basement staircase (Source: CY 2020).	44
Figure 34: Main room located in the basement (Source: CY, 2020).	45
Figure 35: Deflection of north wall (Source: ML 2020).....	45
Figure 36: View of basement (Source: CY 2020).	46
Figure 37: View of ceiling detail from the basement (Source: CY 2020).	46
Figure 47: City of Greater Sudbury Fire Stations.....	69

Tables

Table 1: Steps to Designate a Heritage Property	14
Table 2: <i>O. Reg. 9/06 Evaluation</i>	47

Appendices

APPENDIX A: QUALIFICATIONS	62
APPENDIX B: GLOSSARY	65
APPENDIX C: DESIGNATION FLOWCHART.....	67
APPENDIX D: COMPARABLE NORTHERN ONTARIO FIRE HALLS.....	68

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1 INTRODUCTION

Letourneau Heritage Consulting Inc. (**LHC**) was retained by the City of Greater Sudbury (**the client**) to complete a Cultural Heritage Evaluation Report (**CHER**) for the property at 7 Serpentine Street (**the Property**) in the community of Copper Cliff, located within City of Greater Sudbury, Ontario (**the City**). The Property –owned by the City— was added to the City’s Heritage Register in 2014. It was declared surplus property and marketed for sale on 25 November 2019. A *Request to Initiate the Process to Designate* the Property was approved by City Council on 19 May 2020. This process “...would include consulting with the Municipal Heritage Advisory Panel as required by the Act, evaluating the property pursuant to the prescribed criteria, returning to Council with a staff recommendation, issuing a “Notice of intention to designate” including the publishing of the notice in the newspaper, an appeal period and the passage of a by-law”.² The purpose of this CHER is to independently evaluate the Property for cultural heritage value or interest (**CHVI**) of the Property.

This CHER involves research and analysis of the history, current context, and review of the heritage planning framework of the Property followed by evaluation for CHVI using *Ontario Regulation 9/06 (O. Reg. 9/06) Criteria for Determining Cultural Heritage Value or Interest* of the *Ontario Heritage Act (OHA)*.

1.1 Property Location

7 Serpentine Street is located in the community known as Copper Cliff in the western end of Sudbury. It is in Ward 2 (Figure 1). The Property is on the south side of the street approximately halfway between Godfrey Drive –to the west—and Gribble Street –to the east. Serpentine Street is in the historic centre of Copper Cliff. Serpentine Street was observed to generally include small-scale commercial land uses surrounded by residential areas (Figure 2). Vale Canada Limited operates mines around the community of Copper Cliff. The Property is currently zoned C2 General Commercial Zone. There are no adjacent heritage properties and the area is indicated by the City of Greater Sudbury Official Plan as the potential Copper Cliff Heritage District.

² City of Greater Sudbury City Council. 19 May 2020. Agenda.

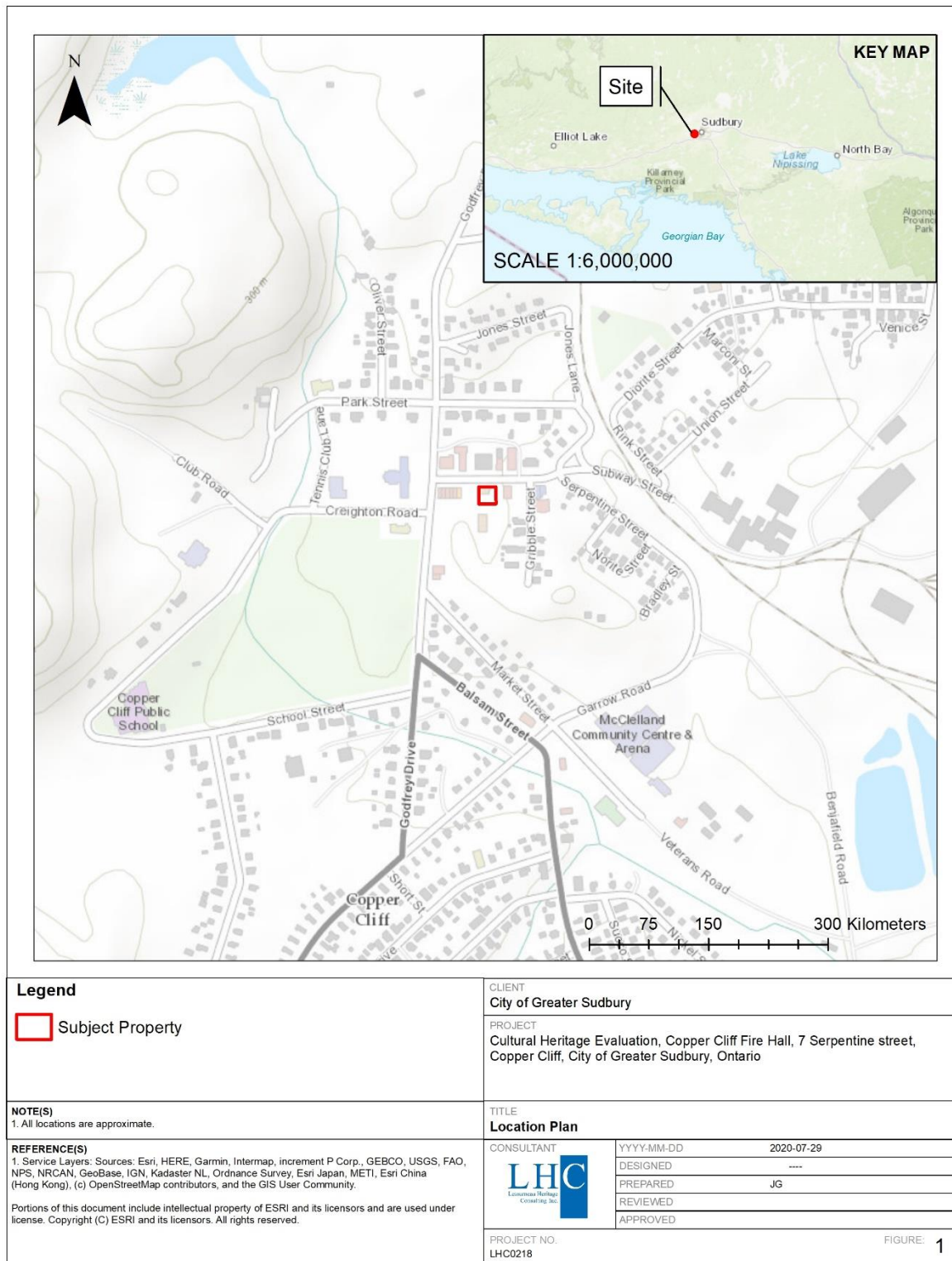


Figure 1: Greater Property location (Source: LHC, 2020).



Figure 2: Property location, current conditions (Source: LHC, 2020).

2 STUDY APPROACH

2.1 Methodology

This CHER follows a three-step approach to understanding and evaluating cultural heritage resources:

- Understanding the heritage planning regulatory framework;
- Understanding the significance of the heritage resource (architectural, historical and contextual background research); and,
- Understanding the existing conditions of the property.

This is consistent with the recommended methodology outlined by the Ministry of Heritage, Sport, Tourism, and Cultural Institutions's (**MHSTCI**) in the *Ontario Heritage Toolkit: Heritage Property Evaluation* (2006). The MHSTCI identifies three key steps: Historical Research, Site Analysis, and Evaluation.³ This CHER also includes a policy analysis to outline applicable provincial and local legislation and policies.

2.1.1 Legislation and Policy Review

In the Province of Ontario, criteria for determining cultural heritage value or interest is prescribed by *O. Reg. 9/06* of the *OHA*. To better understand the local context for evaluation of CHVI under the *OHA*, it must be determined if there are any supplemental municipal approaches or priorities that augment the provincially established process. For example, a municipality can build on the criteria of *O. Reg. 9/06* by using adopted thematic history, identifying specific views in its Official Plan, or by adopting an evaluative template. The legislative and policy framework for this CHER is presented in Section 3, Legislative and Policy Context.

2.1.2 Historical Research

Historical research was undertaken to outline the history and development of the Property and place it in a broader community context. Research material, including air photos, mapping, local histories and photographs, were obtained from:

- City of Greater Sudbury Archives;
- Greater Sudbury Public Library;
- Archives of Ontario;
- Library and Archives Canada; and,
- Western University.

Secondary research was based on books, research files and resources held by LHC—such as historical atlases, local histories, and architectural reference texts—available online sources, and previous assessments including:

- City of Greater Sudbury Planning Committee. 12 May 2014. *Request for Decision Development of a Municipal Heritage Register: 7 Serpentine Street, Copper Cliff – Former Copper Cliff Fire Hall*.

³ Ministry of Culture. 2006a. *Ontario Heritage Toolkit: Heritage Property Evaluation*, p. 19.

- A2S Consulting Engineers. 5 May 2016. *Structural Condition Evaluation of Copper Cliff Police Store Front 7 Serpentine Street Copper Cliff, Ontario.*
- City of Greater Sudbury Planning Committee. 25 November 2019. *7 Serpentine Street, Copper Cliff-Declaration of Surplus Property.*
- City of Greater Sudbury Council. 19 May 2020. *Request to Designate Former Copper Cliff Fire Hall to be of Cultural Heritage Value.*

Additional sources referenced in the preparation of this report are listed as footnotes and in the report's reference list.

2.1.3 Site Visit

On 13 and 14 August 2020 Marcus Létourneau and Colin Yu conducted a site visit of the Property. The objective of the site visit was to document the Property and its surrounding context to understand it and record existing conditions. A second site visit was completed at the end of September 2020 by Marcus Létourneau.

2.1.4 Evaluation

This CHER used the criteria for determining Cultural Heritage Value or Interest from *O. Reg. 9/06* to evaluate the Property (Section 7: Evaluation).

2.2 Consultation

Between 23 July 2020 and 14 August 2020 LHC consulted with City of Greater Sudbury staff for information about the Property including Ed Landry, Kris Longston and Chad Kobylka. These consultations asked for any historical information and building structural reports on the Property. LHC was provided with a structural condition report on the property and requests for additional information were forwarded to the City Archives and Greater Sudbury Museums.

LHC contacted City Archivist Shanna Fraser on 23 July 2020 about sources for historical information on Copper Cliff and the Fire Hall and was provided with links to relevant sources.

LHC contacted the Curator of the Greater Sudbury Museums, Samantha Morel on 23 July 2020 to inquire about historic images of the Fire Hall and downtown Copper Cliff.

2.3 Heritage Designation Process

An overview of the heritage designation process under the *OHA* has been included in Section 134 for Greater Sudbury City staff and the Municipal Heritage Advisory Committee. This overview has been requested by City staff as the most recent heritage designation in Greater Sudbury was completed in 2002 and the City currently has only eight designated heritage properties (under Section 29 Part IV) and eight 'listed' (Section 29 Part IV) heritage properties.

3 LEGISLATIVE AND POLICY CONTEXT

3.1 Provincial Legislative Context

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *OHA*, the *Planning Act*, and the *PPS*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. The *Environmental Assessment Act* and the *Environmental Protection Act* use a definition of “environment” that includes cultural heritage resources and the *Funeral, Burial and Cremation Services Act* addresses historic cemeteries and processes for identifying historic graves. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is a summary of the applicable legislation and policy regarding the identification and evaluation of cultural heritage.

3.1.1 *The Planning Act*, R.S.O. 1990, c. P.13

The Planning Act is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

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.⁴

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *Provincial Policy Statement* which is issued under the authority of Part 1 (3) of the *Planning Act*. Under the current legislative system, municipalities may grant additional height or density bonuses in exchange for the conservation of heritage resources as a community benefit under Section 37 of *The Planning Act* (1990).

Changes to the *Planning Act* and the ability of municipalities to negotiate Community Benefits Development Charges have been proposed by Bill 108 *More Homes, More Choices Act* and Bill 197 *COVID-19 Economic Recovery Act*. Bill 197 repeals parts of Bill 108 and allows for Community Benefits Charges for developments over 5 stories or 10 units and can only be applied once.⁵ Bill 108 and Bill 197 have received Royal Assent but have not yet been proclaimed.

3.1.2 Provincial Policy Statement (2020)

The *PPS* is issued under the authority of Section 3 of *The Planning Act* (1990) and provides further direction for municipalities regarding provincial requirements. The *PPS* sets the policy foundation for regulating the development and use of land in Ontario. Land use planning

⁴ *Planning Act*, R.S.O. 1990, c. P.13, Part I (2, d).

⁵ Davies Howe. 28 July 2020. Bill 197 (Covid-19 Economic Recovery Act) Summary Of Specific Legislation. Accessed at: <http://www.davieshowe.com/covid-19-economic-recovery-act-summary-of-specific-legislation/>

decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The Province deems cultural heritage and archaeological resources to provide important environmental, economic and social benefits. The *PPS* directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that long-term economic prosperity should be supported by:

1.7.1e 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 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsections state:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

The *PPS* makes the consideration of cultural heritage equal to all other considerations in relation to planning and development within the province. According to Section 5 of *The Planning Act*:

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter...shall be consistent with [the *PPS*].⁶

The definition of significance in the *PPS* states that criteria for determining significance for cultural heritage resources are determined by the Province under the authority of the *OHA*.

⁶ *Planning Act*, R.S.O. 1990, c. P.13, Part I S. 5.

3.1.3 Ontario Heritage Act, R.S.O. 1990, c. O.18

The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of “cultural heritage value or interest.”

Individual heritage properties are designated by municipalities under Section 29, Part IV of the *OHA*. An *OHA* designation applies to real property rather than individual structures.

