

Presented To:	City Council
Presented:	Tuesday, Nov 10, 2020
Report Date	Monday, Oct 26, 2020
Type:	Managers' Reports

Request for Decision

Cultural Heritage Evaluation - 162 Mackenzie Street, Sudbury

Resolution

THAT the City of Greater Sudbury directs staff to issue Notice of Intent to Designate under the Ontario Heritage Act for 162 Mackenzie Street, Sudbury;

AND THAT the City of Greater Sudbury directs staff to work with the owner of 162 Mackenzie Street and consult with the Municipal Heritage Advisory Panel on a draft designation by-law for Council's consideration, as outlined in the report entitled "Cultural Heritage Evaluation - 162 Mackenzie Street, Sudbury", presented at the City Council meeting on November 10, 2020

Relationship to the Strategic Plan / Health Impact Assessment

The protection and conservation of cultural heritage resources provides economic, environmental and social benefits and is consistent with Council's strategic objectives of creating a healthier community and strengthening community vibrancy.

Report Summary

On August 12, 2020, Council directed staff to "procure a Cultural Heritage Evaluation Report [...] of all sides of the exterior façade of the former Saint-Louis de Gonzague school at 162 Mackenzie Street".

This report presents the findings of the Cultural Heritage Evaluation Report and seeks direction regarding the next steps.

Financial Implications

There are no financial implications associated with this report.

Signed By

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Cultural Heritage Evaluation Report
162 Mackenzie
Planning Services Division
Report Date: October 20, 2020

BACKGROUND

On August 12, 2020, Council directed Staff to “procure a Cultural Heritage Evaluation Report, prepared by a member of the Canadian Association of Heritage Professionals, of all sides of the exterior façade of the former Saint-Louis de Gonzague school at 162 MacKenzie Street, in accordance with the Ontario Heritage Act and Ontario Regulation 9/06 and report back to Council with findings and recommendations by the end of November 2020”.

The Cultural Heritage Evaluation Report (CHER) is included as Attachments A to this report.

The property at 162 Mackenzie Street is owned by Red Oak Villa 2015 Inc., is occupied by the former Saint-Louis de Gonzague School and is the subject of an approved site plan for a retirement living development. This property is also the subject of a recent rezoning application, as outlined below.

162 Mackenzie Street - Former Saint-Louis de Gonzague School

Based on the consultant’s review and analysis, it is their professional opinion that the Property at 162 Mackenzie Street has cultural heritage value or interest as it meets five of the nine criteria outlined under Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. The consultants found that the Property has cultural heritage value or interest for its physical/design, historical/associative, and contextual values. Thus, it is eligible for designation under Section 29 Part IV of the Ontario Heritage Act.

Official Plan

Section 13.2 of the City’s Official Plan states that “the City, in cooperation with property owners, may designate individual property, by by-law under Part IV of the Ontario Heritage Act, individual buildings and structures as heritage properties.”

Staff contacted the owner regarding the potential designation of the building at 162 Mackenzie Street. The owner indicated that, in the spirit of cooperation, they are open to working with the City towards a potential designation of the building and look forward to future mutually-beneficial discussions.

Based on the findings of the CHER for 162 Mackenzie Street, initial discussions with the owner and the fact that the property is subject to an approved site plan and a recent rezoning application, staff is recommending that should Council issue a NOID for the building that staff be directed to work with the owner and consult with the Municipal Heritage Panel on a draft designation by-law for Council’s consideration.

Under the proposed changes to the Ontario Heritage Act, all existing NOIDs (issued prior to January 1, 2021) would expire after 365 days if Council does not pass a designation by-law.

Related Applications

The City issued a Notice of Application for 162 Mackenzie on September 25, 2020. The application for rezoning is to permit all C6 uses and associated zoning standards including reduced parking requirements, full lot coverage, zero setbacks and no height restrictions; and, to adopt minimum parking standards for a limited range of commercial/institutional use.

The subject lands are also subject to a site plan agreement, approved by the City on October 4, 2019 and registered in January, 2020. The site plan agreement is related to the overall development of the subject lands, and requires that proposed buildings, structures and other works be completed in conformity with the agreements.

Options

Council has several options regarding the next steps of this process. The City may:

- Proceed with issuing a Notice of Intent to Designate for the property;
- Not Issue a Notice of Intent to Designate for the property; and/or,
- Continue discussions with landowner of 162 Mackenzie.

A decision to issue the NOID for 162 Mackenzie would require the City to consult with the Municipal Heritage Advisory Panel prior to its issuance.

As noted in the November 9, 2020 report to Planning Committee, the *Ontario Heritage Act* changes and associated regulations are proposed to come into effect on January 1, 2021. Should the City issue a NOID prior to this date, the process would continue under the current and in effect Act.

Summary

On May 19, 2020, Council directed staff to “procure a Cultural Heritage Evaluation Report [...] of all sides of the exterior façade of the former Saint-Louis de Gonzague school at 162 Mackenzie Street” on August 12, 2020.

This report presents the findings of the Cultural Heritage Evaluation Report and seeks Council direction regarding the next steps.

Based on the findings of the CHER for 162 Mackenzie Street, initial discussions with the owner and the fact that the property is subject to an approved site plan and a recent rezoning application, staff is recommending that should Council issue a NOID for the building that staff be directed to work with the owner and consult with the Municipal Heritage Panel on a draft designation by-law for Council's consideration.

References

1. Council Resolution 2020-214, passed on August 12, 2020
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1474&itemid=rec>

REPORT:

Cultural Heritage Evaluation Report

162 MacKenzie Street,
City of Greater Sudbury, Ontario



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October 15, 2020

Project # LHC0220

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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, results as well as limitations.

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 municipally known as 162 MacKenzie Street (**"the Subject Property"**) in the City of Greater Sudbury (**"the City"**). The Subject Property is owned by Red Oak Villa 2015 Inc. and is not currently included on the City of Greater Sudbury Heritage Register.

The Subject Property forms part of the MacKenzie Square development. On 12 August 2020 Council passed resolution CC2020-214 authorizing staff to procure a cultural heritage evaluation of the Subject Property.

The purpose of a CHER is the identification and evaluation of a property (i.e., built heritage resources, cultural heritage landscapes, and/or archaeological resources) for its cultural heritage value or interest through research, documentary evidence, and community input to provide a basis for the management and conservation of a property.

As part of this CHER, the Subject Property was evaluated against *Ontario Regulation 9/06 (O. Reg 9/06)* Criteria for Determining Cultural Heritage Value or Interest. The CHER was completed following best practices, drawing upon other applicable frameworks, such as the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) Ontario Heritage Toolkit: Heritage Property Evaluation.

A site visit was undertaken by Dr. Marcus Létourneau and Mr. Colin Yu on 13 August 2020. A second site visit was conducted by Mr. Yu on 14 August 2020. A follow-up visit was completed by Dr. Létourneau in late September 2020. The primary objective of the site visit was to document and gain an understanding of the Subject Property and its surrounding context. The site visit included documentation of the surrounding area and exterior views of the structure. All photographs were taken from the road right-of-way. Access to the interior was not granted and no documentation of the interior was performed during the site visit.

Based upon the research, existing conditions, and evaluation, LHC finds that the Subject Property known as 162 MacKenzie Street meets five criteria for designation under *O. Reg. 9/06*. As such, it is eligible for designation under Part IV, Section 29 of the *Ontario Heritage Act (OHA)*.

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.

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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 Subject Property municipally known as 162 MacKenzie Street ("**the Subject Property**") in the City of Greater Sudbury ("**the City**"). The Subject Property is owned by Red Oak Villa 2015 Inc. and is not currently included on the municipal heritage register.

The Subject Property forms part of the MacKenzie Square development. On 12 August 2020 Council passed resolution CC2020-214 authorizing staff to procure a cultural heritage evaluation of the Subject Property.

The purpose of a CHER is the identification and evaluation of a property (i.e., built heritage resources, cultural heritage landscapes, and/or archaeological resources) for its cultural heritage value or interest through research, documentary evidence, and community input to provide a basis for the management and conservation of a property.

As part of this CHER, the Subject Property was evaluated against *Ontario Regulation 9/06 (O. Reg. 9/06)* Criteria for Determining Cultural Heritage Value or Interest under the *Ontario Heritage Act (OHA)*. The CHER was completed following the best practices, drawing upon other applicable frameworks, such as the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) Ontario Heritage Toolkit: Heritage Property Evaluation.

A site visit was undertaken by Dr. Marcus R. Létourneau and Mr. Colin Yu on 13 August 2020. A second site visit was conducted by Mr. Yu on 14 August 2020. A follow-up site visit was completed in late September 2020 by Dr. Létourneau. The primary objective of the site visit was to document and gain an understanding of the Subject Property and its surrounding context. The site visit included documentation of the surrounding area and exterior views of the structure. All photographs were taken from the road right-of-way. Access to the interior was not granted and no documentation of the interior was performed during the site visit.

2 STUDY APPROACH

2.1 Methodology

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

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

This is consistent with the recommended methodology outlined by the MHSTCI in the *Ontario Heritage Toolkit: Heritage Property Evaluation*. The MHSTCI identifies three key steps: Historical Research, Site Analysis, and Evaluation.

2.1.1 Legislative/Policy Review

In the Province of Ontario, the process for determining cultural heritage value 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 augment the criteria of *O. Reg. 9/06* by using adopted thematic history or identifying specific views in its Official Plan. The legislative and policy framework for this CHER is presented in Section 4: **Error! Reference source not found.** below.

2.1.2 Historical Research

Historical research was undertaken to outline the history and development of the Subject Property and place it in its broader community context. Primary historic materials, including air photos, Fire Insurance Plans, and mapping, were obtained from:

- City of Greater Sudbury Archives;
- Greater Sudbury Public Library;
- Library and Archives Canada;
- The City of Sudbury online Interactive Maps;
- University of Western Ontario;
- Archives of Ontario;
- Department of National Defense;
- Department of Mines and Technical Surveys;
- Department of Energy, Mines, and Resources; and,
- Natural Resources Canada.

Secondary research was based on the research files/resources held by LHC (e.g., historical atlases, local histories, and architectural reference texts), available online sources, and previous assessments including:

- Uptown Sudbury Community Action Network / Réseaux d'action communautaire de la Haute-ville Sudbury. 2016. *Community Support for the Preservation of 162 MacKenzie*;
- Uptown Community Action Group. 2020. Demand of Preservation for the School of Saint-Louis-de-Gonzague Building; and,
- Zoning By-law Amendment. 2018. 162 MacKenzie Street, 30-Ste Anne Road, 38 Xavier Street.

2.2 Site Analysis

The MHSTCI¹ guide, *Heritage Property Evaluation, Chapter 3: The Importance of Research and Site Visit*, notes that a property should be evaluated at least twice.² A site visit was undertaken by Dr. Marcus Letourneau and Mr. Colin Yu on 13 August 2020. A second site visit was conducted by Mr. Yu on 14 August 2020. A follow-up site visit was completed in late September 2020 by Dr. Letourneau. The primary objective of the site visit was to document and gain an understanding of the Subject Property and its surrounding context.

2.3 Report Limitations

The qualifications of the heritage consultants who authored this report are provided in Appendix A. All comments regarding the condition of any buildings on the Subject Property are based on superficial visual inspection and are not a structural engineering assessment of the buildings unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the Subject Property or the condition of any heritage attributes. Concerning historical research, the purpose of this report is to evaluate the Subject Property for CHVI. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed and analyzed is sufficient to conduct an evaluation using *O. Reg. 9/06*. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

¹ Since 1975 the Ontario ministry responsible for culture and heritage has included several different portfolios and had several different names including:

- Ministry of Culture and Recreation (1975-1982)
- Ministry of Citizenship and Culture (1982-1987),
- Ministry of Culture and Communications (1987-1993),
- Ministry of Culture, Tourism and Recreation (1993-1995),
- Ministry of Citizenship, Culture and Recreation (1995-2001),
- Ministry of Tourism, Culture and Recreation (2001-2002),
- Ministry of Culture (2002-2010),
- Ministry of Tourism, Culture and Sport (MTCS, 2011-2019).

In guidance documents the ministry may be referred to by any of these names.

² Ministry of Culture. 2006a. *Heritage Property Evaluation: A Guide to Listing, Researching, and Evaluating Cultural Heritage Property in Ontario Communities*. p.34. Accessed from:

http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_HPE_Eng.pdf

3 PROPERTY CONTEXT

3.1 Property Location

The Subject Property is located within the City of Greater Sudbury at civic address 162 MacKenzie Street legal address Lot 6, Concession 4, Township of McKim (Figure 1). The Subject Property is located on the east side of MacKenzie Street, north of Elm Street, east of Frood Road, south of Kathleen Street, and west of Notre Dame Avenue in the Uptown Neighbourhood of the City of Greater Sudbury (Figure 2). The Subject Property is designated "Employment Area: Downtown" by Schedule 1b of the City of Greater Sudbury Official Plan and was rezoned to C4(16) "Commercial" in 2018 by City of Greater Sudbury Zoning By-law 2010-100Z (as amended) (Figure 3).³

The Subject Property is surrounded by zoned institutional land uses to the west, south, and east and zoned residential land uses to the north; these areas are defined by Schedule 1b of the City of Greater Sudbury Official Plan and Zoning By-law-1010-100Z. The Sudbury Secondary School is located to the west, the Greater Sudbury Public Library – Main Library and Red Oak Villa retirement residence are located to the south, and the Diocese of Sault Ste. Marie administrative building is located to the east.

3.2 Property Description

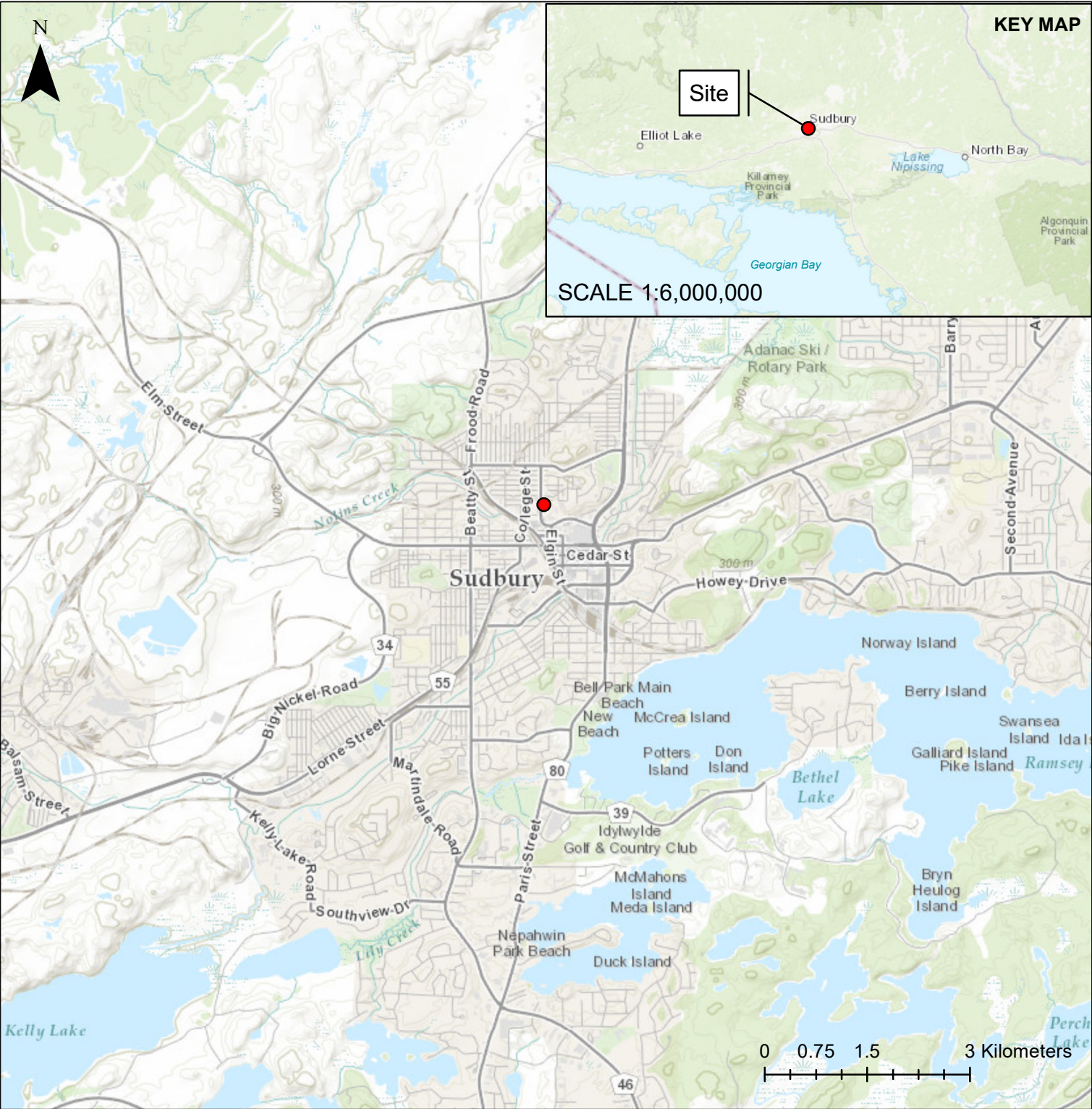
The Subject Property is generally L-shaped and measures approximately 12,489 square metres in area. The Subject Property has vehicular access from MacKenzie Street and an existing lane along the northern edge of the Subject Property. There is currently one structure on the Subject Property, a two-storey former school. The area around the school contains a surface parking lot.

3.3 Surrounding Context

Observed land use in the vicinity of the Subject Property include a mixture of residential and institutional buildings (Figure 4). The Subject Property is bounded to the north by a small laneway and several properties which front onto Baker Street and to the west MacKenzie Street (Figure 5 to Figure 7).

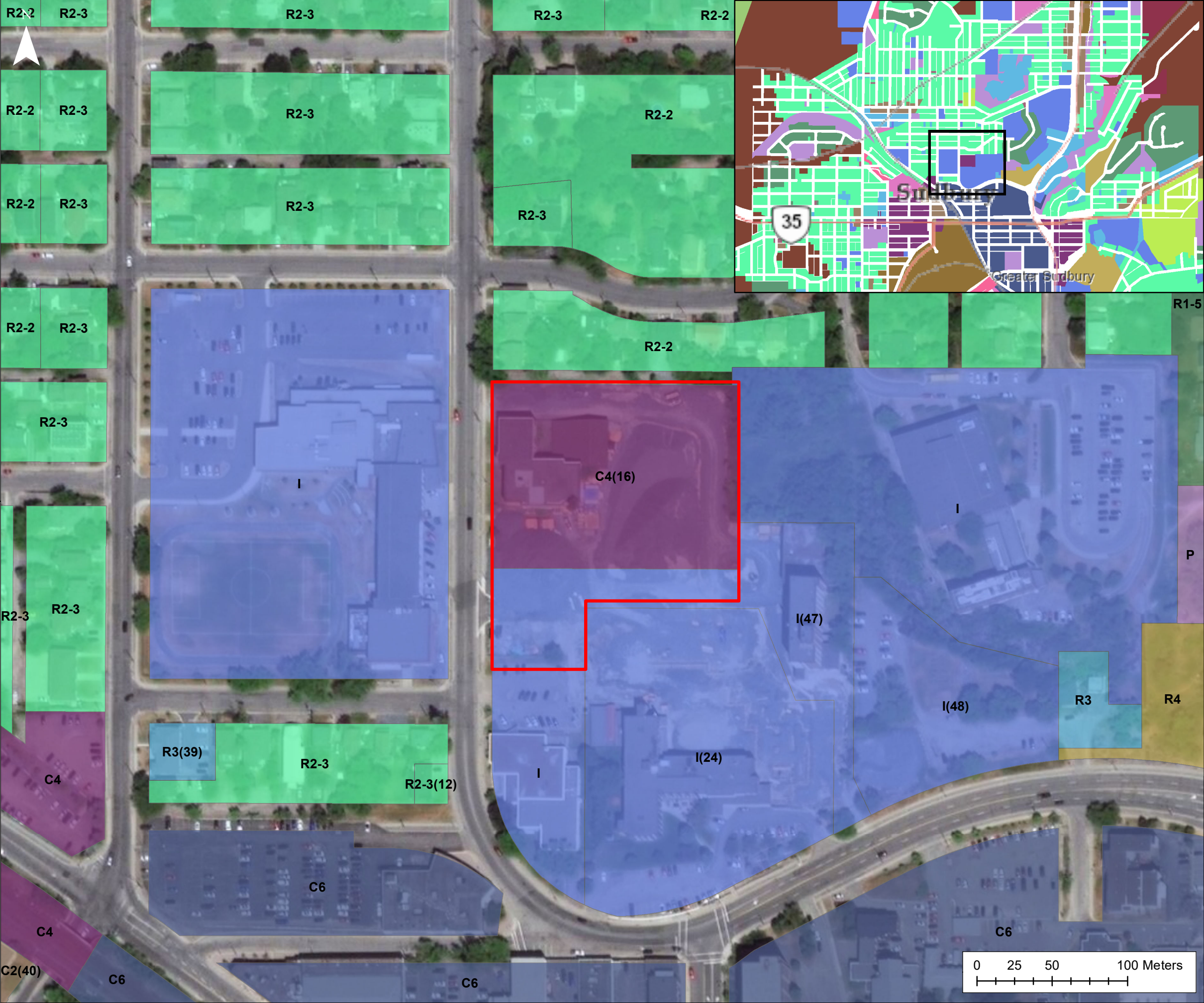
MacKenzie Street is a two-lane road; streetlights are located on the east side of the street. Pedestrian sidewalks are located along both sides of the street. Generally, the houses within the neighbourhood are one-and-a-half- to two-storeys in height, while most institutional buildings average three to four storeys in height. The sole exception is the Diocese of Sault Saint Marie building, which is eight storeys. Houses are primarily constructed with brick or have a brick cladding, low-pitched and front-facing gables, and a chimney. It is common for a house to have a centralized front-facing dormer and front porch. Houses within this neighbourhood appear to have been built in the early half of the 20th century with a mixture of eclectic styles.

³ The City of Greater Sudbury. 2018. Zoning By-law Amendment; 162 MacKenzie Street, 30-Ste Anne Road, 38 Xavier Street.