O. Reg. 9/06 identifies the criteria for determining cultural heritage value or interest under Section 29 of the *OHA* and is used to create a Statement of Cultural Heritage Value or Interest (**SCHVI**). These criteria are used in determining if an individual property has CHVI. The regulation has three criteria, each with three sub-criteria:

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.⁷

If a property has been determined to meet the criteria of *O. Reg. 9/06*, and the decision is made to pursue designation, the *OHA* prescribes the process by which a designation must occur (elaborated on in Section 4). Municipal council may choose to protect a property determined to be significant.

Amendments to the *OHA* have been announced by the Province under Bill 108: *More Homes, More Choices Act*, but have not been proclaimed. Currently, municipal council may choose to protect a property determined to be significant under the *OHA*. After Bill 108 is proclaimed, decisions will be appealable to the Local Planning Appeal Tribunal for adjudication (2019, schedule 11). However, at present, Council's decision is final.

⁷ *O. Reg. 9/06*: Criteria for Determining Cultural Heritage Value or Interest.

3.1.4 Growth Plan for Northern Ontario

The City of Greater Sudbury falls within the *Growth Plan for Northern Ontario* (**Growth Plan**). The Growth Plan took effect on 3 March 2011 under authority of the *Places to Grow Act* (2005) and approved by the Lieutenant Governor in Council, Order-in-Council No 209/2011. The Growth Plan's purpose is to guide the population and economic growth of Northern Ontario for the next 25 years.

The Growth Plan's key goals include:

- Diversifying of traditional resource-based industries;
- Workforce education and training;
- Integration of infrastructure investments and planning; and,
- Tools for Indigenous peoples' participation in the economy.⁸

The Growth Plan's policies relating to heritage can be found in the Economy section. The section begins by stating:

Within arts and cultural industries, as well as in the tourism sector, competitive advantages arise from the North's unique history, culture and natural environment. This includes gaining an appreciation of the history and culture of Aboriginal peoples and Northern Ontario's French-speaking population, reconnecting with nature, and enjoying the diversity and vibrancy of urban communities.⁹

Section 2.2.2 states:

The Province will focus economic development strategies on the following existing and emerging priority economic sectors and the distinct competitive advantages that Northern Ontario can offer within these sectors:

c. arts, culture and creative industries ¹⁰

The Growth Plan also encourages the Province, industry, and partners to support the arts, culture, and creative industries by "celebrating the unique cultures and histories of the peoples of Northern Ontario".¹¹

3.2 Municipal Policy Context

3.2.1 The City of Greater Sudbury Official Plan (2016, Consolidated 2019)

The City of Greater Sudbury's (**the City**) Official Plan (**OP**) was adopted on 14 June 2006 and most recently consolidated in May 2019. The municipality is currently reviewing the OP in two phases, with Phase One approved by the Province and came into effect on 26 April 2019. Phase Two is ongoing and will support the Transportation Background Study update and the Water/Wastewater Master Plan. The City is a Single Tier municipality.

⁸ Province of Ontario. 2011. *The Growth Plan for Northern Ontario*. Accessed at: <https://www.ontario.ca/document/growth-plan-northern-ontario>

⁹ Ibid. p. 6.

¹⁰ Ibid. Section 2.2.2.

¹¹ Ibid. Section 2.3.4.

Part of the OP's vision is that "Cultural heritage assets identified in the Municipal Heritage Register are conserved, adaptively re-used and incorporated into new developments. The Archaeological Management Plan guides development in and around known archaeological sites in our community." ¹² By doing so, the OP contributes to its Healthy Community goals and Economic Development Strategic Plan.¹³

Section 13.0 of the OP outlines policies regarding Heritage Resources with the objective to:

- a) promote the conservation, restoration and rehabilitation of all heritage resources;
- b) ensure that heritage features are passed on for the enjoyment and care of future generations;
- c) prevent the demolition or inappropriate alteration of heritage resources;
- d) identify a range of features so they can be conserved and integrated into the community, including, buildings, sites, landscapes and artifacts of historical, archaeological and architectural significance; and,
- e) involve the public in heritage resource decisions affecting the City.¹⁴

Section 13.2 Heritage Structures, Districts and Cultural Landscapes outlines policies for Greater Sudbury's heritage. The most relevant to the Property have been included.

1. The City will prepare, publish and periodically update a Register of the City's cultural heritage resources in accordance with the *Ontario Heritage Act*. This Register will also contain non-designated properties that have been identified by the City as having significant cultural heritage value or interest.

4. Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures, will be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.

The City will also encourage methods of conservation including:

- a) repairing or conserving building materials and finishes and other components that are part of a property's heritage attributes;
- b) retaining and maintaining the visual settings and other physical relationships that contribute to the cultural heritage value of the property;
- c) retention of a built heritage resource as a heritage monument for viewing purposes only;
- d) salvaging elements of the resource for incorporation into a new building or structure for future conservation work or displays; and,

¹² The City of Greater Sudbury. 2016, consolidated 2019. *The City of Greater Sudbury Official Plan*. Accessed at: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/> Section 1.4.

¹³ Ibid. Section 13.0.

¹⁴ Ibid. 13.1.

e) documentation for the City's archives.¹⁵

The City intends to establish the following heritage programs:

2. The City may establish heritage design guidelines and/or cultural heritage impact assessment guidelines that assist in the design and review of adaptive reuse proposals.
3. The City may establish a grant program for designated heritage properties. The intent of this program would be to help alleviate some of the financial burden placed upon property owners in the maintenance and conservation of heritage resources or the adaptive reuse of a designated heritage property.¹⁶

Section 13.3 outlines policies for the City's Archaeological Resources. The most relevant to the Property have been included.

1. Disturbance of known archaeological sites and areas of archaeological potential are discouraged by this Plan. This Plan encourages mapping the archaeological resource potential of the City of Greater Sudbury in order to better determine where an archaeological resource assessment will need to be conducted by a licensed archaeologist. Until such mapping is completed, development applications will be screened for archaeological potential in accordance with provincial standards.
2. Any alterations to known archaeological sites and areas of archaeological potential will only be performed by licensed archaeologists in accordance with the *Ontario Heritage Act*.
3. Where a development may cause an impact to archaeological resources or areas of archaeological potential, an archaeological assessment will be required in accordance with the *Ontario Heritage Act*. Archaeological resources that are located on a proposed development site will be conserved.¹⁷

Section 14.0 of the OP deals with Urban Design and encourages the "protection and integration of the natural environment and cultural heritage resources".¹⁸

The Property is located within the community of Copper Cliff which is subject to area specific policies. Concerning Additional Hazard Land Policies "the replacement, expansion or alteration of existing buildings and infilling on existing vacant residential lots may be permitted" in the Copper Cliff area.¹⁹ The Copper Cliff Heritage District has been identified by the OP as a future Community Improvement Plan area but has not yet begun the process.²⁰

¹⁵ Ibid. Section 13.2.

¹⁶ Ibid. Section 13.2.

¹⁷ Ibid. Section 13.3.

¹⁸ Ibid. Section 14.0.

¹⁹ Ibid. Section 20.7.1 Area D.

²⁰ Ibid. Section 15.2.

3.2.2 The City of Greater Sudbury Zoning By-Law 2010-100Z

The Property is zoned as C2 General Commercial Zone under Zoning By-Law 2010-100Z.²¹ Zoning By-Law 2010-100Z does not include requirements for heritage properties. C2 General Commercial permits the following uses:

- Dwelling Units (Any dwelling containing not more than 2 dwelling units, Multiple Dwelling, Private Home Daycare, and Shared Housing)
- Accessory Outdoor Display and Sales
- Business Office,
- Convenience Store
- Day Care Centre
- Financial Institution
- Medical Office
- Parking Lot
- Personal Shopping Service
- Pharmacy
- Professional Office
- Restaurant
- Retail Store²²

3.2.3 Town Centre Community Improvement Plan and Incentive Programs

The Property falls within the Copper Cliff area of the Town Centre Community Improvement Plan and Incentive Programs. If the Property were to be sold, the property owner would be eligible for the following programs which are distributed on an annual basis.

- Tax Increment Equivalent Grant Program;
- Planning and Building Fees Rebate Program (up to \$5000 maximum);
- Feasibility Study Grant (up to \$5000 maximum);
- Facade Improvement Program (50% of estimated cost up to \$15,000 maximum);
- Multi-Residential Interest-Free Loan Program; and,
- Residential Incentive Program (Per door grant).²³

3.2.4 Municipal Policy Context Summary

The City is generally supportive of heritage conservation and the integration of such properties into the community. Most of the OP policies concerning heritage encourage the adaptive reuse and integration of heritage properties to further intensification. The Copper Cliff Heritage District is identified as a future Community Improvement Plan area.

²¹ The City of Greater Sudbury. 2010. *The City of Greater Sudbury Zoning By-Law 2010-100Z*. Accessed at: <https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/#C2>

²² Ibid.

²³ The City of Greater Sudbury. 2020. *Town Centre Community Improvement Plan and Incentive Programs*.

4 HERITAGE DESIGNATION PROCESS

Heritage planning is a form of community planning concerned with heritage conservation. The goal of heritage planning is to guide development towards thoughtful change which brings conservation and development together.²⁴ This goal is supported and informed by provincial and municipal policy documents, including but not limited to, the *Planning Act*, the *OHA*, the *PPS*, and Regional and Lower Tier Official Plans.

Cultural heritage conservation has been traditionally focused on the architectural form of buildings on a property, but this approach has been challenged by research into the value of cultural landscapes, intangible heritage, and the concepts of community value and identity (such as the Nara Document on Authenticity (1994); Burra Charter (1999, revised 2013); and the International Coalition of Sites of Conscience). Changes to this effect has been seen in the 2002 *Government Efficiency Act* and the 2005 revisions to the *Ontario Heritage Act*. Cultural heritage resources are now understood as critical aspect of community identity, sense of place, and contribute to sustainable, resilient, and healthy communities. It has also been recognized over the last 20 years that heritage conservation practice has become more litigious, and there is an increased emphasis on clear and transparent process.

Amendments to the *OHA* have been announced by the Province under Bill 108: *More Homes, More Choices Act*, but have not been proclaimed. Currently, municipal council may choose to protect a property determined to be significant under the *OHA*, even if the designation is appealed to the Conservation Review Board (CRB) as the CRB is an advisory body. After Bill 108 is proclaimed, decisions will be appealable to the Local Planning Appeal Tribunal for adjudication (2019, schedule 11). However, at present, Council's decision is final.

4.1 Steps to Designate a Heritage Property

Designating Heritage Properties (2006) includes a flowchart for designation (see Appendix C), and outlines six steps for designation, which include:

1. Identifying the property as a candidate for designation;
2. Researching and evaluating the property;
3. Serving Notice of Intention to Designate, with an opportunity for objection;
4. Passing and registering the designation bylaw;
5. Listing the property on the municipal register; and
6. Listing on the provincial register.²⁵

It should be noted that the below reflects the current process, and not the changes proposed by Bill 108.

²⁴ Kalman, H. 2014. *Heritage Planning: Principles and Process*. New York, NY: Routledge. p. 5.

²⁵ Ministry of Culture. 2006. *Designating Heritage Properties*. p.7 Accessed at:
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_DHP_Eng.pdf

Table 1: Steps to Designate a Heritage Property

Steps to Designate a Heritage Property
<p style="text-align: center;">Step 1: Identifying the Property</p> <p>Identification can be done through community nomination or through the listing of the property on the Municipal Heritage Register.²⁶ If there is support for designation from the community or municipality the property can then move onto Step 2.</p>
<p style="text-align: center;">Step 2: Researching and Evaluating the Property</p> <p><i>Heritage Property Evaluation</i> (2006) states that “individual properties considered for protection under Part IV, Section 29 of the <i>OHA</i> must undergo a more rigorous evaluation than is required for listing”.²⁷ If the evaluation shows that the property has Cultural Heritage Value or Interest (CHVI), then a SCHVI and a Description of Heritage Attributes may be created.²⁸ The SCHVI explains “the cultural heritage value or interest of the property and a description of the heritage attributes of the property”.²⁹ The SCHVI “should convey why the property is important and merits designation, explaining cultural meanings, associations and connections the property holds for the community.”³⁰</p> <p>The evaluation including research results, SCHVI, and description of heritage attributes is then submitted for review by Council and, if applicable, its Municipal Heritage Committee. Following their review, Council may approve a Notice of Intent to Designate (NOID).³¹</p> <p style="text-align: center;">Step 2.1: City of Greater Sudbury Heritage Act Municipal Ranking System</p> <p>The City of Greater Sudbury has created a <i>Heritage Act Municipal Ranking System</i> to rate the cultural heritage value of a property. The Ranking System is adapted from <i>O. Reg. 9/06</i> and states that:</p> <p style="padding-left: 40px;">Properties that meet 7 to 9 of the above criteria have significant cultural heritage value and are worthy of possible designation under Part 4 of the <i>Ontario Heritage Act</i>. Properties that meet 4 to 6 of the above criteria have moderate cultural heritage value and are worthy of possible listing in the City's register of heritage properties. Properties that meet 1 to 3 of the above criteria have low cultural heritage value and are worthy of possible documenting and recording.³²</p> <p>Council did not adopt this Ranking System, and thus it does not have any formal status. Furthermore, the ranking system is inconsistent with the intent of the <i>OHA</i>, and particularly</p>

²⁶ MHSTCI, 2006 p.8

²⁷ Ibid. p.20

²⁸ Ibid. p. 15.

²⁹ *Ontario Heritage Act* (3) (b). 2005, c. 6, s. 17 (2).

³⁰ MHSTCI, 2006, p. 15.