<div>Legend</div> <div><div></div> Subject Property</div>	CLIENT City of Greater Sudbury		
	PROJECT Cultural Heritage Evaluation Report, 162 Mackenzie Street, St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario		
NOTE(S) 1. All locations are approximate.	TITLE Study Area, Current Conditions		
REFERENCE(S) 1. Service Layers Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Portions of the document include intellectual property of ESRI and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.	<div>CONSULTANT</div> <div><div>LHC</div><div>LeComreau Heritage Consulting Inc.</div></div>	YYYY-MM-DD	2020-08-14
		DESIGNED	----
		PREPARED	JG
		REVIEWED	
		APPROVED	
	PROJECT NO. LHC220		FIGURE: 2



CLIENT

City of Greater Sudbury

PROJECT

Cultural Heritage Evaluation Report, 162 Mackenzie Street,
St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

TITLE

Zoning of Subject Property

Legend

Study Area

Zonings

A

C1

C2

C3

C4

C5

C6

C7

EP

FD

I

M1

M1-1

M2

M3

M4

M5

M6

OSC

OSP

OSR

P

R1

R2

R3

R4

RMH

RS

RU

SLS

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Esri, HERE, Garmin (c) OpenStreetMap contributors, and the GIS user community
Sources: Esri, Garmin, USGS, NPS
2. City of Greater Sudbury Open Data Portal, 2020.

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CONSULTANT

LHC

Leisure & Heritage Consulting Inc.

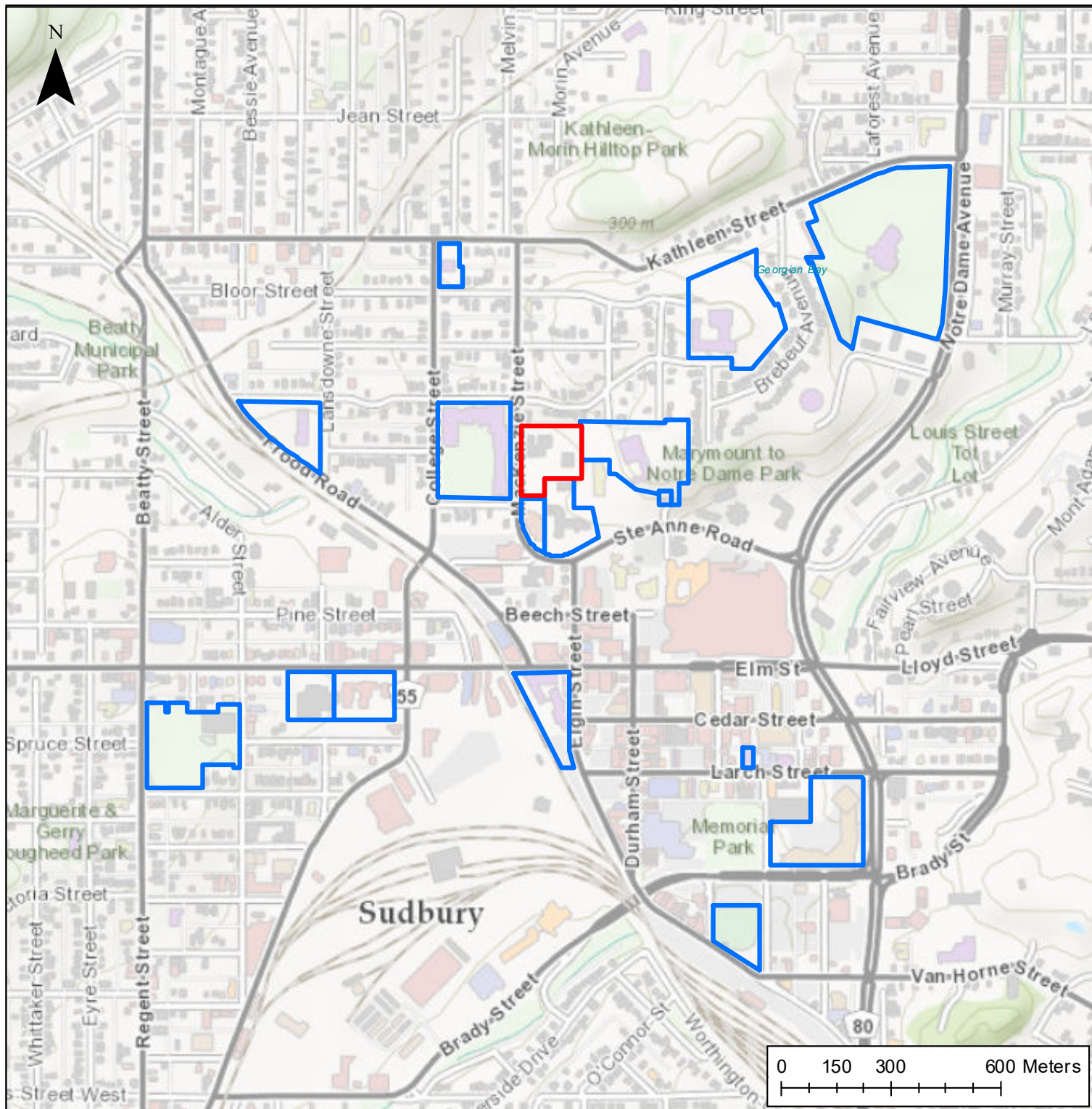
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REVIEWED	
APPROVED	

PROJECT NO.

LHC0220

FIGURE:

3



Legend



Subject Property



Current & Former Institutional Buildings

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community.

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CLIENT

City of Greater Sudbury

PROJECT

Cultural Heritage Evaluation Report, 162 Mackenzie Street, St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

TITLE

Current and Former Institutional Buildings in Proximity to the Subject Property

CONSULTANT



YYYY-MM-DD 2020-09-15

DESIGNED --

PREPARED JG

REVIEWED

APPROVED

PROJECT NO.
LHC0220

FIGURE: 4



Figure 5: Houses located on Patterson Street, north of the Subject Property (Source: CY 2020).



Figure 6: View of Davidson Street (Source: CY 2020).



Figure 7: View of MacKenzie Street looking north, Sudbury Secondary School to the left (Source: CY 2020).



Figure 8: View of MacKenzie Street looking south, Greater Sudbury Public Library to the left (Source: CY 2020).



Figure 9: Surrounding context south and east of the Subject Property, Diocese of Sault Ste Marie in the centre
(Source: CY 2020).

4 LEGISLATIVE AND POLICY CONTEXT

4.1 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 *Ontario Heritage Act (OHA)*, the *Planning Act*, and the *Provincial Policy Statement (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 graves that may be prehistoric or historic. 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 an analysis of the applicable legislation and policy regarding the identification and evaluation of cultural heritage.

4.1.1 *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 used under the authority of Part 1 (3).

4.1.2 *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 decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The document asserts that cultural heritage and archaeological resources provide important environmental, economic and social benefits, and directly address 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.

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

- 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 concerning planning and development within the province. In accordance with Section 3 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 Municipal Board, in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" this *PPS*. 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*.

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

The *OHA* and its 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.⁵

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 5). The municipal council may choose to protect a property determined to be significant.

4.1.4 Growth Plan for Northern Ontario (2011)

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 the Places to Grow Act (2005) and was 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
- Tools for Indigenous peoples' participation in the economy⁶

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

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.⁷

Section 2.2.2 states that:

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 industries⁸

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".⁹

4.2 Municipal Policy Context

4.2.1 The City of Greater Sudbury Official Plan (2006, Consolidated 2019)

The City of Greater Sudbury 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

⁵ *O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest* under *Ontario Heritage Act*, R.S.O. 1990, c. O.18

⁶ The Government of Ontario. 2011. *The Growth Plan for Northern Ontario*. Accessed from: <https://www.ontario.ca/document/growth-plan-northern-ontario>

⁷ *Ibid.* p. 6.

⁸ *Ibid.* Section 2.2.2.

⁹ *Ibid.* Section 2.3.4.

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.

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." ¹⁰ By doing so, the OP contributes to its Healthy Community goals and Economic Development Strategic Plan.¹¹

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.¹²

Section 13.2 Heritage Structures, Districts and Cultural Landscapes outlines policies for Greater Sudbury's heritage. The most relevant to the Subject 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,
- e. documentation for the City's archives.¹³

¹⁰ The City of Greater Sudbury. 2016, consolidated 2019. *The City of Greater Sudbury Official Plan. The City of Greater Sudbury*. Section 1.4. Accessed from: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/>

¹¹ Ibid. Section 13.0.

¹² Ibid. 13.1.

¹³ Ibid. Section 13.2.

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.¹⁴

Section 13.3 outlines policies for the City's Archaeological Resources. The most relevant to the Subject 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.¹⁵

Section 14.0 of the OP deals with Urban Design and encourages the "protection and integration of the natural environment and cultural heritage resources".¹⁶

4.2.2 A Master Plan for Downtown Sudbury

The Subject Property is located within the "Area of Influence" of the *Master Plan for Downtown Sudbury (Master Plan)* and is indicated as Employment Area: Downtown by Schedule 1B of the OP. The Master Plan indicates that "the influence of the Master Plan will extend beyond [the core Subject Property]." The Master Plan does not contain policies regarding how to identify or evaluate cultural heritage resources.

4.2.3 Downtown Sudbury Community Improvement Plan

The Subject Property is located within the boundaries of the *Downtown Sudbury Community Improvement Plan (Community Plan)*. The Community Plan does not contain policies regarding how to identify or evaluate cultural heritage resources.

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

The Subject Property is zoned as C4 (16) Office Commercial Zone under Zoning By-Law 2010-100Z.¹⁷ Zoning By-Law 2010-100Z does not include requirements for heritage properties.¹⁸

¹⁴ Ibid. Section 13.2.

¹⁵ Ibid. Section 13.3.

¹⁶ Ibid. Section 14.0.

¹⁷ The City of Greater Sudbury. 2010. *The City of Greater Sudbury Zoning By-Law 2010-100Z*. The City of Greater Sudbury. Accessed from: <https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/#C2>

¹⁸ Ibid.

4.2.5 Municipal Policy Context Summary

The City is generally supportive of heritage conservation and the integration of such properties into the community. Most OP policies concerning heritage encourage the adaptive reuse and integration of heritage properties to further intensification.¹⁹

¹⁹ An unadopted approach to heritage designation has been used by the City of Greater Sudbury Municipal Heritage Advisory Panel and is discussed further in Section 5.

5 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.²⁰ 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 Consciousness. Changes to this effect have been seen in the 2002 *Government Efficiency Act* and the 2005 revisions to the *Ontario Heritage Act*. Cultural heritage resources are now understood as a 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 a 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, the 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, the Council's decision is final.

5.1 Steps to Designate a Heritage Property

The MHSTCI's *Designating Heritage Properties* 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.²¹

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

²⁰ Kalman, H. 2014. *Heritage Planning: Principles and Process*. Routledge: New York, NY. p. 5.