³¹ There is debate as to the timing for *O. Reg. 9/06* evaluation. The *OHA* states that *O. Reg. 9/06* evaluation is required by the time of designation but not does not state when in the process it is required before that point. However, it is recommended best practice that the property be evaluated using *O. Reg. 9/06* before the NOID and that these findings inform the SCHVI.

³² City of Greater Sudbury Ontario Heritage Act Criteria and Municipal Ranking System.

with the 2020 PPS which states that criteria for determining significance for cultural heritage resources are determined by the Province. O. Reg. 9/06 section (2) states that a property may be designated under Section 29 of the Act if it meets **one** or more of the criteria of O. Reg. 9/06.³³ The issue with the City's ranking system is that it sets an extremely high bar for designation requiring an OHA designation meet at least 7 of the O. Reg. 9/06 criteria. By setting such a high bar, Council is arguably inhibiting its own legislative ability to designate properties. However, it should be noted that meeting any number of the criteria does not require that a municipal council designate the property; this determination and decision still rests with Council.

Step 2.2: Heritage Attributes

The OHA describes heritage attributes as "...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."³⁴

Heritage designation and the accompanying attributes can only apply to real property. Therefore, the relation of a property to the streetscape can be a heritage attribute, but this does not stop development from occurring on other properties on the streetscape. The Conservation Review Board (CRB) has established in hearings "...that a view identified as a heritage attribute must be within the boundary of the protected property" and that the OHA "...does not require nor result in any public right of access or viewing any building or structure on a protected property" as per:

- CRB1003 Township of King – Intention to Designate the Property known as 12605 Keele Street, 17 October 2012, <https://olt.gov.on.ca/wp-content/uploads/2015/03/The-Shift.pdf>
- CRB1109 Township of Muskoka Lakes – Intention to Designate three Properties known as Township Dock at Lake Muskoka; Portage Landing at Moon River; and Shield Parking Lot, in the Town of Bala, 12 March, 2013 <https://olt.gov.on.ca/wp-content/uploads/2015/03/Township-Dock-at-Lake-Muskoka-Portage-Landing-at-Moon-River-Shield-Parking-Lot.pdf>
- CRB1407 Qureshi v. Mississauga (City), 2015 CanLII 99223 (ON CONRB) <http://canlii.ca/t/grwc4>

Step 3: Serving Notice of Intent to Designate

If Council makes the decision to pursue designation, the municipality must issue a NOID to the property owner, the Ontario Heritage Trust, and in a local newspaper. The OHA requires the NOID to include:

- The description of property
- The Statement of Cultural Heritage Value or Interest
- The description of the heritage attributes (not included in the local newspaper notice)

³³ O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest.

³⁴ Ontario Heritage Act (3) (b). 2005, c. 6, s. 1.

- A statement that Notice of Objection to the designation must be filed with the municipality within 30 days of the date of publication of the newspaper notice.³⁵

If no Notice of Objection is filed, designation may proceed. If a Notice of Objection is filed, the matter will be referred to the CRB who will conduct a hearing on the matter. The CRB, which is an advisory body, will then submit a report to the municipality who can choose to pursue designation or retract the intention to designate.

Step 4: Passing and Registering the Heritage Designation By-law

After objections –if any were raised—have been addressed, Council may pass a designating by-law which will be registered on the title of the property. An evaluation under *O. Reg. 9/06* must be completed before designation if not already done so. The by-law will include the SCHVI and the list of heritage attributes. Notice that the by-law has been passed is issued to the property owner, the Ontario Heritage Trust, and in a local newspaper.³⁶

Step 5: Listing the Property on the Municipal Register

Under Part IV, Section 27 of the *OHA*, the property's listing on the Municipal Register must be updated to reflect its designation if it is already on the Register. The Register entry must include:

- a) A legal description of the property;
- b) The name and address of the owner; and
- c) A statement explaining the cultural heritage value or interest of the property and a description/list of the heritage attributes of the property.³⁷

Step 6: Listing on the Provincial Register

Finally, the Ontario Heritage Trust must be notified of all municipal heritage designations and will add the property to the Provincial Register.³⁸

4.2 Heritage Designation Discussion

In terms of applying the above steps, past recommendation reports from the CRB, as well as several court rulings, provide some important insights. While the CRB considers each case individually, the CRB's recommendations must be consistent with the *OHA*. As a result, key issues such as the importance of a comprehensive evaluation system, the importance of contextualizing properties, and municipal obligations to be fair, consistent, and transparent in their designation approach have been considered in the past. These recommendation reports demonstrate that, to be defensible, a determination to designate must satisfy the following:

The property needs to be evaluated against *O. Reg. 9/06* of the *OHA*, and it must be clearly demonstrated that the property meets at least one of the three criteria. The evaluation criteria and methodological approach employed is of particular interest to the CRB. This was clearly articulated in the recommendation report for *Re The Hamilton*

³⁵ MHSTCI, 2006. p.9.

³⁶ Ibid. p. 11.

³⁷ *Ontario Heritage Act* 2005, c. 6, s. 15.

³⁸ MHSTCI, 2006, p.11.

Property (84 High Street East Mississauga, Ontario, 6 July 2006) (CRB). This understanding has been carried forward in many subsequent CRB recommendations, including in *Re 6320 Prince Grove Ave* (9 October 2009) CRB0902. In this instance, the City failed to evaluate the property against an adopted template, although it did use a Parks Canada Evaluation Tool. Any system for evaluating properties must clearly show how a property meets the *O. Reg. 9/06* criteria; it is not intended to rank the property based on the number of criteria met. Furthermore, since 2006, general practice has been to avoid numerical approaches and evaluate against the criteria with a yes or no response. This was further reinforced with the 2020 update to the PPS which states that significance may only be determined based on Provincial criteria.

The designations need to be contextualized. In *Re St. Jochin Church and L'Annonciation Church* (26 and 27 June 2007) (CRB), the Board highlighted the importance of contextualizing properties being designated. In this instance, the objector argued that there were architecturally better examples in the region. In response to this argument, the Board stated:

“The Board agrees that there is an implied methodology within Regulation 9/06 to compare a candidate property to other examples. The purpose is to give some benchmark with which to evaluate the relative merits of the candidate property. However, the Board does not accept that the overall intent is to then select only the best example or a representative sample for protection under section 29 of the Act. As with any comparative methodology, for the results to be valid the sampling must have some commonality of factors and influences, such as within one “community.”

In this instance, the Board recognized that a community may not equate with a municipal boundary by indicating.

“The Board is of the opinion that the methodology implied in Regulation 9/06 involves sampling for comparative purposes and that Regulation 9/06 in itself does not limit comparison to examples within a municipal boundary. The overlay to the Regulation is the Act, which does restrict the jurisdiction of the municipality to protecting properties within its geographic borders. It is the Board's opinion that, in the case of church properties where the meaning of religious “community” crosses municipal jurisdictions and where it can be demonstrated that there is a commonality of factors and influences, a comparative sampling that includes properties outside of the municipal boundary is valid.”

The municipality designating the property needs to undertake due diligence to ensure its processes are consistent with the OHA including that sufficient research was carried out. In terms of general process, municipalities have clear obligations to be fair, consistent, and transparent. The CRB's recommendation report for *Re 185 Beta Street* (19 March 2008) (CRB) reflects this requirement, with its clear statement that:

“It is the Board's position that the ability of a municipality to protect a property within its jurisdiction under s.29 of the *Ontario Heritage Act* brings with it the obligation that the reasons given for this protection be as accurate as possible.”

This requirement was also confirmed in the CRB's recommendation report in *Re David Dunlop Observatory* (19 May 2009) CRB File 2007-12, which stated:

“It has been previously articulated in proceedings before the Board that the municipality has the onus of showing diligence in ensuring that the reasons given

to protect a property under the Act are as well researched and accurate as possible. While this is true of any property, adherence to these principles is arguably even more important when dealing with a special property that holds significance that is recognized far beyond the boundaries of the local community.”

The report for *Re 185 Beta Street*, above, also indicated that it is not sufficient to rely upon past research when the board stated:

“Information from earlier research reports has been carried forward, seemingly without sufficient verification and/or clarification.”

There is also a need to ensure the research methodology is sound. This was reflected in the recommendation report for *Re St. Martin’s Parish Hall* (5 July 2010) CRB0909. In this instance, the municipality’s methodology was found to be lacking. The CRB found:

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

The report also stated that in the absence of a municipally adopted evaluative approach, *O. Reg. 9/06* criteria must be applied. If a property has been determined to meet the criteria of *O. Reg. 9/06*, the *OHA* proscribes the process by which a designation must occur. A flowchart of this designation process has been hereto attached as Appendix C. Ultimately, however, it should be noted that the final evaluation of cultural heritage value or interest and the decision to protect a property remains that of the municipal council.

5 HISTORICAL CONTEXT

5.1 Natural History

Greater Sudbury is located within Northern Ontario, and is defined by lakes, rivers, and dense forests on rugged and rocky terrain.³⁹ As part of the Precambrian Canadian Shield,⁴⁰ Greater Sudbury is located the intersection of the Superior Province, a 2.5 million year old area of bedrock made up of felsic intrusive rocks and the Greenville Province, a 1.0-1.6 billion year old area of bedrock made up of metasedimentary rocks.⁴¹ Greater Sudbury's defining geologic feature is the Sudbury Basin, the result of a 10 km wide meteorite strike 1.8 billion years ago which left a basin measuring 60 km by 30 km containing metals including copper, nickel, and platinum.⁴² Northern Ontario soil is largely composed of peat with high concentrations of minerals.⁴³ Sudbury is in the Lake Huron Drainage Basin. Water in the area generally drains south and west to Lake Huron.

5.2 Plano and Early Shield Culture (6,000 B.C.E. – 4,000 B.C.E.)

The Greater Sudbury area has been inhabited by humans for at least 9,000 years.⁴⁴ Archaeological evidence suggests that the cultural history of northern Ontario began around 6,000 B.C.E. following the retreat of the Wisconsin glacier.⁴⁵ The initial occupants of the province are thought to have been from the Plano/Early Shield Culture, which originated in – what is now – the southern Keewatin District and eastern Manitoba around 6,000 B.C.E.⁴⁶ The Plano/Early Shield Culture had distinctive stone tools and lived as nomadic big-game hunters along the northern shores of the Great Lakes.⁴⁷ There is archaeological evidence of copper mining during this time in the Sheguiandah area for usage in jewelry and weapons.⁴⁸

5.3 Middle Shield Culture (4,000 B.C.E. – 500 B.C.E.)

The Middle Shield Culture, inhabiting what is now a southwestern portion of the Northwest Territories, most of Manitoba, northern Ontario, northern Québec, and Labrador, is identified as an early culture group known on the Canadian Shield.⁴⁹ The Middle Shield Culture moved across the Hudson Bay lowlands as glaciers continued to recede.⁵⁰ Middle Shield Cultures are defined by seasonal migration with dwellings ranging from semi-subterranean structures to temporary camps.⁵¹ There is evidence that Northern Shield Cultures mined copper and silver

³⁹ Ewen, G. 2019. Ontario. Encyclopedia Britannica.

⁴⁰ Baldwin, D.J. B., Desloges, J.R., and Band, L.E. 2000. Chapter 2: Physical Geography in Ontario.

⁴¹ Ewen, G. 2019. Ontario. Encyclopedia Britannica.

⁴² Saarinen, O.W. 2019. Sudbury. The Canadian Encyclopedia.

⁴³ Ewen, G. 2019. Ontario. Encyclopedia Britannica.

⁴⁴ Saarinen, O.W. 2019. and Manitowabi, S. 2020. *Historical and Contemporary Realities: Movement Towards Reconciliation: The Traditional and Cultural Significance of the Lands Encompassing the District of Greater Sudbury and Area*. (Sudbury, ON: Laurentian University).

⁴⁵ Dawson, K.C.A. 1984. *A History of Archaeology in Northern Ontario to 1983*. Ontario Archaeology 42: Table 1.

⁴⁶ Wright, J.V. 1995. *A History of Native People in Canada*. Archaeological Survey of Canada, Paper 152. (Ottawa, ON: Canadian Museum of Civilization). Plano Culture. Chapter 7.

⁴⁷ Dawson, K.C.A. 1984. Table 1.

⁴⁸ Manitowabi, S. 2020.

⁴⁹ Wright, J.V. 1995. Middle Shield Culture. Chapter 16.

⁵⁰ Ibid. Chapter 16.

⁵¹ Ibid. Chapter 16.

from the area for use in jewelry and weapons, and traded with other groups across the continent.⁵² The Cree, Ojibwa, Algonquin, Montagnais, and the Beothuck are all descendants of the Shield culture.⁵³

5.4 Late Western Shield Culture (500 B.C.E. – 900 C.E.)

The Late Western Shield Culture, a descendant of the Middle Shield Culture, inhabited what is now Québec, Northern Ontario, Manitoba and east-central Saskatchewan. This group is defined by the introduction of pottery, bow and arrows, and chipped stone tool assemblages.⁵⁴

Archaeological evidence shows that the Late Western Shield Culture way congregated in large communities along waterways in the winter and spread out across the landscape the rest of the year.⁵⁵

5.5 Anishinabek Nation (900 C.E. – To Present)

Anishinabek peoples from the south began to move north of the Great Lakes and continued expanding northwest. During this time, oral tradition says that Anishinabek cultural groups including the Ojibwe, Algonquin, and Odawa, moved from a large body of water to the shores of the Great Lakes around 1400.⁵⁶ These peoples were hunters, trappers, and fisherman and used birch bark for everything from canoes to portable wigwams.⁵⁷ The Greater Sudbury area is located on the traditional territory of the Atikameksheng Anishinabek First Nation, descendants of the Ojibway, Algonquin and Odawa Nations,⁵⁸ and the Wahnapiatae First Nation, an Ojibway community of the Anishinabek Nation.⁵⁹

5.6 Early Euro-Canadian History – Fur Trade

Europeans from New France, along the St. Lawrence River, began to arrive in Northern Ontario in the 16th century, due to a demand for beaver pelts to supply the Fur Trade.⁶⁰ In response to this demand, the Wendat, Odawa, and Ojibwe peoples developed alliances with French explorers, including Samuel de Champlain, to supply furs from the interior.⁶¹ With this new access, New France expanded to the Great Lakes area.⁶² British competition was occurring at the same time, with the establishment of the Hudson's Bay Company and the Rupert's Land territory claim in 1670.⁶³

⁵² Manitowabi, S. 2020.