²¹ Ministry of Culture. 2006b. *Designating Heritage Properties*. p.7 Accessed from: 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>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.²² If there is support for designation from the community or municipality the property can then move onto Step 2.</p>
<p>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”.²³ 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.²⁴ The SCHVI explains “the cultural heritage value or interest of the property and a description of the heritage attributes of the property”.²⁵ The SCHVI “should convey why the property is important and merits designation, explaining cultural meanings, associations and connections the property holds for the community.”²⁶</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).²⁷</p> <p>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.²⁸</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 with the 2020 <i>PPS</i> which states that criteria for determining significance for cultural heritage resources are determined by the Province. <i>O. Reg. 9/06</i> 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 <i>O. Reg. 9/06</i>.²⁹ The issue with the City's ranking system is that it sets an extremely high bar for designation requiring</p>

²² Ministry of Culture. 2006b. p.8

²³ Ibid. p.20

²⁴ Ibid. p. 15.

²⁵ *Ontario Heritage Act* (3) (b). 2005, c. 6, s. 17 (2).

²⁶ Ministry of Culture. 2006b. p. 15.

²⁷ 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.

²⁸ The City of Greater Sudbury. n.d. 'The City of Greater Sudbury Ontario Heritage Act Criteria and Municipal Ranking System'. *The City of Greater Sudbury*.

²⁹ *O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest*.

Steps to Designate a Heritage Property

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 legislated 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".³⁰

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)
- 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.³¹

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

³⁰ *Ontario Heritage Act* (3) (b). 2005, c. 6, s. 1.

³¹ Ministry of Culture. 2006b. p.9.

Steps to Designate a Heritage Property
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. ³²
Step 5: Listing the Property on the Municipal Register <p>Under Part IV, Section 27 of the <i>OHA</i>, 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:</p> <ul style="list-style-type: none"> 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.³³
Step 6: Listing on the Provincial Register <p>Finally, the Ontario Heritage Trust must be notified of all municipal heritage designations and will add the property to the Provincial Register.³⁴</p>

5.2 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 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.

1. **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.

³² Ibid. p. 11.

³³ *Ontario Heritage Act* (3) (b). 2005, c. 6, s. 15.

³⁴ Ministry of Culture. 2006b. p.11.

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."

2. **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. 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.

6 HISTORICAL CONTEXT

6.1 Natural History

Greater Sudbury is located within Northern Ontario and is defined by lakes, rivers, and dense forests on rugged and rocky terrain.³⁵ As part of the Precambrian Canadian Shield,³⁶ Greater Sudbury is located at the intersection of the Superior Province, a 2.5 billion-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.³⁷ 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.³⁸ Northern Ontario soil is largely composed of peat with high concentrations of minerals.³⁹ Sudbury is in the Lake Huron Drainage Basin. Water in the area generally drains south and west to Lake Huron.

6.2 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.⁴⁰ Archaeological evidence suggests that the cultural history of northern Ontario began around 6,000 B.C.E. following the retreat of the Wisconsin glacier.⁴¹ 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.⁴² The Plano/Early Shield Culture had distinctive stone tools and lived as nomadic big-game hunters along the northern shores of the Great Lakes.⁴³ There is archaeological evidence of copper mining during this time in the Sheguiandah area for usage in jewelry and weapons.⁴⁴

6.3 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.⁴⁵ The Middle Shield Culture moved across the Hudson Bay lowlands as glaciers continued to recede.⁴⁶ Middle Shield Cultures are defined by seasonal migration with dwellings ranging from semi-subterranean structures to temporary camps.⁴⁷ There is evidence that Northern Shield Cultures mined copper and silver from the area for use in jewelry and weapons, and traded with other groups across the continent.⁴⁸ The Cree, Ojibwa, Algonquin,

³⁵ Ewen, G. 2019. 'Ontario'. *Encyclopedia Britannica*. Accessed from: <https://www.britannica.com/place/Ontario-province>

³⁶ Baldwin, D. J. B., Desloges, J. R., and Band, L. E. 2000. 'Physical Geography of Ontario', in Perera, A. H., Euler, D. E., and Thompson, I. D. (eds.), *Ecology of a Managed Terrestrial Landscape: Patterns and Processes of Forest Landscapes in Ontario*. University of British Columbia Press: Vancouver, B.C. p. 141–162.

³⁷ Ewen, G. 2019. 'Ontario'. *Encyclopedia Britannica*.

³⁸ Saarinen, O.W. 2019. 'Sudbury'. *The Canadian Encyclopedia*. Accessed from: <https://thecanadianencyclopedia.ca/en/article/sudbury-greater>

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

⁴⁰ 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*. Laurentian University: Sudbury, ON.

⁴¹ Dawson, K.C.A. 1984. 'A History of Archaeology in Northern Ontario to 1983'. *Ontario Archaeology* 42: Table 1.

⁴² 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.

⁴³ Dawson, K.C.A. 1984. Table 1.

⁴⁴ Manitowabi, S. 2020. *Historical and Contemporary Realities*.

⁴⁵ Wright, J.V. 1995. Middle Shield Culture. Chapter 16.

⁴⁶ Ibid. Chapter 16.

⁴⁷ Ibid. Chapter 16.

⁴⁸ Manitowabi, S. 2020. *Historical and Contemporary Realities*.

Montagnais, and the Beothuk are all descendants of the Shield culture.⁴⁹

6.4 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.⁵⁰ 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 for the rest of the year.⁵¹

6.5 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 1400.⁵² These peoples were hunters, trappers, and fishermen and used birch bark for everything from canoes to portable wigwams.⁵³ The Greater Sudbury area is located on the traditional territory of the Atikameksheng Anishinabek First Nation, descendants of the Ojibway, Algonquin and Odawa Nations,⁵⁴ and the Wahnapiatae First Nation, an Ojibway community of the Anishinabek Nation.⁵⁵

6.6 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.⁵⁶ 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.⁵⁷ With this new access, New France expanded to the Great Lakes area.⁵⁸ British competition was occurring at the same time, with the establishment of the Hudson's Bay Company and Rupert's Land territory claim in 1670.⁵⁹

Tensions between the French and the British lead to the Seven Years War (1756-1763).⁶⁰ 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.⁶¹

⁴⁹ Wright, J.V. 1995. Late Western Shield Culture. Chapter 25. and Dawson, K.C.A. 1984. Table 1.

⁵⁰ Ibid. Chapter 16.

⁵¹ Ibid. Chapter 25.

⁵² Sultzman, L. 2000. 'Ojibwe History'.

⁵³ Manitowabi, S. 2020. *Historical and Contemporary Realities*.

⁵⁴ Atikameksheng Anishinabek First Nation. 2020. 'History'. Atikameksheng Anishinabek First Nation. Accessed from: <https://atikamekshenganishnawbek.ca/culture-language/history/>

⁵⁵ Wahnapiatae First Nation. 2020. 'Community'. *Wahnapiatae First Nation*. Accessed from: <https://www.wahnapiataefirstnation.com/community/>

⁵⁶ Foster, J.E. and Eccles, W.J. 2019. 'Fur Trade in Canada'. *The Canadian Encyclopedia*. Accessed from: <https://www.thecanadianencyclopedia.ca/en/article/fur-trade>

⁵⁷ Manitowabi, S. 2020. *Historical and Contemporary Realities*.

⁵⁸ Foster, J.E. and Eccles, W.J. 2019. 'Fur Trade in Canada'.

⁵⁹ Ray, A.J. 2019. 'Hudson's Bay Company'. *The Canadian Encyclopedia*. Accessed from: <https://thecanadianencyclopedia.ca/en/article/hudsons-bay-company>

⁶⁰ Eccles, W.J. 2015. 'Seven Years War'. *The Canadian Encyclopedia*. Accessed from: <https://www.thecanadianencyclopedia.ca/en/article/seven-years-war>

⁶¹ White, R. 1985. p. 52.

6.7 Early Euro-Canadian History – European Immigration and Treaties

Logging started on the north shore of Lake Huron by the mid-19th century, and provincial surveyors recorded detailed information about the area's landscape and resources. Immigrants moved into easily accessible areas around the Great Lakes and along major rivers in Northern Ontario. Settlement increased rapidly in the 1840s, as lumber and metals were found in many places.⁶² As immigrants, explorers, and prospectors moved into northern areas they encroached on Indigenous territory and tensions arose.⁶³ In response, Indigenous Chiefs demanded a Treaty to define their territory and ensure Indigenous communities benefited from the wealth of the land's resources.⁶⁴

The land on which the City of Greater Sudbury is located is within the Robinson-Huron Treaty area. The treaty was signed in 1850 between the Crown and twenty-one Anishinabek Indigenous communities along the northern shore of Lake Huron (Figure 10).⁶⁵ 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 1874.⁶⁶ Lands were set aside as reserves—although ongoing areas of disagreement about units of measure and boundaries, as well as the Crown's disregard for Indigenous people's rights resulted in the treaty not being respected.⁶⁷ Following signing of the Robinson-Huron Treaty, the area was divided into districts for administrative purposes, first with the Algoma District in 1858.



Figure 10: Robinson-Huron Treaty Map. (Source: Atikameksheng Anishnawbek First Nations, 2020).

⁶² The City of Greater Sudbury. 2020. 'History'. *The City of Greater Sudbury*. Accessed from: <https://www.greatersudbury.ca/live/about-greater-sudbury/history/>

⁶³ Saarinen, O.W. 2019. Sudbury.

⁶⁴ Anishnabek. 2016. *Robinson-Huron Treaty Rights: 1850 to Today*. p. 3. Anishnabek. Accessed from: <http://www.anishnabek.ca/wp-content/uploads/2016/06/Robinson-Huron-Treaty-Rights.pdf>

⁶⁵ Ibid. p. 6.

⁶⁶ Ibid. p. 6.

⁶⁷ Ibid. p. 4-5.

6.8 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 11).⁶⁸ As a railway company town, CPR owned large tracts of land (Figure 12).⁶⁹ 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”.⁷⁰ Like other company towns, the Town attracted thousands of workers until the railway was completed in 1884.⁷¹ 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.⁷²

Copper was discovered near Sudbury in 1884.⁷³ 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 1886.⁷⁴ The Canadian Copper Company (CCC) was established in 1886 by Samuel J. Ritchie and quickly became the major landowner of the Sudbury area.⁷⁵ The 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.⁷⁶

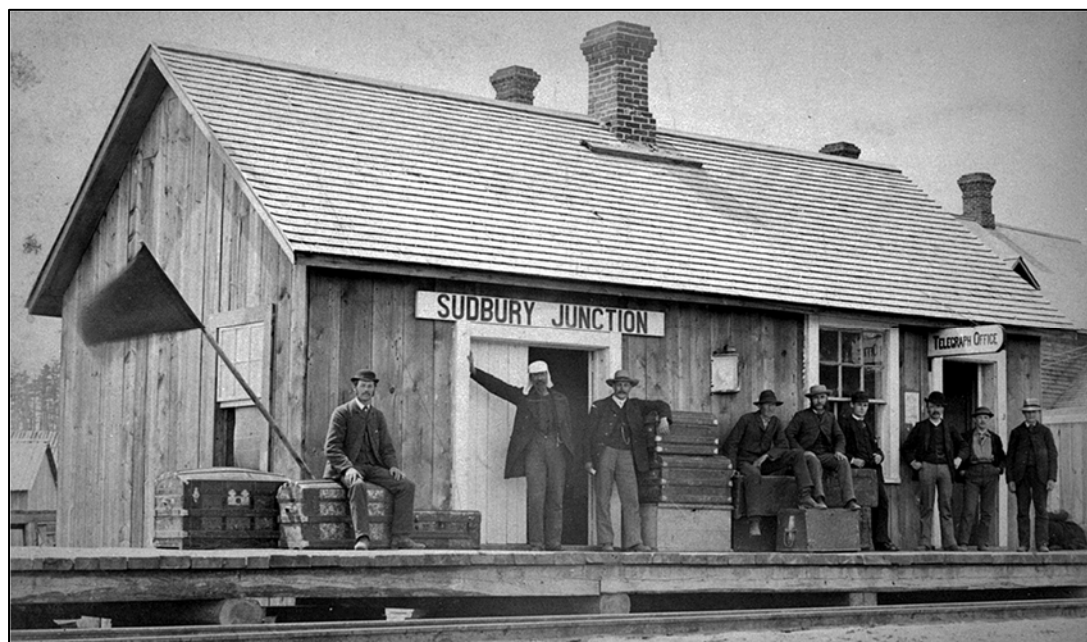


Figure 11: Sudbury Junction in early 1880s (Source: Exporail/CP Collection: A18622; CP, 2020)

⁶⁸ Saarinen, O.W. 2019. and Wallace, C.M. 1993.

⁶⁹ Wallace, C.M. 1992. p. 16. and Saarinen, O.W. 2019.

⁷⁰ Morisset, L.K. 2017. 'From Town-Building to Society-Making: Company Towns in Canada' *JSSAC / JSEAC*. Vol.42:1. p. 45.

⁷¹ Wallace, C.M. 1992. p. 15.

⁷² Wallace, C.M. 1992. p. 18.

⁷³ MHSTCI 1972. p. 150-151. and Jewiss, T. 1983. 'The Mining History of the Sudbury Area'. *Rocks and Minerals in Canada*, Spring 1983.

⁷⁴ Wallace, C.M. 1992. p. 23.

⁷⁵ ONLAND Sudbury (53), McKim, Book 34.

⁷⁶ Saarinen, O.W. 2019.



Figure 12: View of Sudbury in 1883 (Source: University of Sudbury, 2013).

6.9 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.⁷⁷ The 1970s were a time of transformation in Sudbury as the area grappled with unchecked sprawl and pollution from logging and mining. In response, a Regional government was established in 1973 which included Sudbury and six area municipalities.⁷⁸ As a region, the government was able to guide development and require taxes from the mining industries for the first time.⁷⁹ Greater Sudbury faced a declining population in the 1970s as new technology affected the types of mining jobs available.⁸⁰ In response, the region worked to diversify the local economy including, wholesale distribution, an airport, and universities.⁸¹ 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.⁸²

6.10 Early Education in Sudbury

The first school in Sudbury was established in 1884 by Reverend Father Jean-Baptiste Nolin, who admitted students of all faiths and backgrounds.⁸³ Father Nolin converted the rectory of St. Anne-des-Pins into a school.⁸⁴ To pay for a teacher, Father Nolin collected school taxes - \$2.00 per month - from all residents.⁸⁵ By 1885 the school had grown

⁷⁷ Bourque, Fern. 2014. *We Have a Working Fire*. Fern: Sudbury, ON. p. 155.

⁷⁸ Buse, D.K. 1993. 'The 1970s' in *Sudbury: Rail Town to Regional Capital*. Edited by Wallace, C.M. and Ashley Thomson. Dundurn Press: Toronto, ON.

⁷⁹ Saarinen, O.W. 2019.

⁸⁰ Saarinen, O.W. 1990. p. 66.

⁸¹ Ibid. p. 66-68.

⁸² Government of Ontario. 2015. Ontario's Mineral Development Strategy. Accessed from: https://www.mndm.gov.on.ca/sites/default/files/mndm_mds_english_2015.pdf

⁸³ Sudbury Museum. n.d. 'School'. Sudbury Museum. Accessed from http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1601&parID=1400

⁸⁴ Ibid.

⁸⁵ Ibid.

too large for the rectory and was moved to an abandoned CPR log cabin.⁸⁶ In 1886, an inspector from the Department of Education visited the school and separated the children by 'ethnic' and religious beliefs.⁸⁷ In response, French Catholic parents created a Catholic Separate School in 1886.⁸⁸ A local house was used for the school funded by parents as the school was not recognized by the Department of Education and therefore ineligible for government grants.⁸⁹ The school was only recognized on 9 April 1888 thanks to the efforts of Father Hormidas Caron, the Separate School Board was created on September 23, 1888.⁹⁰ The School Board passed a motion in 1894 to allow children to be taught in both French and English.⁹¹

By the mid-1890s an influx of families trying to take advantage of the growing mining industry settled in Sudbury. The older schools could accommodate this influx and in 1895, the Brown School next to Red Oak Villa, located at 20 Ste. Anne Road adjacent to the Subject Property, was opened to 115 children (Figure 13).⁹² By 1905 the Brown School's four classrooms were split into six.⁹³ Rapid population growth in Sudbury, with a French majority, led to a teaching imbalance, as the Board tried to maintain separate classes for French and English students.⁹⁴ A total of two-thirds of the students spoke French as a first language; however, only five of the school's ten classrooms were taught in French.⁹⁵

6.11 French/English Debate and Regulation 17

By 1910 Sudbury had two separate schools with six teachers, three French-Canadian and three Irish.⁹⁶ At this time, there was growing opposition for bilingual schools and French language instruction in Ontario schools. This stemmed from a variety of sources including the English Protestant Orange Order who saw French-Catholic education as unpatriotic and Irish Catholics led by Bishop Michael Francis Fallon of London, who wanted Catholic education to only be taught in English.⁹⁷ In response to this growing opposition, the Grand Congrès des Canadiens français de l'Ontario was held in Ottawa from 18 to 20 January 1910 with 1,200 delegates representing 210,000 Ontario francophones, including those in Sudbury.⁹⁸ The Grand Congrès led to the founding of the Association Canadienne-Française d'éducation de l'Ontario and laid out a framework for bilingual education.⁹⁹ The Grand Congrès revived francophone patriotism in Sudbury and across Ontario but was quickly met with repercussions from the Province.¹⁰⁰

In response to the Grand Congrès, the Province commissioned an official inquiry into bilingual schools in 1912 from the chief school inspector, Francis Walter Merchant.¹⁰¹ The report found 'poor' English instruction in bilingual schools

86 Ibid.

87 Ibid.

88 Tregonning, M.W. 1981. *Regard Sur Le Passé*. Tregonning: Sudbury, ON. p. 75.

89 Ibid.

90 Sudbury Museum. n.d. 'School'.

91 Sudbury Museum. n.d. 'A Separation of Languages'. Sudbury Museum. Accessed from:

http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1742&parID=1601

92 Sudbury Museum. n.d. *Finding a New Home*. Sudbury Museum. Accessed from:

http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1740&parID=1601

93 Ibid.

94 Sudbury Museum. n.d. *A Separation of Languages*.

95 Ibid.

96 Tregonning, M.W. 1981. p. 77.

97 Canada History Project. n.d. 'Regulation 17 – 1912'. Canada History Project. Accessed from:

<http://www.canadahistoryproject.ca/1914/1914-02-reg-17.html>

98 Sylvestre, P.F. 2015. 'Assemblée de la francophonie de l'Ontario'. The Canadian Encyclopedia. Accessed from:

<https://www.thecanadianencyclopedia.ca/en/article/assemblee-de-la-francophonie-de-lontario>

99 Ibid.

100 Tregonning, M.W. 1981. p. 77.

101 Ibid.

and was used by the Province in 1912 to justify Regulation 17.¹⁰² Regulation 17 banned French instruction beyond the first two years of elementary school at both public and separate schools.¹⁰³ In 1913 the Regulation was changed to allow one hour of French instruction a day.¹⁰⁴

The Sudbury Separate School Board, lead by four Francophone commissioners and three Irish commissioners, operated as if Regulation 17 did not exist.¹⁰⁵ The commissioners came to an agreement that the Irish representatives would run and hire teachers for English classes while the Francophone representatives did the same for French classes.¹⁰⁶ They almost lost their government funding in 1915, when a government inspector wrote a report on Sudbury but "...they persuaded the inspector to admit to the Ministry of Education that the bilingual system would prove to be very successful in Sudbury, even if it was not perfect."¹⁰⁷

6.12 St. Louis de Gonzague History

With the School Board largely operating without regard for Regulation 17, the bilingual student population of Sudbury continued to grow and by 1913, plans were made to purchase and build a new school (Figure 14). That same year, the School Board purchased 3 ½ acres from C.P.R.¹⁰⁸ and began construction on Central Separate School (later renamed St. Louis de Gonzague) on 12 June 1914 and cost \$50,000.¹⁰⁹ It measured approximately 70 ft. by 115 ft., was two-stores tall, and had 12 rooms.¹¹⁰

A 1915 article from the *Sudbury Star* mentions an "old school just abandoned built over 25 years ago"¹¹¹ and suggests that the Central Separate School was built over this earlier school. However, no historic records, other than this newspaper article, were identified which indicates this earlier school was located on the Subject Property.

At the time, the school was considered one of the "most modern and best-appointed educational structures of any municipality its size in Canada."¹¹² The modern structure was built with a concrete foundation with 450,000 red bricks sourced from the Sudbury Brick Company Ltd.¹¹³ The interior of the school was separated into two floors. The ground floor had six rooms, the principal's office, and the teachers' office. The upper floor had six classrooms and a library. The interior was finished with golden oak, while the floors and stairways were finished with birch.¹¹⁴ On 23 January 1915, the Central Separate School was officially opened with an enrollment of 565 (Figure 15 and Figure 16).¹¹⁵

Overcrowding at the Central Separate School became a severe problem in 1919 leading Board trustees to create a second central school, but for Anglophones.¹¹⁶ The motion was passed with a single vote and resulted in the hiring of English nuns to teach in English exclusively.¹¹⁷ The division of English and French only classes further divided the school system and in 1923, a new central school, St. Aloysius was opened for English instruction next to the Central

102 Barber, M. and Sylvestre, P.F. 2016. 'Ontario Schools Questions'. The Canadian Encyclopedia. Accessed from: <https://www.thecanadianencyclopedia.ca/en/article/ontario-schools-question>

103 Canada History Project. n.d. 'Regulation 17 – 1912'.

104 Ibid.

105 Tregonning, M.W. 1981. p. 84.

106 Ibid.

107 Tregonning, M.W. 1981. p. 84. Translated from French.

108 Sudbury Star. 1915. 'Central Separate School Strictly Sudbury-Made'. *Sudbury Star*. p5.

109 Ibid.

110 Sudbury Star. 1915. 'Laberge Lumber Company Limited'. *Sudbury Star*. p3.

111 Ibid.

112 Ibid.

113 Ibid.

114 Ibid.

115 Ibid.

116 Ibid.

117 Ibid.

Separate School (Figure 17 and Figure 18).¹¹⁸ Although the primary function of St. Aloysius was for instruction in English, there was hope that it would alleviate the overcrowding problem. This, however, was proven false as enrollment in 1923 was 417 at St. Aloysius and 724 at the Central Separate School.¹¹⁹

The Brown School was acquired by the Ste Anne of the Pines parish in 1927 and was re-opened in 1929 as the L'Orphelinat d'Youville, run by the Grey Nuns.¹²⁰

In April 1927, Francis Walter Merchant, the author of the original report which led to Regulation 17, inspected twenty bilingual classes in Sudbury's Separate School Board.¹²¹ By September 1927, Merchant submitted a Royal Commission of Inquiry to the Province which found that French instruction was positive in these schools.¹²² Regulation 17 was repealed in 1927 but remained a statute until 1944.¹²³

By 1928, the Central Separate School was renamed St. Louis de Gonzague.¹²⁴ The 1935 Sudbury Fire Insurance Plan shows a significant northern addition to the School which occurred sometime between 1915 and 1935. Although it cannot be confirmed through historical materials, the addition may have been added following the 1927 Merchant report and subsequent repealing of Regulation 17 as enrollment increased.