⁵³ Wright, J.V. 1995. Late Western Shield Culture. Chapter 25. and Dawson, K.C.A. 1984. Table 1.

⁵⁴ Ibid. Chapter 16.

⁵⁵ Ibid. Chapter 25.

⁵⁶ Sultzman, L. 2000. Ojibwe History.

⁵⁷ Manitowabi, S. 2020.

⁵⁸ Atikameksheng Anishinabek First Nation. 2020. History. Accessed at:

<https://atikamekshenganishnawbek.ca/culture-language/history/>

⁵⁹ Wahnapiatae First Nation. 2020. Community. Accessed at:

<https://www.wahnapiataefirstnation.com/community/>

⁶⁰ Foster, J.E. and Eccles, W.J. 2019. Fur Trade in Canada.

⁶¹ Manitowabi, S. 2020. The Greater Sudbury Area – Atikameksheng Anishnawbek.

⁶² Foster, J.E. and Eccles, W.J. 2019. Fur Trade in Canada.

⁶³ Ray, A.J. 2019. Hudson's Bay Company. [online] Accessed at:

<https://thecanadianencyclopedia.ca/en/article/hudsons-bay-company>

Tensions between the French and the British lead to the Seven Years War (1756-1763).⁶⁴ The Treaty of Paris concluded the Seven Years War and transferred control of New France to Great Britain. Over the following decades the Province of Ontario was established. Territorial boundaries were redrawn following the American Revolution (1776-1783) and the Treaty of Versailles drew a new southern boundary down the centre of the Great Lakes.⁶⁵

5.7 Early Euro-Canadian History – European Immigration and Treaties

By the mid-19th century logging operations had started on the north shore of Lake Huron, and provincial surveyors recorded detailed information about the area's landscape and resources. Immigrant occupation of areas around the Great Lakes and along major rivers in Northern Ontario increased rapidly in the 1840s, as lumber and metals were found in many places.⁶⁶ As immigrants, explorers, and prospectors moved into northern areas encroaching on Indigenous territory tensions arose between Indigenous communities and immigrants.⁶⁷ In response, Indigenous Chiefs demanded a Treaty to define their territory and ensure Indigenous communities benefited from the wealth of the land's resources.⁶⁸

The land that is now the City of Greater Sudbury falls within the Robinson-Huron Treaty which was signed in 1850 between the Crown and twenty-one Anishinabek Indigenous communities along the northern shore of Lake Huron (Figure 3).⁶⁹ The Robinson-Huron Treaty was meant to include exclusive land use for Indigenous communities, hunting and fishing rights, and treaty annuities which would be increased over time although the annuity was not increased past \$4.00 in 1874.⁷⁰ Lands were set aside as reserves for each group although ongoing areas of disagreement regarding units of measure and boundaries, as well as the Crown's disregard for Indigenous people's rights resulted in the treaty not being respected.⁷¹ Following the Robinson-Huron Treaty the area was divided into districts for administrative purposes, first with the Algoma District in 1858.

⁶⁴ Eccles, W.J. 2015. Seven Years War. [online] Accessed at: <https://www.thecanadianencyclopedia.ca/en/article/seven-years-war>

⁶⁵ White, R. 1985. p. 52.

⁶⁶ The Corporation of the City of Greater Sudbury. 2020. History.

⁶⁷ Saarinen, O.W. 2019. Sudbury.

⁶⁸ Anishnabek. 2016. *Robinson-Huron Treaty Rights: 1850 to Today*. p. 3.

⁶⁹ Ibid. p. 6.

⁷⁰ Ibid. p. 6.

⁷¹ Ibid. p. 4-5.



Figure 3: Robinson-Huron Treaty Map. (Source: Atikameksheng Anishnawbek First Nations, 2020).

5.8 Sudbury's Railway and Mining Company Town History

The Town of Sudbury was established as a remote depot and telegraph office for about 3,350 Canadian Pacific Railway (**CPR**) labourers and surveyors as railway surveyors charted the route of the transcontinental railway in 1883 (Figure 4).⁷² As a railway company town, CPR owned large tracts of land (Figure 5).⁷³ Company towns were remote “planned, single-industry communities, where one company has had housing built for its workers, generally by way of an urban project, and has set up various facilities”.⁷⁴ Like other company towns, the Town attracted thousands of workers until the railway was completed in 1884.⁷⁵ By the time railway construction moved on, the Town was home to a few hundred permanent residents. A lumber industry developed to support the railway. In March 1884, the McKim Municipal Township Council was established and governed the Town in cooperation with CPR.⁷⁶

Copper was discovered near Sudbury in 1884.⁷⁷ Entrepreneurs and prospectors moved into the area and a formal townsite was required. The CPR drafted a township plan in a gridiron design around the railway yard in 1886.⁷⁸ The Canadian Copper Company (**CCC**) was established in

⁷² Saarinen, O.W. 2019. and Wallace, C.M. 1993.

⁷³ Wallace, C.M. 1992. p. 16. and Saarinen, O.W. 2019.

⁷⁴ Morisset, L.K. 2017. From Town-Building to Society-Making: Company Towns in Canada. JSSAC | JSÉAC. V.42:1. p. 45.

⁷⁵ Wallace, C.M. 1992. p. 15.

⁷⁶ Wallace, C.M. 1992. p. 18.

⁷⁷ MHSTCI 1972. p. 150-151. and Jewiss, T. 1983. The mining history of the Sudbury area. From *Rocks and Minerals in Canada*, Spring 1983.

⁷⁸ Wallace, C.M. 1992. p. 23.

1886 by Samuel J. Ritchie and quickly became the major land owner of the Sudbury area.⁷⁹ Early settlement was scattered due to a lack of a solid tax base from CPR and CCC, the rocky topography of the area, and the rail lines.⁸⁰

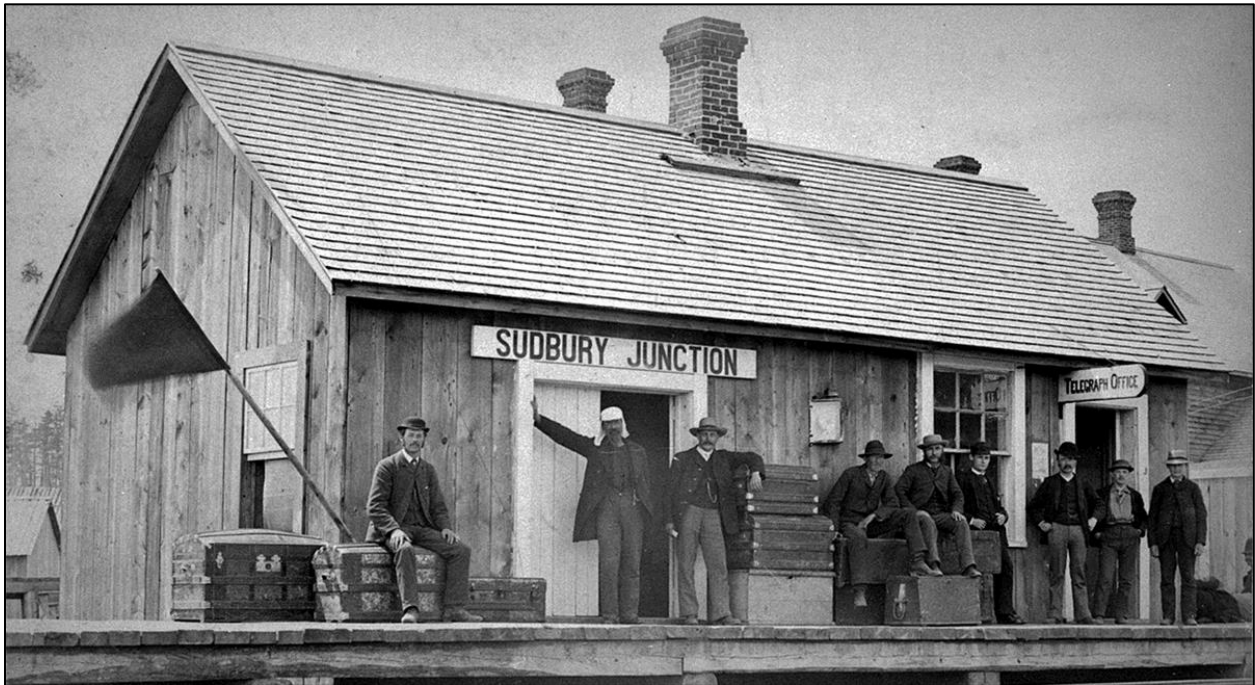


Figure 4: Sudbury Junction in early 1880s (Source: Exporail/CP Collection: A18622; CP, 2020)



Figure 5: View of Sudbury in 1883 (Source: University of Sudbury, 2013).

⁷⁹ ONLAND Sudbury (53), McKim, Book 34.

⁸⁰ Saarinen, O.W. 2019.

5.9 Copper Cliff's Mining Company Town History

The company town of Copper Cliff was created in 1885 when Thomas Frood, discovered the Copper Cliff Mine (Figure 6).⁸¹ The area of Copper Cliff was part of a mining grant from the Crown to John H. Metcalf and William B. McAllister in 1885.⁸² Metcalf and McAllister sold the property to Samuel J. Ritchie in 1886.⁸³ Ritchie – one of the founders of the CCC – sold the property to the company in 1886 (Figure 7).⁸⁴

The CCC laid out the town and established Serpentine Street and the MacIntosh Block as the business district of Copper Cliff. The company leased land to approved business owners and decided what types of business were permitted.⁸⁵ In anticipation of mining operations at Copper Cliff, the CCC built its first boarding house in 1885.⁸⁶ By the end of the 1890s, the population of Copper Cliff grew to over 900 people.⁸⁷ The town had general stores, social clubs, and several boarding houses.⁸⁸ By the end of the 19th century, the CCC built additional smelters to accommodate increased mining activity and a population increase.⁸⁹

In 1902 the community of Copper Cliff incorporated as a town separate from McKim Township.⁹⁰ The incorporation allowed CCC to control how its funds were spent and they were no longer required to pay taxes to the township.

In 1904, electricity was brought to Copper Cliff to operate a new smelter, and in 1905 the first mine was closed after reaching a depth of 1,052 feet and producing 375,000 tons of ore.⁹¹ The Sudbury-Copper Cliff Suburban Electric Railway began operating in 1914 to transport workers and students between Sudbury, the Copper Cliff mines, and downtown Copper Cliff.

Copper Cliff continued to grow through the 1920s booming post-war economy as INCO merged with its main competitor, Mond Nickel Company, and made Copper Cliff the main hub of operations (Figure 8).⁹² However the ensuing depression in the 1930s and INCO's decision to not create worker housing, preferring to keep Copper Cliff residences for executives and upper management, forced many people from Copper Cliff to move to Sudbury to search for work.⁹³ The Sudbury-Copper Cliff Suburban Electric Railway was replaced by buses in the 1950s.⁹⁴

⁸¹ Copper Cliff Museum. 1982. *A Bit of the Cliff: A Brief History of the Town of Copper Cliff, Ontario 1901-1972*. Copper Cliff, ON: Copper Cliff Museum.

⁸² ONLAND Sudbury (53), McKim, Book 34.

⁸³ Ibid. Instrument Number 6.

⁸⁴ ONLAND Sudbury (53), McKim, Book 34. Instrument Number 6 and Number 7.

⁸⁵ Goltz, E. 1990. A Corporate View of Housing and Community in a Company Town: Copper Cliff, 1886-1920. Ontario History I. Volume LXXXII, Number I.

⁸⁶ Ibid.

⁸⁷ INCO Triangle. 1945. First House in Cliff Built 60 Years Ago. *INCO Triangle* 4(11) p4.

⁸⁸ Copper Cliff Notes. 2020. Other clubs.

⁸⁹ Beavis, M.A., 1991. Municipal Development in Northeastern Ontario: Copper Cliff and Sudbury. Occasional Paper No. 26. Institute of Urban Studies, University of Winnipeg. p5

⁹⁰ Ibid. p. 6.

⁹¹ Copper Cliff Museum. The Beginnings of Copper Cliff. *Virtual Museum*.

⁹² Beavis, M.A., 1991. Municipal Development in Northeastern Ontario: Copper Cliff and Sudbury. Occasional Paper No. 26. Institute of Urban Studies, University of Winnipeg. p9

⁹³ Ibid. p. 6

⁹⁴ Copper Cliff Museum. 1982. *A Bit of the Cliff*. p. 14.

5.10 The City of Greater Sudbury Amalgamation

The Sudbury area consolidated in 1960 with the amalgamation of Sudbury, McKim Township, and the west half of Neelon Township.⁹⁵ The 1970s were a time of transformation in Sudbury and Copper Cliff as the area grappled with unchecked sprawl and pollution from logging and mining.⁹⁶ In response, a Regional government was established in 1973 which included Sudbury and six area municipalities including Copper Cliff.⁹⁷ As a region, the government was able to guide development and require taxes from the mining industries for the first time.⁹⁸ Greater Sudbury faced a declining population in the 1970s as new technology affected the types of mining jobs available.⁹⁹ In response, the region worked to diversify the local economy including, wholesale distribution, an airport, and universities.¹⁰⁰ The City of Greater Sudbury and its mines have been part of the Province's *Mineral Development Strategy* since 2015 which has the goal to increase engagement with Ingenious communities and workforces.¹⁰¹



Figure 6: Bird's Eye View of Copper Cliff (Source: Copper Cliff Museum)

⁹⁵ Bourque, Fern. 2014. *We Have a Working Fire*. p. 155.