Problems with overcrowding persisted well into the 1950s.¹²⁵ The northern addition, rotation of students, and increasing classroom sizes did not solve any of these problems. In 1969, the Ministry of Education amalgamated all separate school boards and the Sudbury District Roman Catholic Separate School Board was created.¹²⁶ The new School Board was responsible for 25,835 students spread across 42 French schools, 28 English schools, and seven bilingual schools.

In 1975, St. Louis de Gonzague celebrated its 60th anniversary by using an old school bell to recall students from recess.¹²⁷ In 1994, St. Louis de Gonzague built a new gymnasium, opting for a concrete block masonry foundation.¹²⁸ The more economical concrete block masonry foundation allowed the school to divert funds to build a stage and purchase gym equipment.

In 1996, with a decline in student enrollment¹²⁹ and increasing costs to maintain schools, the school board decided to close St. Aloysius.¹³⁰ School board trustees stated costs and low enrollment as the main reason as St. Aloysius had 124 students in 1996.¹³¹ In 1999, the school board held meetings and considered closing St. Louis de Gonzague and

118 Ibid.

119 Sudbury Star. 1923. 'School Rolls Exceed 2,500: Central Public School Beginners Tax Capacity; College School Opens Monday'. *Sudbury Star*.

120 Saarinen, O.W. 2013. *From Meteorite Impact to Constellation City: A Historical Geography of Greater Sudbury*. Wilfred Laurier University Press: Waterloo, ON.

121 Tregonning, M.W. 1981. p. 85.

122 Tregonning, M.W. 1981. p. 86.

123 Kitts, D. 2016. 'Why Ontario once tried to ban French in schools. tvo. Accessed from: <https://www.tvo.org/article/why-ontario-once-tried-to-ban-french-in-schools>

124 Sudbury Museums. n.d. 'Another School Needed'. Sudbury Museums. Accessed from http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1743&parID=1601

125 Sudbury Museums. n.d. 'School Overcrowding a Problem'. Sudbury Museums. Accessed from http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1745&parID=1601

126 Sudbury Museums. n.d. 'Amalgamations and Divisions'. Sudbury Museums. Accessed from http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1749&parID=1601

127 Sudbury Star. 1975. 'Ringing Attention to School Anniversary'. *Sudbury Star*. p.3.

128 Sudbury Star. 1994. 'Board to Oversee Gym Construction'. *Sudbury Star*. p.A4.

129 Sudbury Museum. n.d. 'A Solid School System Formed'. Sudbury Museums. Accessed from: http://www.sudburymuseums.ca/index.cfm?app=w_vmuseum&lang=en&currID=1750&parID=1601

130 Sudbury Star. 1996. 'Separate Board to close St. Aloysius School'. *Sudbury Star*. p.A1.

131 Sudbury Star. 1996. 'St. Aloysius Closing Final, Parents told'. *Sudbury Star*. p.A3.

three other schools.¹³² In 2000, it was decided to close the former school.¹³³ By 2001, the School Board was looking to sell the Subject Property.¹³⁴ In 2009, the Subject Property was rezoned allow from Institutional Zone to Office Commercial for "...office uses and to permit the construction of a 94 unit, eight storey residential building".¹³⁵

In 2015, Autumnwood acquired the Subject Property that included both St. Aloysius and St. Louis de Gonzague. In 2017, St. Aloysius was demolished.¹³⁶ The Subject Property is currently known by its project name "The Village."¹³⁷ The rear addition of the former school is the location of the Sudbury Indie Cinema while the main structure is currently undergoing rehabilitation. In 2019, The Uptown Sudbury Community Action Networks (**CANs**) or Réseaux d'action communautaire (**RAC**) submitted a formal letter to the City of Sudbury, stating they:

"... believe preserving the exterior historical character of the building, namely the masonry and the three entrances (one facing MacKenzie and two side by each facing south toward the library) is important for the cultural and historical story of Uptown and the City of Greater Sudbury."

Opened in 1914, 162 MacKenzie Street appears to be the third oldest extant school in Sudbury. Sudbury Secondary School, opened in 1908, has been expanded and altered various times through additions and demolitions.¹³⁸ Collège du Sacré-Coeur was opened in 1912 parts of the building have been reintegrated into the current Sacré-Coeur Secondary School.¹³⁹

132 Sudbury Star. 1999. 'French School Board Ponders closing four School'. *Sudbury Star*. p.A1.

133 Sudbury Star. 2000. 'School's Fates to be known Tuesday'. *Sudbury Star*. p.A3.

134 The City of Greater Sudbury. 2001. 'The Eight Meeting of the Committee of the Whole – Planning of the City of Greater Sudbury'. *City of Greater Sudbury*. Accessed from: https://www.greatersudbury.ca/sudburyen/assets/content/static/nas/corpserv/Meetings/2001_Meetings/PlanningMinutes_May15.pdf

135 The City of Greater Sudbury Planning Committee. 3 March 2009. 'Planning Committee Agenda'. City of Greater Sudbury. Accessed from: <https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&lang=en&id=185&itemid=1700>

136 Ibid.

137 Moodie, J. 2016. 'Sudbury Accent: If Tunnels could talk'. *Sudbury Star*. Accessed from <https://www.thesudburystar.com/2016/04/02/sudbury-accent-if-tunnels-could-talk/wcm/de3b6ef6-293d-37ef-c7da-a41a3a80e64c>

138 Sudbury.com. 2008. 'Sudbury Secondary celebrates 100 years'. *Sudbury.com*. Accessed from: <https://www.sudbury.com/local-news/sudbury-secondary-celebrates-100-years-218442#:~:text=The%20high%20school%20was%20established,the%20technical%20school%20in%201939.>

139 Riopel, P. n.d. 'Sacré-Coeur College in Sudbury'. *Encyclopedie du Patrimoine Culturel de L'Amerique Francaise*. Accessed from: http://132.203.235.72/fr/article-249/Coll%C3%A8ge_Sacr%C3%A9-Coeur_de_Sudbury.html#.X2jp1GhKjic



Figure 13: St. Joseph's Hospital and Brown School at right (Source: Greater Sudbury Public Library).

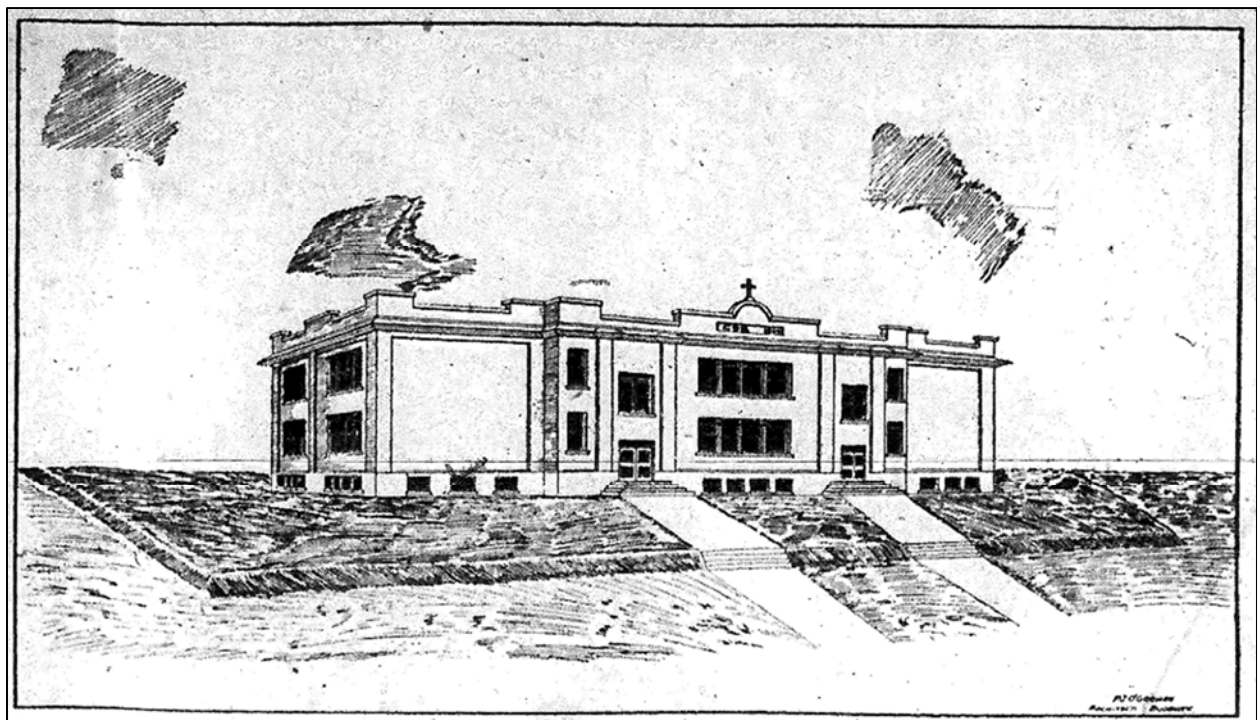


Figure 14: Central Separate School, Sudbury (Source: Sudbury Star 1915).



Figure 15: St. Louis de Gonzague (Central Separate School), opened in 1915. St. Aloysius is located in the background and opened in 1923. (Source: Greater Sudbury Public Library).