⁹⁶ Copper Cliff Museum. 1982. *A Bit of the Cliff*. p. 63.

⁹⁷ Buse, D.K. 1993. "The 1970s" in *Sudbury: Rail Town to Regional Capital*.

⁹⁸ Saarinen, O.W. 2019.

⁹⁹ Saarinen, O.W. 1990. p. 66.

¹⁰⁰ Ibid. p. 66-68.

¹⁰¹ Government of Ontario. 2015. *Ontario's Mineral Development Strategy*. Accessed at: https://www.mndm.gov.on.ca/sites/default/files/mndm_mds_english_2015.pdf



Figure 7: Image taken at the opening of Copper Cliff Mine, 1886 (Source: Copper Cliff Museum).



Figure 8: Photo of Copper Cliff in 1912, Granite Street (Source: Copper Cliff Museum).

5.11 Copper Cliff Fire Hall History and Morphology

The Property is located on part of the 160-acre mining grant from the Crown to John H. Metcalf and William B. McAllister in 1885 (Figure 9).¹⁰²

After Copper Cliff incorporated as a town in 1902, the CCC assistant general manager, A.P. Turner, stated that the incorporation would allow townspeople to "...do something toward fire protection".¹⁰³ Until this point McKim Township had reportedly done little to protect the Town from fire damage. Most of the buildings in Copper Cliff were built from wood at the time, leading to unpredictable and destructive fires that ravaged the community.¹⁰⁴

Fire brigades had existed in Upper Canada since an 1826 Act of Parliament which allowed for volunteer fire brigades in exchange for exemption from military duty, jury duty, and parish duties.¹⁰⁵ The Copper Cliff fire brigade was formed in 1902 under the supervision of the Fire and Light Committee, following the purchase of a fire engine from the Canadian Fire Engine Corporation (Figure 10).¹⁰⁶ The first Chief of the Fire Brigade was J. Duggan and the first Chief Engineer was George Craig.¹⁰⁷ Their team of volunteers numbered 35 to 40 and went by the slogan "Ever Ready".¹⁰⁸ Herbert Barlow became Chief in 1903. Joseph Graham and Cecil Acton became Chief and Chief Engineer in 1906.¹⁰⁹

Copper Cliff's fire brigade was always composed of CCC miners. The horses working at the smelter yard were used to pull the fire wagon.¹¹⁰ As the Town continued to grow there became a clear need for an established fire hall in Copper Cliff.

At a Special Meeting in October 1909, the Town of Copper Cliff Council agreed to:

"...supply Plans and Specifications to the Canadian Copper Co, for a building to be used as a fire hall, and Council Chambers and for other Corporation purposes, requesting the Company to construct same, and that the Corporation pay to the Company the cost of the building with interest in five equal annual installments out of the current revenues of the Town and that the Mayor and Councillors Silvester and McDonald be a special committee to carry out the above intention."¹¹¹

¹⁰² ONLAND Sudbury (53), McKim, Book 34.

¹⁰³ Goltz, E. 1990. p. 40.

¹⁰⁴ Fire Museum Canada. n.d. The First Europeans Arrive.

¹⁰⁵ Fire Museum Canada. n.d. The Development Of Fire Fighting Machinery.

¹⁰⁶ City of Greater Sudbury Heritage Museums Collection, CC0239EN. and City of Greater Sudbury Archives. n.d. Town of Copper Cliff Minutes: January 13, 1902 to July 9, 1915. Accessed at: [https://www.archeion.ca/uploads/r/city-of-greater-sudbury-archives/9/f/b/9fb3eaa3e1d9816bdee3d7101f61c427379726fb515c52b82f4d195639126aac/Typed Transcript of the Town of Copper Cliff Minutes 1902-1915.pdf](https://www.archeion.ca/uploads/r/city-of-greater-sudbury-archives/9/f/b/9fb3eaa3e1d9816bdee3d7101f61c427379726fb515c52b82f4d195639126aac/Typed_Transcript_of_the_Town_of_Copper_Cliff_Minutes_1902-1915.pdf)

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Copper Cliff Notes. n.d. Serpentine Street. Accessed at: <https://www.coppercliffnotes.com/serpentine-street.html>

¹¹¹ City of Greater Sudbury Archives. n.d. Town of Copper Cliff Minutes.

The Fire Hall was built in 1910 and doubled as a municipal building until 1913 when the fire brigade expanded to accommodate six sleeping spaces, a team of horses, and a chemical engine (Figure 11 and Figure 12).¹¹²

By 1944, the Fire Hall served both the Town of Copper Cliff and the mine, with procedures for fire calls assigned to different brigades.¹¹³ In the 1940s the Fire Hall was connected by phone to alarm lines and held an engine able to pump 600 gallons-per-minute (Figure 13).¹¹⁴ The Copper Cliff Fire Hall connected to the community through events including INCO's annual Fire Brigade Contest, the Fireman's Ball, and student tours¹¹⁵ and served as a community space gathering place (Figure 14). The "Fire Hall Forum" as it was known was featured in a 1948 edition of the INCO Triangle where they wrote:

"Along about mail-time in the morning you're sure to find a group of Inco pensioners gathered in the neighbourly atmosphere of the Fire Hall at Copper Cliff to swap yarns, chat over old times, or enjoy the daily duel between Tommy Urwin and George Hudson."¹¹⁶

The hose drying tower underwent repairs in 1955 (Figure 15) and is illustrated on the 1957 Fire Insurance Plan (Figure 16).¹¹⁷ The Copper Cliff Fire Hall became Station Number 8 in 1960 following the amalgamation of Sudbury, McKim Township, and the west half of Neelon Township.¹¹⁸ Copper Cliff's Fire Hall was led from 1942 to 1974 by Chief Fred Savage and was followed by Chief Fred Mansfield.

Change came to the Fire Hall in 1973, following the amalgamation of Greater Sudbury and the creation of a Regional Fire Coordinator.¹¹⁹ Copper Cliff fire brigades continued to be the first responders to all fires in the new Ward #2. The hose tower was removed sometime between 1957 and 1975 as a hose tower is no longer seen in a 1975 aerial photo (Figure 17).

INCO began to phase out their volunteer fire brigades in 1986, distributing equipment and locations to the Sudbury fire department.¹²⁰ The Copper Cliff Fire Hall would move to Godfrey Drive in 1993 and INCO donated the Property to the Region in 1995.¹²¹ Money for renovations was raised by the Copper Cliff Citizen's Police Advisory Committee and the building was used as a police store front and public meeting place until 2014 when it was vacated.¹²² The Property was declared surplus to the City's needs and placed for sale on 25 November 2019.¹²³

¹¹² City of Greater Sudbury Archives. n.d. Town of Copper Cliff Minutes.

¹¹³ Bourque, Fern. 2014. *We Have a Working Fire*. p. 147.

¹¹⁴ INCO Triangle, 1944, p. 5. and Bourque, Fern. 2014. *We Have a Working Fire*. p. 147.

¹¹⁵ INCO Triangle, 1964, p.11. and INCO Triangle, 1965, p. 19. and INCO Triangle, 1978, p. p.27. and INCO Triangle, 1970, p. 7.

¹¹⁶ INCO Triangle, 1948, p. 8.

¹¹⁷ INCO Triangle, 1974.

¹¹⁸ Bourque, Fern. 2014. *We Have a Working Fire*. p. 155.

¹¹⁹ Ibid. p. 186.

¹²⁰ Ibid. p. 211.

¹²¹ The City of Greater Sudbury. 2019. *7 Serpentine Street, Copper Cliff-Declaration of Surplus Property*.

¹²² Ibid.

¹²³ Ibid.

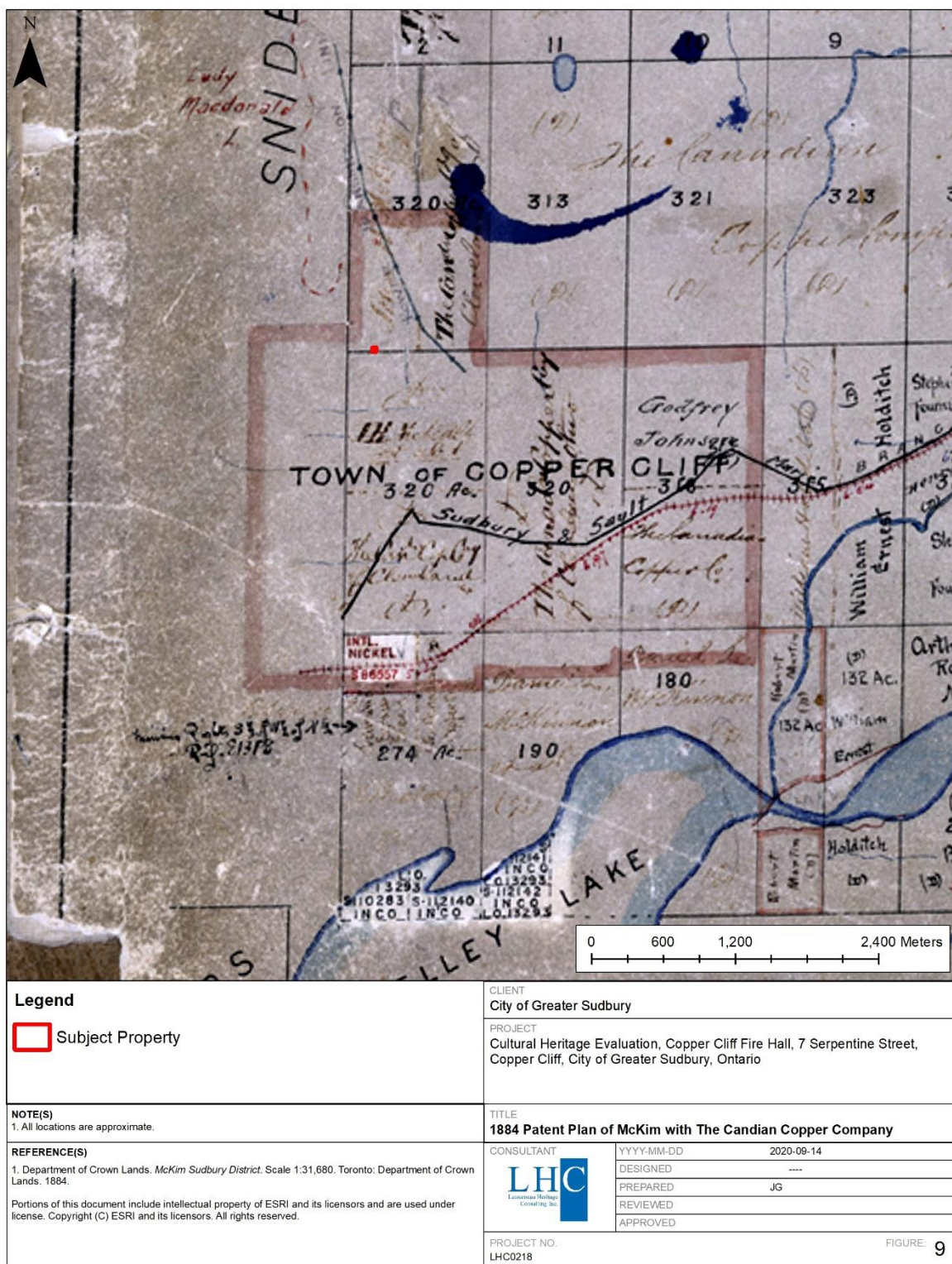


Figure 9: Cropped view of the 1884 Patent Plan of McKim with The Canadian Copper Company. (Source: Archives of Ontario, RG 1-100-0-0-1509. Annotations by LHC.).



Figure 10: The Copper Cliff fire brigade on Serpentine Street in 1902. (Source: City of Greater Sudbury Heritage Museums Collection, CC0239EN).



Figure 11: View facing west along Serpentine Street in 1913 with the Fire hall tower (left side of image, Source: City of Greater Sudbury Heritage Museums Collection, CC0117EN).



Figure 12: View east along Serpentine Street in the early 20th century with the Fire hall tower (right side of image). Source: City of Greater Sudbury Heritage Museums Collection, CC0055EN).



Figure 13: Firehall and Serpentine Street in the 1940s. (Source: City of Greater Sudbury Heritage Museums Collection, MK4472EN).