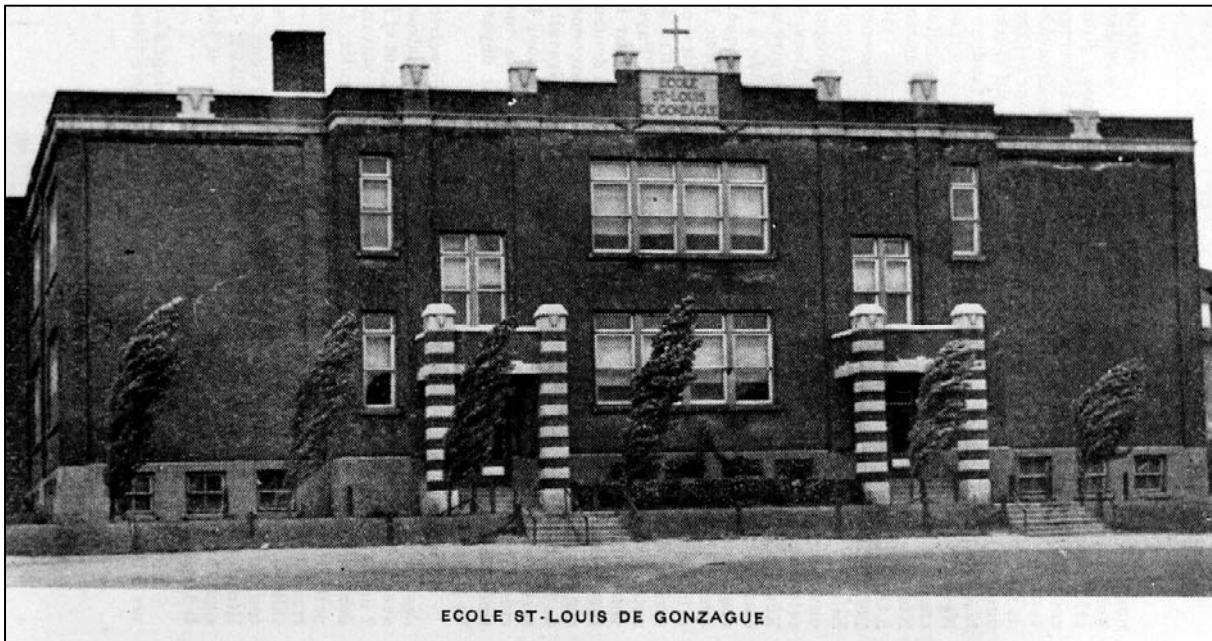


Figure 16: St. Louis de Gonzague in 1945 (Source: Greater Sudbury Heritage Image. MK1325).



Figure 17: St. Aloysius Separate School, opened in 1923 (Source: Greater Sudbury Public Library)



Figure 18: St. Aloysius Separate School, photograph from 1992 (Source: Greater Sudbury Heritage Image. SPL collection. MK3946).

6.13 P.J. O’Gorman

St. Louis de Gonzague and St. Aloysius were both designed by P.J. O’Gorman. O’Gorman, a Canadian architect, was born in 1882 and died in 1962.¹⁴⁰ In 1910 Gorman began work in the North Bay office of architect Henry E. Angus, before joining the Canadian Copper Co. in Copper Cliff in 1912. He also held a position at the British American Copper Co. in Sudbury before opening his architecture firm in 1914. From his Sudbury office, he designed dozens of institutional, commercial, and ecclesiastical buildings in Northern Ontario over his 30-year career.¹⁴¹ Gorman opened branch offices in North Bay and Sault Ste. Marie following the Second World War. He retired in 1961 following a prolific career in Northern Ontario. Some of his other works in Sudbury include:

- St. Joseph’s Roman Catholic Church, Sudbury, built in 1917;
- Mining & Technical High School, Sudbury, built in 1920 (demolished);
- The Regent Theatre Block, Sudbury, built in 1925 (demolished);
- Mackey Block, Sudbury, built in 1925;
- St. Joseph’s Hospital, Sudbury, built in 1929 (forms part of the current Red Oak Villa);
- Sudbury High School, Sudbury, built in 1931-32;
- Wembley Public School, Sudbury, built in 1943; and,
- St. David’s Roman Catholic School, Sudbury, built in 1944.

Of the comparative examples in Sudbury, St. Louis de Gonzague is the oldest. It also appears to have been the first in a line of schools built in Sudbury and Northern Ontario, more generally. (See Appendix C for images). In addition to his work in Sudbury, O’Gorman also designed Town Halls for Parry Sound (1934) and Timmins (1937) as well as several other prominent buildings, including (but not limited to):

- St. Anthony’s Toman Catholic Cathedral, Timmins, built in 1921;
- St. Joseph’s Hospital, North Bay, built in 1931; and,
- Roman Catholic Church, Kirkland Lake, built in 1932.

6.14 Property Morphology

Two historic maps, two fire insurance plans (FIP), four topographic maps, and seven aerial images were consulted to understand the morphology of the Subject Property. While these historic maps can provide a great deal of information about the land-use history of a property, there are some limitations. Not all features of interest were surveyed to the same degree of accuracy or included on the maps.

Lot 6, Concession 4 is marked within the limits of the City of Sudbury. The name Timothy Dossiser is marked as the owner of the lot (Figure 19). Importantly, the C.P.R railway traverses the lot, making it an important location in the development of Sudbury.

The F.C. Lane Survey of the City of Sudbury (Figure 20) provides a detailed look at all the streets within Sudbury. The lots that encompass Sudbury are subdivided into individual parcels and are numbered. Major landmarks such as schools, courthouses, religious institutions, and parks are included in this map. Of note are St. Louis de Gonzague and St. Aloysius separate schools. Located at the corner of Davidson and MacKenzie Street, the two schools are located

140 Dictionary of Canadian Architects. n.d. ‘O’Gorman, Peter James’. *Biographical Dictionary of Architects in Canada 1800-1950*. Accessed from <http://dictionaryofarchitectsincanada.org/node/116>

141 Ibid.

on a parcel east of MacKenzie Street. The footprints of the buildings are extremely detailed and are consistent with the footprints found in aerial imagery and topographic maps.

Fire Insurance Plans (Figure 21) for the area were consulted and provide important details concerning the massing, height, and building materials. The 1935 FIP shows an addition to the north of St. Louis de Gonzague, which puts the construction date between 1915 and 1935. Due to clarity, it is difficult to identify anything except for its brick construction.

The 1957 FIP shows St. Louis de Gonzague to be two-storeys in height, a patent, or tar and gravel roof, a concrete basement, and doors and windows on all sides. The addition is two storeys in height, has a basement, and either a patent or tar and gravel roof. The massing is "L" shaped. St. Aloysius is two-storeys in height, windows and doors on all sides, and has a patent or tar and gravel roof. The massing is "H" shaped.

Topographic maps (Figure 22) for the area show a view of the structures within the City of Sudbury. The two structures located on the Subject Property are not identified as schools. However, a school is present on the west side of MacKenzie Street. One likely reason St. Louis de Gonzague and St. Aloysius are not labelled schools is because they were separate schools and are not under the jurisdiction of the School Board at the time. Topographic maps from 1936 and 1977 identify the two separate schools as such and include a general massing and their respective footprints. The final topographic map from 2011 identifies the two structures as schools with no other distinctive markings, even though both schools were closed before this map (St. Aloysius in 1996 and St. Louis de Gonzague in 2000).

Twentieth century aerial images (Figure 23 and Figure 24) shows the school properties. Aerial imagery from 1946 shows both schools, their massing, height, and location within the Subject Property. The area to the north is largely residential with institution buildings to the south. The two schools appeared unchanged in 1964. The first coloured aerial image from 1980 shows no noticeable changes to the exterior; however, there are markings on the playground for several sports. A 1989 oblique aerial was taken at such an angle it is possible to see the west and south elevations of St. Louis de Gonzague and St. Aloysius. The elevations on both structures are the same as previously shown in Figure 15 to Figure 17. There were little to no changes to the exterior in the early 19th century. In 1994, the schools are still present, the only change to the Subject Property was the removal of the markings on the playground for St. Louis de Gonzague. Sometime after 1994, the rear addition was added to St. Louis de Gonzague. In 2017, St. Aloysius was demolished, and its absence is apparent in this aerial.

6.15 Institutional Block

The centralized location of St. Louis de Gonzague and the now-demolished St. Aloysius are found in an *Institutional Block* of downtown Sudbury (Figure 4). This Institutional Block ("**the Block**") is roughly defined as the concentration of institutional buildings such as schools, churches, parks, and government and public buildings. The Block is approximately bounded to the north by Kathleen Street, Notre Dame Avenue to the east, Van Horne Street and Brady Street to the south, and Regent Street and Beatty Street to the west.

This Block was an important location in the development and growth of Sudbury. The Block is distinctive because of the concentration of institutional buildings that are intermixed with residential and commercial buildings. The area is defined by its unique character along the Sudbury landscape. The different heights and massing of the structures further reinforce a non-homogenized zone that incorporates both the industrial and suburban parts of Sudbury. These Institutional Blocks were the cornerstones of developing communities as they fulfilled needs such as education, religion, leisure, and governmental services.

In addition to the two schools on the Subject Property, there are eight other schools within the Block. Other public spaces and buildings located within this Block include Memorial Park, Queen's Athletic Field, the Sudbury Jail and Courthouse, Greater Sudbury Police Service, Town Hall, and the demolished D'Youville Orphanage.

The D'Youville Orphanage at 38 Xavier Street (former the Brown School) was designated in 1982 under By-law 82-80 by the City due to its history as one of the first schools in the community and a historic orphanage. The former orphanage was demolished in 2006 due to the cost prohibitive nature of its reconstruction.¹⁴² Its designation remains on the property and a commemorative gazebo was meant to be built following demolition but has not been completed.

¹⁴² Pusiak, R. 2006. 'Application made to demolish heritage building'. *Sudbury.com*. Accessed from: <https://www.sudbury.com/local-news/application-made-to-demolish-heritage-building-206269>



Legend

Subject Property

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Department of Crown Lands. *McKim Sudbury District*. Scale 1:31,680. Toronto: Department of Crown Lands. 1884.

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CLIENT

City of Greater Sudbury

PROJECT

Cultural Heritage Evaluation, Copper Cliff Fire Hall, 7 Serpentine Street, Copper Cliff, City of Greater Sudbury, Ontario