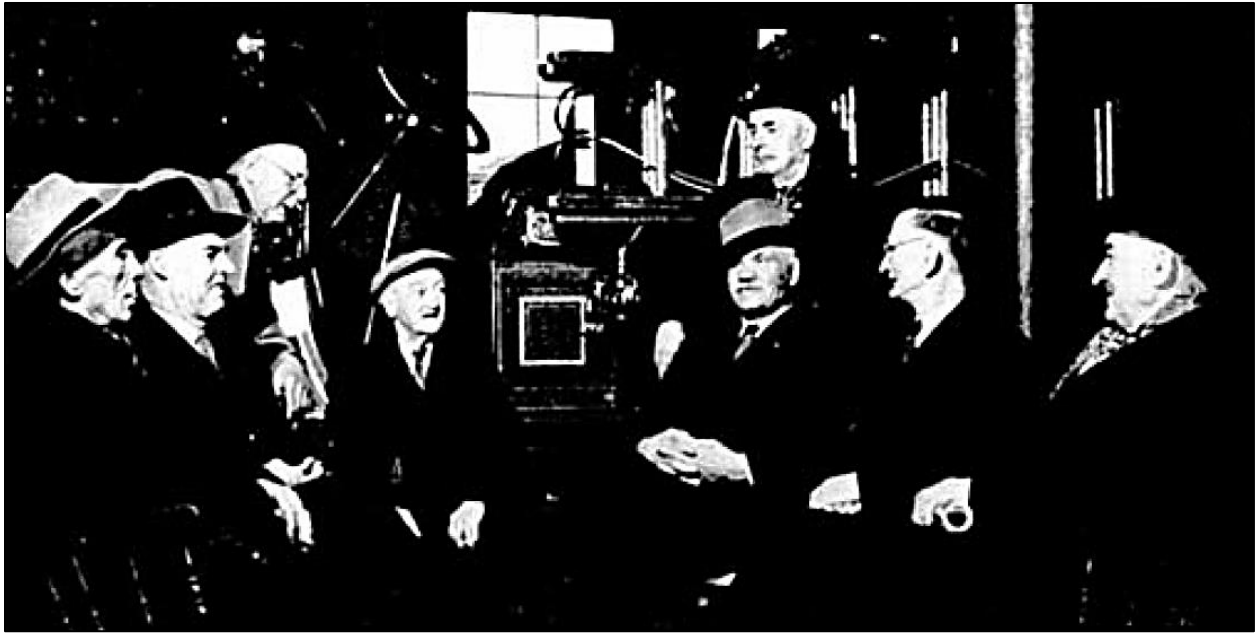


Figure 14: Group of INCO pensioners gathered in the Fire Hall (Source: INCO Triangle, 1948, p. 8).

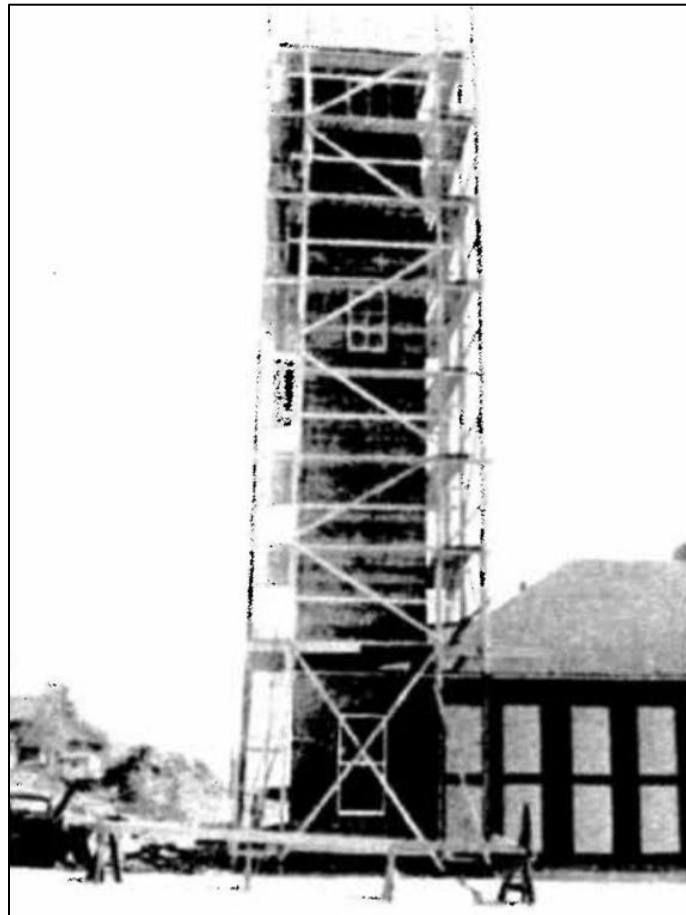


Figure 15: The Fire Hall hose tower "...undergoing a well-earned face-lifting after 44 years of uncomplaining service" in 1955 (Source: INCO Triangle, 1955).

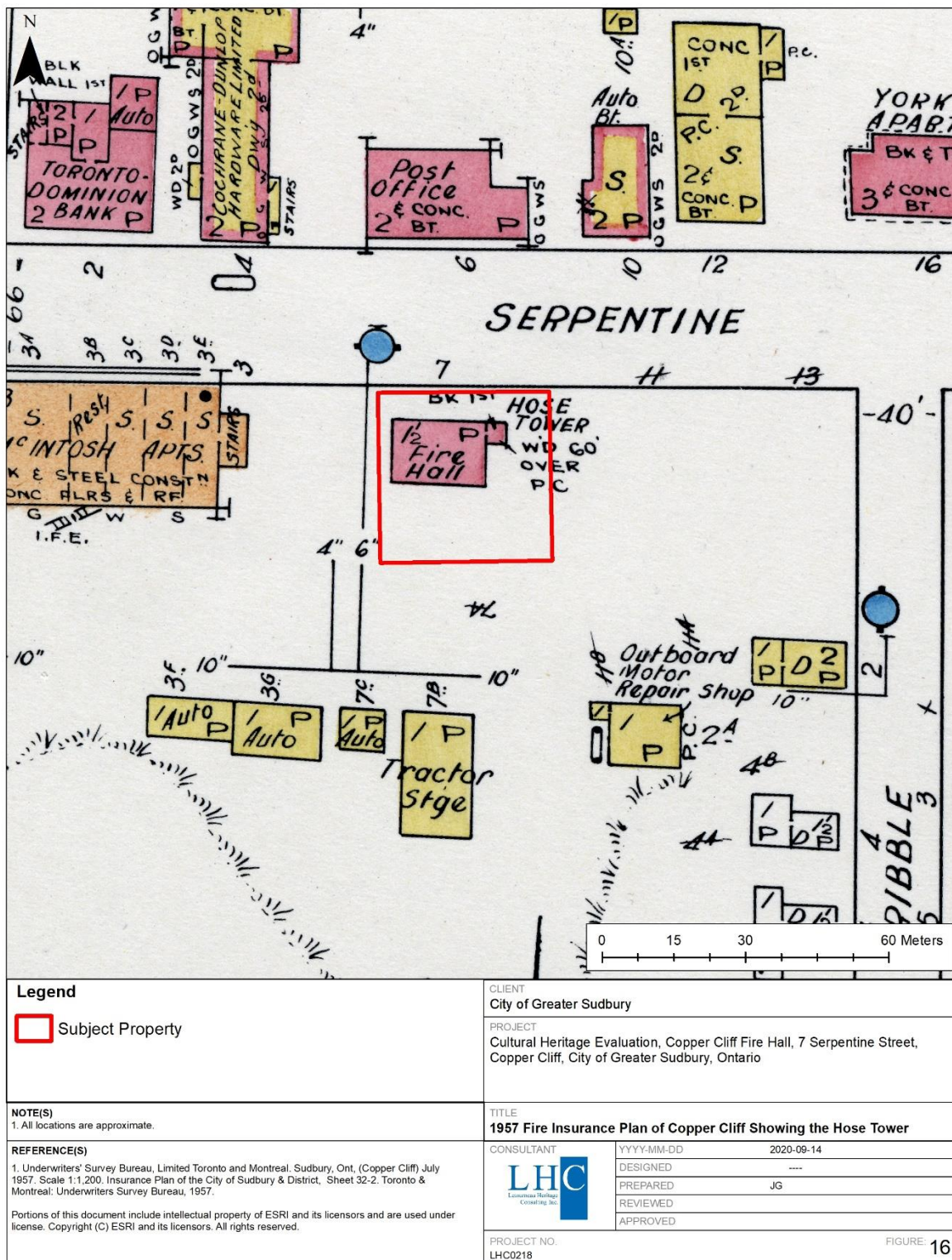


Figure 16: 1957 Fire Insurance Plan of Copper Cliff showing the hose tower (Source: The City of Greater Sudbury).



Figure 17: 1975 aerial photo showing that the hose tower is no longer present (Source: City of Greater Sudbury)

6 PROPERTY CONTEXT

6.1 Property Description

7 Serpentine Street is in Lot 12, Concession 2 in the geographic McKim Township, Plan M1024 and Lot 79 PCL 40945. The lot is approximately square with each side approximately 38 metres long.

6.2 Existing Conditions

6.2.1 Surrounding Context

7 Serpentine Street is in the community known as Copper Cliff in the western end of Sudbury. It is in Ward 2 of the City of Greater Sudbury. The Property is backed by parking lots and a rock outcrop covered in deciduous and coniferous trees. The Property is on the south side of the street approximately halfway between Godfrey Drive –to the west—and Gribble Street –to the east. Serpentine Street is in the historic centre of Copper Cliff (Figure 18 to Figure 20).

Serpentine Street is observed to generally include small-scale commercial land uses surrounded by residential areas (Figure 21). The INCO Superstack and Vale Canada Limited mining operations can be seen from the Property (Figure 22). There are no adjacent heritage properties and the area is indicated by the OP as a potential Copper Cliff Heritage District.



Figure 18: Serpentine Street facing west. The former hospital is at the end of the street with a green roof. (Source: ML, 2020).



Figure 19: Serpentine Street facing east. The INCO Superstack is a prominent part of the view (Source: CY, 2020).



Figure 20: View of the southern side of the Fire Hall and Guest House from Godfrey Drive (Source: CY, 2020).



Figure 21: Residential land use at the corner of Park Street and Oliver Street north-west of the Property (Source: CY, 2020).



Figure 22: Residential land use, Vale Canada Limited mining operations, and INCO Superstack east of the Property (Source: CY, 2020).

6.2.2 7 Serpentine Street Exterior

The Fire Hall is located at the north-west corner of the Property and covers the northern half of the lot. A driveway runs along the eastern edge of the Fire Hall and a small parking lot is located immediately south. A section of grass covers the south-west corner of the lot.

The Fire Hall is a detached one-and-a-half-storey brick and concrete building. The structure is approximately 19.8 metres by 6.1 metres. The building is in an L-shaped layout with a lowered western elevation with a composite foundation composed of concrete, stone, and brick covered in parging (Figure 23 and Figure 24). The upper two-thirds of the building have been painted red over smooth stretcher-bond brick, while the bottom third is painted yellow over rusticated concrete blocks.

The building has a shingled hip roof with a vinyl covered soffits and overhanging eaves. The building has a central single stacked brick chimney (Figure 25). The entrance is on the north side. The north elevation has a large false bay door and the real entrance is located via interlocking brick stairs or ramp. The rear (south elevation) has a similar composition (Figure 26). The two bay doors are largely decorative and do not function as entrances or exits and are infilled walls from the interior. An interlocking stone garden planter box is found along the western half of the northern side and includes an information sign about the Fire Hall's history (Figure 26).

Two windows on the east side of the building have been sealed with brick (Figure 28). Three segmental arch 2/2 pane vinyl windows with brick voussoirs are on the northern side and one is on the southern side (Figure 29).

Doors on both north and south sides match. The top of the door opening is a brick voussoirs segmental arch. A curved transom window opening is above the door. (Figure 30). The northern main entrance door includes a centre single pane window. A third undecorated entrance is located at the western end of the south elevation at the base of the back stairs.



Figure 23: Exterior of the Fire Hall (Source: ML, 2020).



Figure 24: Exposed concrete rubble foundations covered in parging on the northwest corner (Source: ML, 2020).



Figure 25: South elevation showing the back entrance and decommissioned hose tower (Source: CY, 2020).



Figure 26: Southern elevation showing the back entrance (Source: ML, 2020).



Figure 27: Front entrance and planter with information sign (Source: ML, 2020).



Figure 28: East elevation showing the two sealed windows and the base of the decommissioned hose tower (Source: ML, 2020).



Figure 29: Detail of the northern elevation windows with brick voussoirs (Source: ML, 2020).

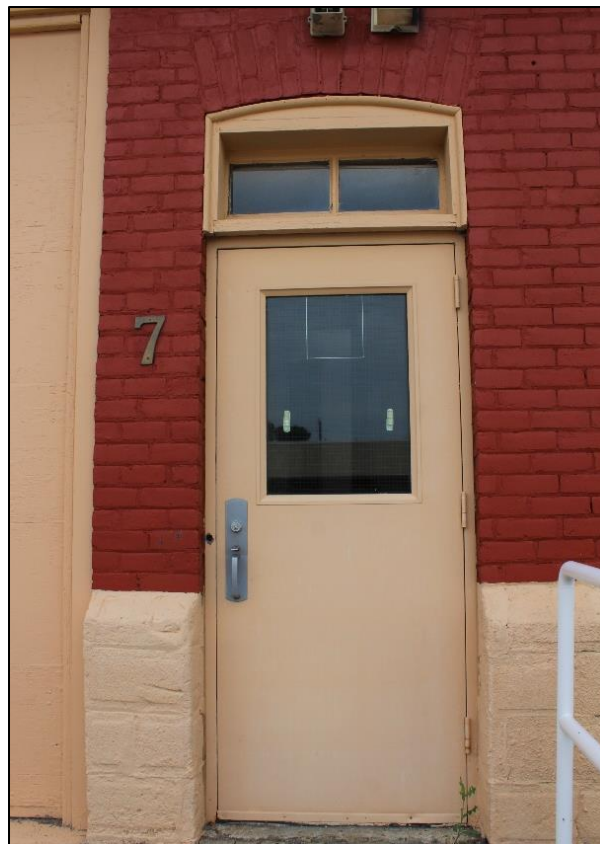


Figure 30: Front entrance on northern elevation with shaped transom window openings (Source: ML, 2020).

6.2.3 7 Serpentine Street Interior

The main access to the interior of the building is through the entrance on the north elevation, facing Serpentine Street. A foyer space inside the main door divides the building into two sections. There is a small room west of the foyer (Figure 31) and a large open space set up as a dining hall east of the foyer. (Figure 32) The eastern room was the fire engine garage but the imitation large bay doors are decorative and are infill walls. Walls are clad in painted drywall. The ceilings are painted drywall. The floor is a painted concrete slab. Most of the current interior is the result of modern renovations.

Basement access is located at the back of the building. Access is by a wooden staircase with open railings (Figure 33). There are four rooms in the basement. The basement rooms are largely empty (Figure 34). The floor and foundation walls are composed of a variety of materials, including concrete, stone, and brick. The north wall is leaning inwards towards the staircase (Figure 35). Wood posts support the north wall. The main construction material of the interior basement walls is white painted, red brick (Figure 36). The basement ceiling is exposed milled wood rafters and subfloor. The ceiling space supports the building's plumbing (Figure 37).



Figure 31: Western room (Source: ML, 2020).



Figure 32: Eastern room, dining hall (Source: CY, 2020).

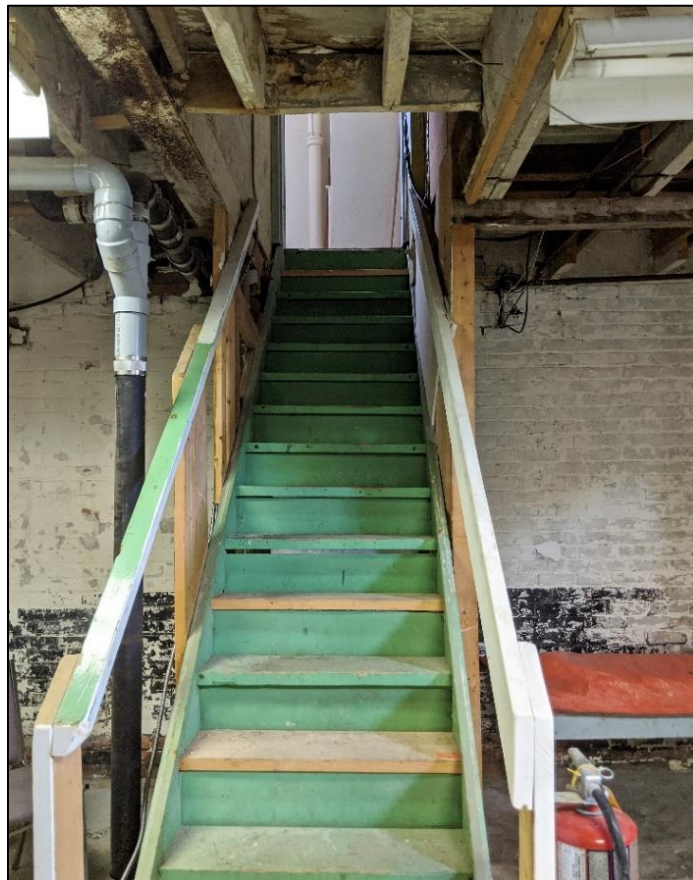


Figure 33: Basement staircase (Source: CY 2020).



Figure 34: Main room located in the basement (Source: CY, 2020).



Figure 35: Deflection of north wall (Source: ML 2020).



Figure 36: View of basement (Source: CY 2020).



Figure 37: View of ceiling detail from the basement (Source: CY 2020).

7 EVALUATION

The Property was evaluated using *O. Reg. 9/06* under the *OHA*.

Table 2: *O. Reg. 9/06 Evaluation*

Criteria	Criteria Met	Justification
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	Built in 1910, the Property is a rare and representative example of an early 20 th century fire hall for Sudbury and Northern Ontario. The Property is the only existing early 1900s fire hall in the Sudbury area (Appendix D). The next oldest fire hall in the City dates from the 1950s. The only other fire hall in Northern Ontario designated under Section 29 Part IV of the <i>OHA</i> is the Former Court Street Fire Hall in Thunder Bay, built in 1906.
ii. displays a high degree of craftsmanship or artistic merit, or	N	The Property does not display a high degree of craftsmanship or artistic merit. As stated in the 1909 McKim Township minutes, the township was to "...supply Plans and Specifications to the Canadian Copper Co, for a building to be used as a fire hall, and Council Chambers and for other Corporation purposes". The provenance of these plans cannot be determined. The design is typical of fire halls from the time throughout Northern Ontario (see Appendix D). It was a simple, modest building. The design of the building, decorative features in the window and door openings, and variety of materials chosen for its construction were common at the time and within the skill of average contractors.
iii. demonstrates a high degree of technical or scientific achievement.	N	The Property does not demonstrate a high degree of technical or scientific achievement. The building on the Property appears to be a common type, built from common materials, and employing well known construction methods.
The property has historical or associative value because it,		
i. has direct associations with a theme, event, belief,	Y	The Property has direct associations with municipal governance in Copper Cliff, serving as municipal office, fire hall, and police store front.

person, activity, organization or institution that is significant to a community,		<p>Built in 1910, the Property was one of the earliest municipal buildings in Copper Cliff – which was founded in 1902. The building served the community for 104 years.</p> <p>The Property also has direct connections to The Canadian Copper Company, INCO, and Copper Cliff's mining history. The fire hall was staffed by volunteer miners. However, Copper Cliff was a company town for The Canadian Copper Company and INCO and most of the community was connected to the mining companies. This association not unique in the community.</p>
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	N	<p>Based on historical research and analysis the Property does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture.</p> <p>The building on the Property is constructed using common materials in a common design. Fire halls and the important community connection between mining communities, company towns and municipal institutions—such as fire departments—are well documented.</p>
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	N	<p>As stated in the 1909 McKim Township minutes, the township was to "...supply Plans and Specifications to the Canadian Copper Co, for a building to be used as a fire hall, and Council Chambers and for other Corporation purposes".</p> <p>The provenance of the plans cannot be determined therefore the Property is not known to be associated with an artist, builder, designer or theorist who is significant to a community. The Property is not unique in comparison with other Northern Ontario fire halls (see Appendix D).</p>
The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	Y	<p>The Property is important in maintaining and supporting the character of the Copper Cliff Serpentine streetscape and McIntosh Block of buildings.</p> <p>The Canadian Copper Company set aside Serpentine Street and the McIntosh Block as the business district of Copper Cliff. The company</p>

		planned this Property in a central location for emergency response use. The exterior features of the Property along with other buildings on the street have changed little from past decades as seen in 1913 (Figure 11), 1940 (Figure 13), and present day (Figure 18) images of Serpentine Street.
ii. is physically, functionally, visually, or historically linked to its surroundings, or	Y	<p>The Property is historically and visually linked to its surroundings as a part of the Copper Cliff Serpentine streetscape and McIntosh Block.</p> <p>The Property is historically linked to its surroundings as an early Copper Cliff institutional building in the centre of the business district and a community space. As a company town fire hall run by mine volunteers, the Property maintains and supports the valuable mining history of Copper Cliff as supported by <i>A Topical Organization of Ontario History</i> which describes the Sudbury area mining history as of "...crucial importance to the development of mining in Ontario and generated diversified enterprises which had a major impact on the social and economic life of the province".¹²⁴</p> <p>The Property is visually linked to its surroundings as part of the Serpentine streetscape. The streetscape has been altered over time, but the Fire Hall and surrounding buildings continue to frame the terminal vista of Serpentine Street from the top of the hill. The view remains recognizable from 1913 (Figure 11), 1940 (Figure 13), and present day (Figure 18).</p>
iii. is a landmark.	N	The Property is not currently a landmark as per the MHSTCI's definition of landmark "as a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous." ¹²⁵

¹²⁴ Ontario Ministry of Natural Resources. 1973. *A Topical Organization of Ontario History*. Historical Sites Branch, Division of Parks.

¹²⁵ MHSTCI. 2014: 17.

		While the Property was an institutional landmark in the past, however this value is diminished due to the removal of the tower. Landmark value of the Property is less visible next to other landmark structures including the hospital (retirement home), post office, and smokestack, which all remain active institutional properties currently used as landmarks.
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7.1 Summary of Evaluation

It LHC's professional opinion, that 7 Serpentine Street has physical / design, historical / associative, and contextual values. It meets four criteria of *O. Reg. 9/06* including; criteria 1i, 2i, 3i, and 3ii. The Property is eligible for designation under Section 29, Part IV of the *OHA*.

8 PROPOSED STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

8.1 Legal Description and Civic Address

- Lot 79, Plan M-1025, Lot 12, Concession 2, Township of McKim
- 7 Serpentine Street, City of Greater Sudbury, Ontario, Canada

8.2 Description of Property

7 Serpentine Street is in Lot 12, Concession 2 in the geographic McKim Township, Plan M1024 and Lot 79 PCL 40945. The lot is approximately square with each side approximately 38 metres long. The Fire Hall is located at the north-west corner of the Property and covers the northern half of the lot. A driveway runs along the eastern edge of the Fire Hall and a small parking lot is located immediately south.

8.3 Summary of Cultural Heritage Value or Interest

The Property has cultural heritage value or interest for its physical/design, historical/associative, and contextual values.

The Property has design value or physical value because is a rare, unique, representative or early example of a style, type, expression, material, or construction method. Built in 1910, the Property is a rare and representative example of an early 20th century fire hall for Sudbury and Northern Ontario. The Property is the only existing early 1900s fire hall in the Sudbury area.

The Property has historical or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. The Property has direct associations with municipal governance in Copper Cliff, serving as municipal office, fire hall, and police store front. Built in 1910, the Property was one of the earliest municipal buildings in Copper Cliff –which was founded in 1902. The building served the community for 104 years.

The Property has contextual value because it is important in defining, maintaining or supporting the character of an area. The Property is important in maintaining and supporting the character of the Copper Cliff Serpentine streetscape and McIntosh Block of buildings. The Canadian Copper Company set aside Serpentine Street and the McIntosh Block as the business district of Copper Cliff. The company planned this Property in a central location for emergency response use.

The Property also has contextual value because it is physically, functionally, visually, or historically linked to its surroundings. The Property is historically and visually linked to its surroundings as a part of the Copper Cliff Serpentine streetscape and McIntosh Block. The Property is historically linked to its surroundings as an early Copper Cliff institutional building in the centre of the business district and a community space. As a company town fire hall run by mine volunteers, the Property maintains and supports the valuable mining history of Copper Cliff as supported by *A Topical Organization of Ontario History* which describes the Sudbury area mining history as of “...crucial importance to the development of mining in Ontario and generated diversified enterprises which had a major impact on the social and economic life of

the province”.¹²⁶ The Property is visually linked to its surroundings as part of the Serpentine streetscape. The streetscape has been altered over time, but the Fire Hall and surrounding buildings continue to frame the terminal vista of Serpentine Street from the top of the hill.

8.4 Heritage Attributes

- The main building, the former fire hall, including its:
 - Remaining tower base
 - One-and-a-half storey form, scale, and massing
 - Hip roof
 - Painted red smooth stretcher-bond brick
 - Painted yellow rusticated concrete blocks.
 - The existing relationship of voids to solids on the elevations, including the infilled location of the large sealed garage doors on the north and south elevation that continue to read as functional doors.
 - Segmental arched window openings on the north and south elevation
 - Brick voussoirs above windows and doors
 - Transom windows above the doors on the north and south elevations
 - The existing setback from Serpentine Street

¹²⁶ Ontario Ministry of Natural Resources. 1973. *A Topical Organization of Ontario History*. Historical Sites Branch, Division of Parks. p.17.

9 PHYSICAL CONDITION

A *Structural Condition Evaluation* was completed for the Property when it was a police store front on 5 May 2016 by A2S Consulting Engineers. According to A2S Consulting Engineers:

The Copper Cliff Police Store Front is generally in weathered condition, commensurate with its age. There is evidence of significant water infiltration within the basement contributing to deterioration of exterior foundation walls.

Temporary shoring has been installed in numerous locations to help support the deteriorating structure. The extent of deterioration and damage in the basement walls of the north half of the building warrants replacement. The remaining portion of the foundation perimeter could likely be patch repaired and crack injected. The entire building perimeter foundation walls should be waterproofed and perimeter drainage improved as part of the repairs.

Above-grade the building and roof structure are generally in fair condition and can be rehabilitated with relatively minimal repair work and maintenance; however, there are some concerns related to the exterior brick masonry that require immediate attention since they could present a hazard to people on the exterior of the building.

The building should remain unoccupied until the recommended repairs are completed to reinstate the structural integrity of the building for safe use and occupancy. It includes building envelope repairs necessary to address leakage and humidity concerns that are contributing to the ongoing deterioration of structural building components.¹²⁷

The *Structural Condition Evaluation* recommended the immediate repair of loose bricks in the arch lintels and chimney due to safety concerns.¹²⁸ Further structural repairs were also recommended for access and mobility, exterior and interior brickwork repairs, main floor framing reinforcement, and the reconstruction of the north foundation wall.¹²⁹

¹²⁷ A2S Consulting Engineers. 2016. *Structural Condition Evaluation of Copper Cliff Police Store Front 7 Serpentine Street Copper Cliff, Ontario*. p. 3.

¹²⁸ Ibid. Appendix B.

¹²⁹ Ibid. Appendix B.

10 CONCLUSION

Based upon the research, existing conditions and evaluation LHC finds that 7 Serpentine Street meets four of the criteria for designation under *O. Reg. 9/06*. As such, it is eligible for designation under Section 29, Part IV of the Ontario Heritage Act.

SIGNATURES



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APPENDIX A: QUALIFICATIONS

Marcus R. Létourneau, PhD, Dipl(PACS), MCIP, RPP, CAHP – Managing Principal, Senior Heritage Planner

Marcus R. Létourneau is the Managing Principal and Senior Heritage Planner for Letourneau Heritage Consulting Inc., an Ontario-based heritage consultancy established in 2015. He is also a Senior Associate with Bray Heritage; an Adjunct Assistant Professor in the Department of Geography and Planning at Queen's University; and, both an Adjunct Assistant Professor and Contributing Associate for the Heritage Resources Centre at the University of Waterloo (where he teaches heritage planning). He co-teaches heritage planning at the Willowbank School of Restoration Arts, co-teaches the facilities management course for historic house museums for the Ontario Museum Association, and teaches a course called "*Heritage Planning for Practitioners*" at Algonquin College.

Marcus currently serves on the Board of Directors of the Friends of the Rideau, on the Board of Directors for the Heritage Resources Centre at the University of Waterloo, and as Vice-Chair for the Township of Leeds and the Thousand Islands Municipal Heritage Committee. He is a professional member of the Canadian Institute of Planners (MCIP), a Registered Professional Planner (RPP) and a full Canadian Association of Heritage Professionals (CAHP) member.

Marcus was previously the Manager for the Sustainability and Heritage Management Discipline Team (Ottawa/Kingston) and a Senior Cultural Heritage Specialist for Golder Associates Limited (2011-2015). His other positions included: serving as a contract professor at Carleton University in both the Department of Geography and Environmental Studies and School of Canadian Studies (Heritage Conservation); as the senior heritage planner for the City of Kingston (2004-2011) where he worked in both the Planning and Development and Cultural Services Departments; and, in various capacities at Queen's University at Kingston (2001-2007). He previously served on the Executive and Board of Directors for the Ontario Association of Heritage Professionals; on the Board of Directors for Community Heritage Ontario; and, on the Executive and Board of Directors for the Kingston Historical Society.

Marcus has a PhD in Cultural/Historical Geography (Queen's University); a MA in Cultural Geopolitics (University of Western Ontario); BA (Hons) in Geography with a History Minor (Queen's University); a Diploma in Peace and Conflict Studies (University of Waterloo); a Professional Certificate in Heritage Conservation Planning (University of Victoria); a Certificate in Museum Studies (Ontario Museum Association); and training in Marine/Foreshore Archaeology. In 2018, he completed UNESCO/ICCROM/WHITRAP training in China on impact assessments for heritage.

Marcus brings over 20 years of experience to his practice, which is particularly focused on heritage legislation, process, and heritage planning. He has been involved in over 225 projects either as the project manager or as the senior heritage planner. He has been qualified as an expert heritage witness at the former OMB/LPAT (heritage planning with a specialization in cultural heritage landscapes/land use planning/ heritage conservation), CRB (cultural heritage specialist), for a Superior Court Hearing, and for a judicial inquiry for the *Public Lands Act*. He is currently co-authoring the second edition of *Heritage Planning* (Routledge) with Dr. Hal Kalman (expected 2020).

Benjamin Holthof, M.Pl., M.M.A., CAHP – Heritage Planner

Ben Holthof is a heritage consultant, planner and marine archaeologist with experience working in heritage consulting and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in Archaeology from Wilfrid Laurier University; and, a certificate in Museum Management and Curatorship from Fleming College. Ben has consulting experience in cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research and interpretive planning. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges and dams. Much of his consultant work has been involved in heritage for environmental assessment.

Before joining LHC, Ben worked for Golder Associates Ltd. as a Cultural Heritage Specialist from 2014-2020. Ben is experienced in museum collections management, policy development, exhibit development and public interpretation. He has written museum strategic plans, interpretive plans and disaster management plans. He has been curator at the Marine Museum of the Great Lakes at Kingston, the Billy Bishop Home and Museum, and the Owen Sound Marine and Rail Museum. These sites are in historic buildings and he is knowledgeable with collections that include large artifacts including, ships, boats, railway cars, and large artifacts in unique conditions with specialized conservation concerns. Ben is also a maritime archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is also a professional member of the Canadian Association of Heritage Professionals.

Hayley Devitt Nabuurs, M.Pl.– Heritage Planner

Hayley Devitt Nabuurs is a Heritage Planner with Letourneau Heritage Consulting Inc. She holds a Bachelor of Arts in Anthropology from Trent University and a Master's of Urban and Regional Planning from Queen's University. Hayley's master's report research concerned the reconciliation of heritage and accessibility.

Hayley has experience in both the public and private planning sector and the museum sector. She has previously worked as a Heritage Planning Research Assistant with the City of Guelph, completing a heritage plaque inventory and property designation research. She has also worked at Lang Pioneer Village Museum and The Canadian Canoe Museum in both historic interpreter and supervisor roles. Hayley is currently a committee member with the OBIAA on the development of a provincial heritage and accessibility conference. At Letourneau Heritage Consulting Inc., Hayley has worked on various and complex cultural heritage evaluation reports, planning strategy reports, and heritage impact assessments. She specializes in policy research and analysis, and property history research. Hayley is a Candidate Member of the Ontario Professional Planners Institute and an Intern Member of the Canadian Association of Heritage Professionals.

Colin Yu, M.A. – Cultural Heritage Specialist and Archaeologist

Colin Yu is a Cultural Heritage Specialist and Archaeologist with Letourneau Heritage Consulting Inc. He holds a BSc with a specialist in Anthropology from the University of Toronto and an M.A. in Heritage and Archaeology from the University of Leicester. He has a special interest in identifying socioeconomic factors of 19th century Euro-Canadian settlers through quantitative and qualitative ceramic analysis.

Colin has worked in the heritage industry for over five years, starting out as an archaeological field technician in 2013. He currently holds an active research license (R1104) with the Ministry of Heritage, Sport, Tourism, and Culture Industries. Since 2019 he has worked on numerous projects dealing with all aspects of Ontario's cultural heritage. He has completed over two dozen cultural heritage technical reports for development proposals and include cultural heritage evaluation reports, heritage impact statements, and archaeological assessments. Colin has worked with both small and large proponents and understands the needs of each group. He specializes in built heritage, historic research, and identifying cultural heritage value and/or interest through O.Reg.9/06 under the Ontario Heritage Act.

Jordan Greene, B.A. – Mapping Technician

Jordan Greene is a mapping technician with Letourneau Heritage Consulting Inc. (LHC). She holds a Bachelor of Arts in Geography with a Certificate in Geographic Information Science and a Certificate in Urban Planning Studies from Queen's University. The experience gained through the completion of the Certificate in Geographic Information Science allowed Jordan to volunteer as a research assistant contributing to the study of the extent of the suburban population in America with Dr. David Gordon.

Prior to her work at LHC, Jordan spent the final two years of her undergraduate degree working in managerial positions at the student-run Printing and Copy Centre as an Assistant and Head Manager. Jordan has had an interest in heritage throughout her life and is excited to build on her existing professional and GIS experience as a part of the LHC team.

APPENDIX B: GLOSSARY

Definitions are based on those provided in the *Ontario Heritage Act (OHA)* and the *Provincial Policy Statement (PPS)* (2020). The City of Greater Sudbury Official Plan (2016, Consolidated May 2019) does not include definitions.

Adjacent Lands means for the purposes of cultural heritage those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan. (*PPS* 2020).

Alter means to change in any manner and includes to restore, renovate, repair, or disturb and “alteration” has a corresponding meaning (“transformer”, “transformation”) (*OHA*).

Areas of Archaeological Potential means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist. (*PPS* 2020).

Archaeological Resources include artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. (*PPS* 2020).

Built Heritage Resource means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal, and/or international registers. (*PPS* 2020).

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 Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (*PPS* 2020).

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. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decisionmaker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (*PPS* 2020).

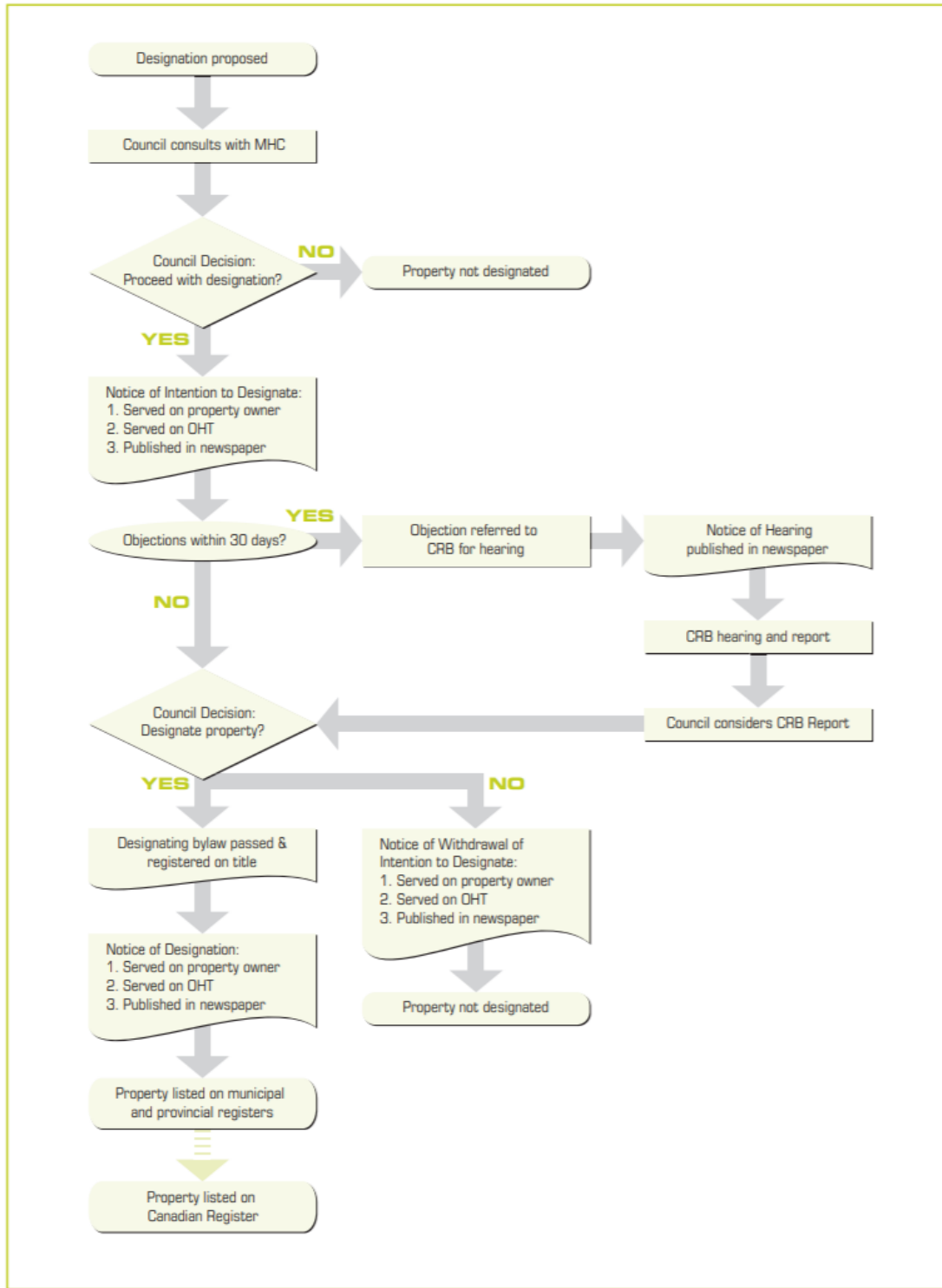
Heritage Attribute means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to the property's cultural heritage value or interest ("attributs patrimoniaux") (*OHA*).

Heritage Attributes 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, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property). (*PPS 2020*).



Significant means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*. (*PPS 2020*).

APPENDIX C: DESIGNATION FLOWCHART



1. Designation by Municipal Bylaw (Section 29 of the Ontario Heritage Act)





APPENDIX D: COMPARABLE NORTHERN ONTARIO FIRE HALLS

Name and Address	Notes	Photo
First Sudbury Fire Hall 40 Elgin Street	Photo dates from 1897. Demolished in the early 20 th century.	 <p>Source: EGSPL Archives</p>
Second Sudbury Fire Hall 40 Elgin Street	Built in 1914. The old fire hall is visible in the background. Demolished in the late 20 th century.	 <p>Source: The City of Greater Sudbury Public Library</p>

Name and Address	Notes	Photo
Sudbury Main Station 193 Van Horne Street	Built in 1975 and currently in use.	 <p>Source: City of Greater Sudbury Fire Stations</p>
Sudbury Station 7: Lively 229 Ninth Street	Built in 1950 and currently in use.	 <p>Figure 38: City of Greater Sudbury Fire Stations</p>

Name and Address	Notes	Photo
Sudbury Station 3: New Sudbury 1190 Leon Street	Built in 1974 and currently in use.	 <p>Source: City of Greater Sudbury Fire Stations</p>
Sudbury Station 4: Long Lake 2069 Long Lake Road	Built in 1977 and currently in use.	 <p>Source: City of Greater Sudbury Fire Stations</p>

Name and Address	Notes	Photo
<p>Sudbury Station 2: Minnow Lake</p> <p>144 Second Avenue</p>	<p>Built in 1983 and currently in use.</p>	 <p>Source: City of Greater Sudbury Fire Stations</p>
<p>Thunder Bay Multicultural Centre</p> <p>Former Court Street Fire Hall</p> <p>17 Court Street North, Thunder Bay</p>	<p>Built in 1906, now a Multicultural Centre.</p> <p>Designated under Part IV of the <i>OHA</i> by the City of Thunder Bay under By-law 105 – 1994.</p> <p>This is the only fire hall to be designated in Northern Ontario.</p>	 <p>Source: Volunteer Thunder Bay, 2018</p>