TITLE

1884 Patent Map of McKim Township

CONSULTANT



YYYY-MM-DD 2020-09-15

DESIGNED ---

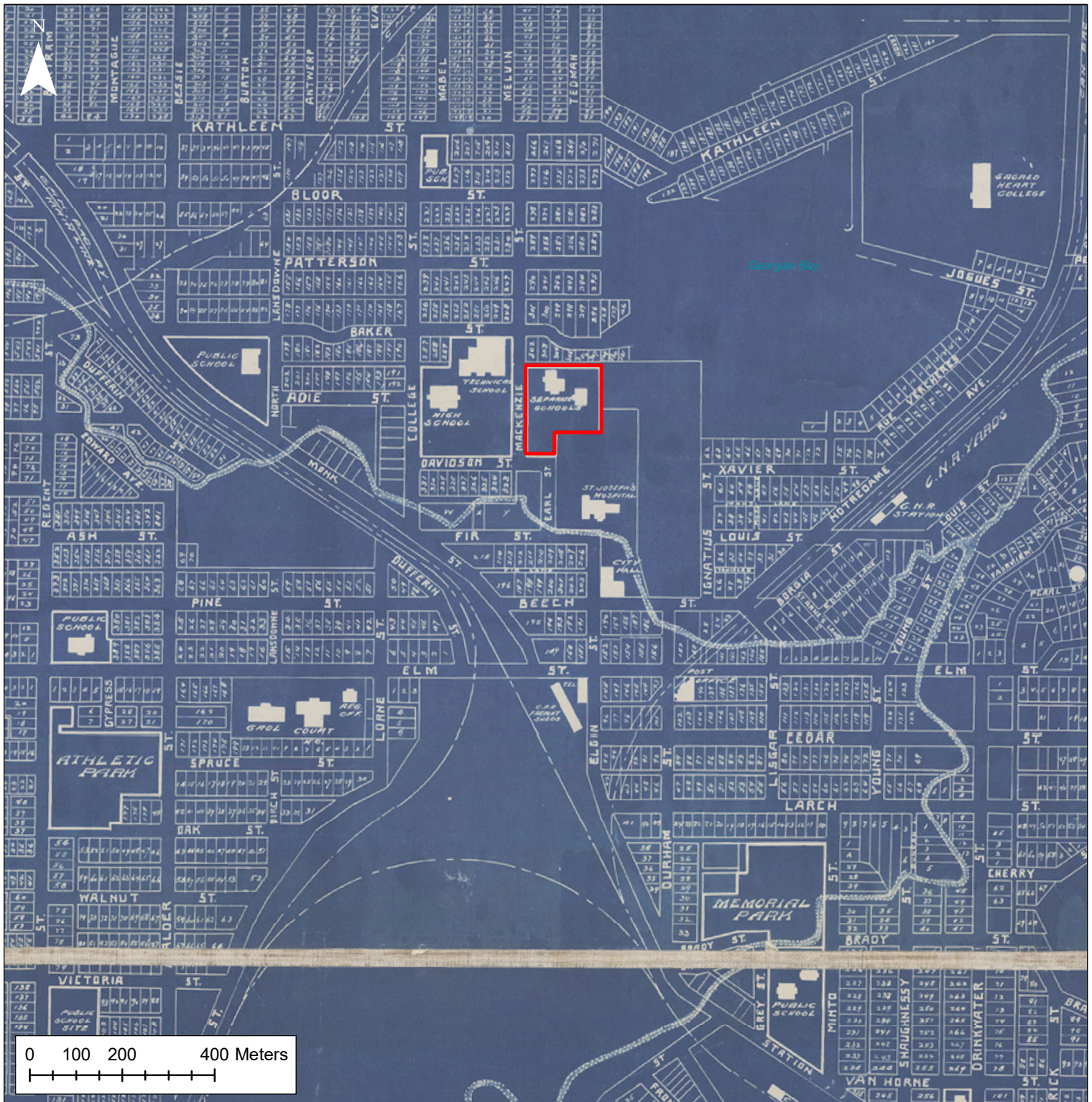
PREPARED JG

REVIEWED

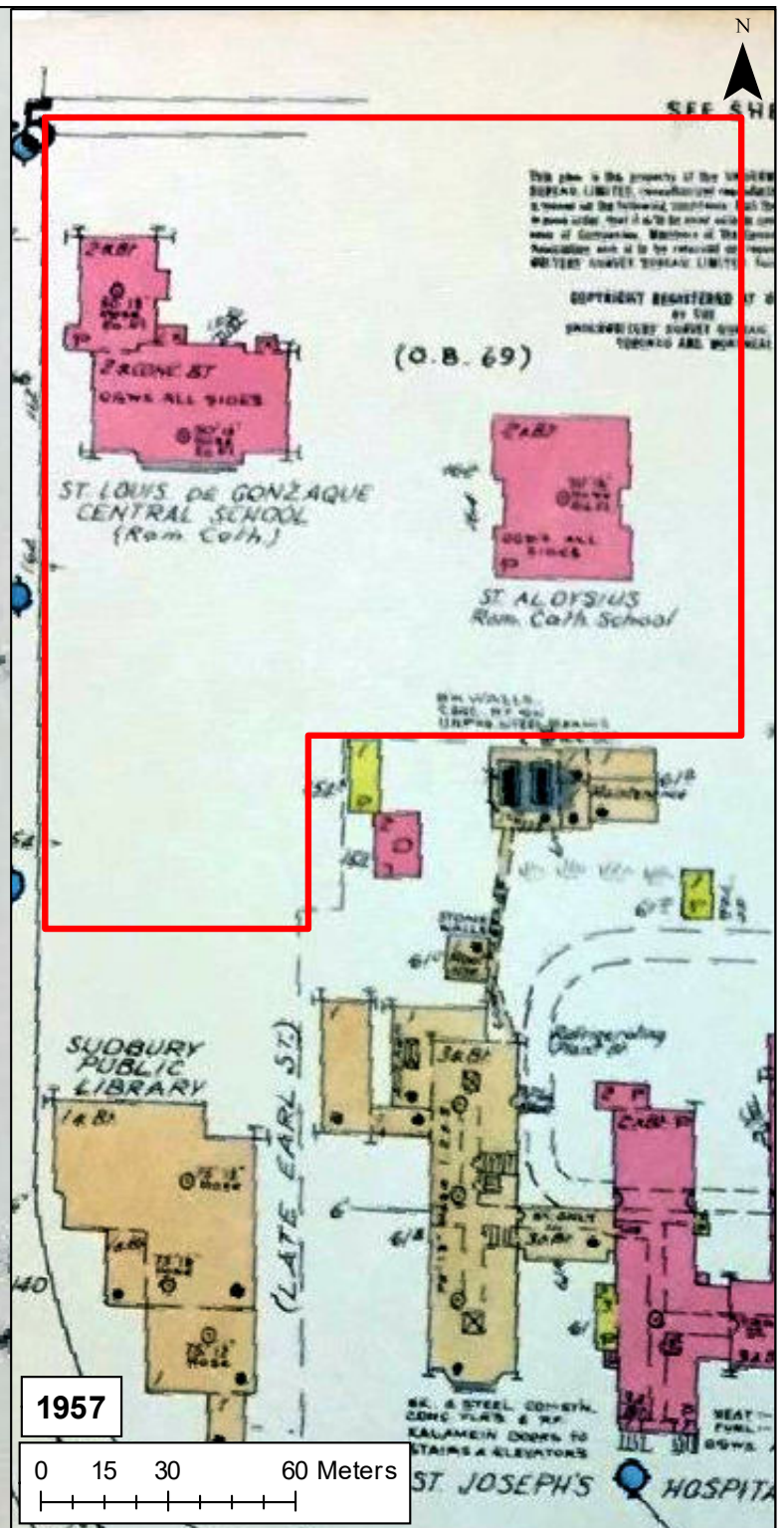
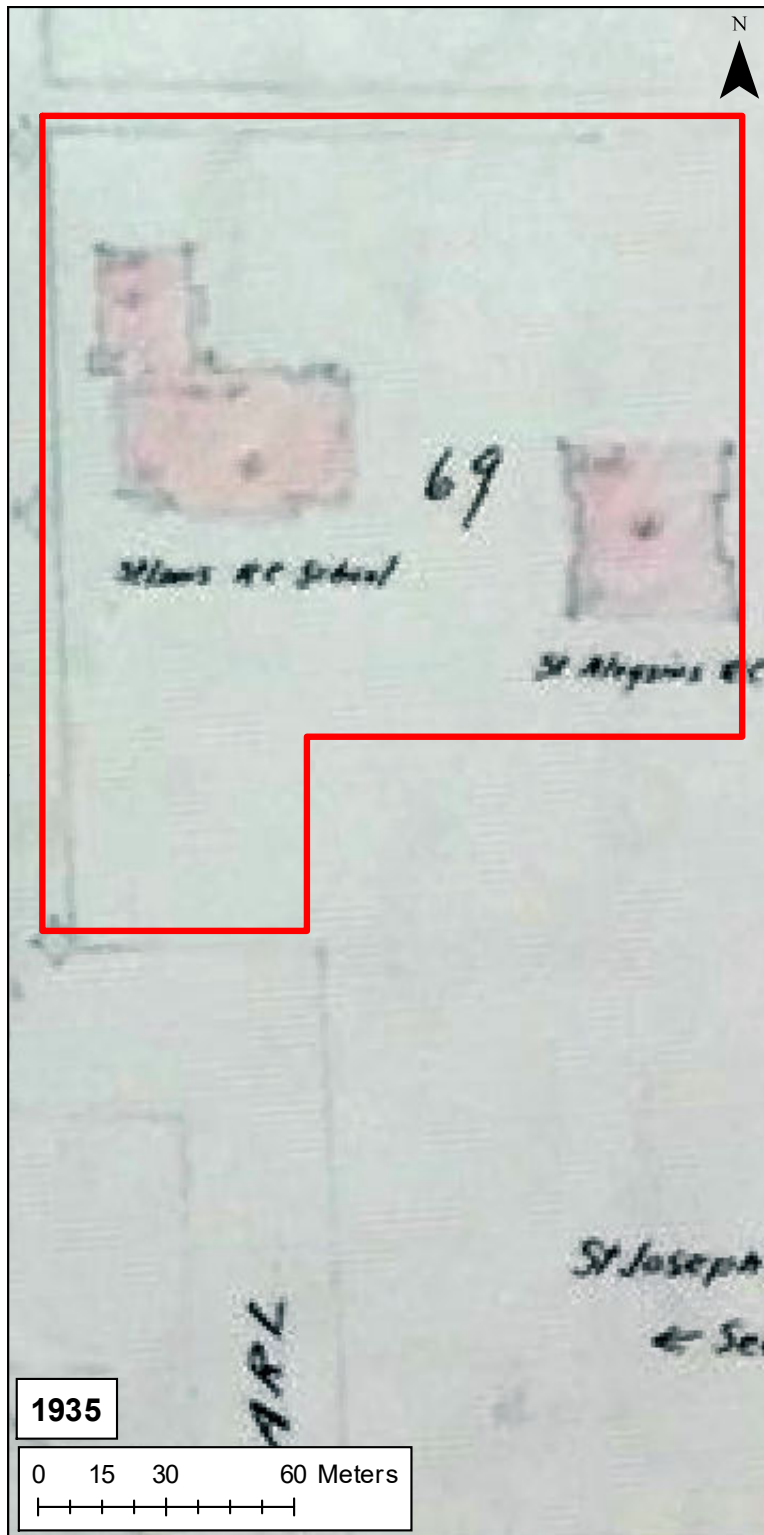
APPROVED

PROJECT NO.
LHC0220

FIGURE: 19



<div>Legend</div> <div><div></div> Subject Property</div>	CLIENT City of Greater Sudbury		
	PROJECT Cultural Heritage Evaluation Report, 162 Mackenzie Street, St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario		
NOTE(S) 1. All locations are approximate.	TITLE F.C. Lane Survey of the City of Sudbury		
REFERENCE(S) 1. Laine, F.C. <i>City of Sudbury</i> . 1886. Portions of this document include intellectual property of ESRI and its licensors and are used under license. Copyright (C) Esri and its licensors. All rights reserved.	<div>CONSULTANT</div> <div><div>LHC</div><div>Léonoraux Heritage Consulting Inc.</div></div>	YYYY-MM-DD	2020-09-15
		DESIGNED	----
		PREPARED	JG
		REVIEWED	
		APPROVED	
	PROJECT NO. LHC0220		FIGURE: 20



Legend

Subject Property

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Unknown. Sheet 4. Scale 1:1,200. Sudbury, Ont. Unattributed, 1935. Provided by Western University.
2. Underwriters' Survey Bureau Limited. Sheet 4-5. Scale 1:1,200. Insurance Plan of the City of Sudbury & District. Toronto and Montreal: Underwriters' Survey Bureau, 1957.

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CLIENT

City of Greater Sudbury

PROJECT

Cultural Heritage Evaluation Report, 162 Mackenzie Street, St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

TITLE

1935 & 1957 Fire Insurance Plan of Subject Property

CONSULTANT



YYYY-MM-DD 2020-09-15

DESIGNED --

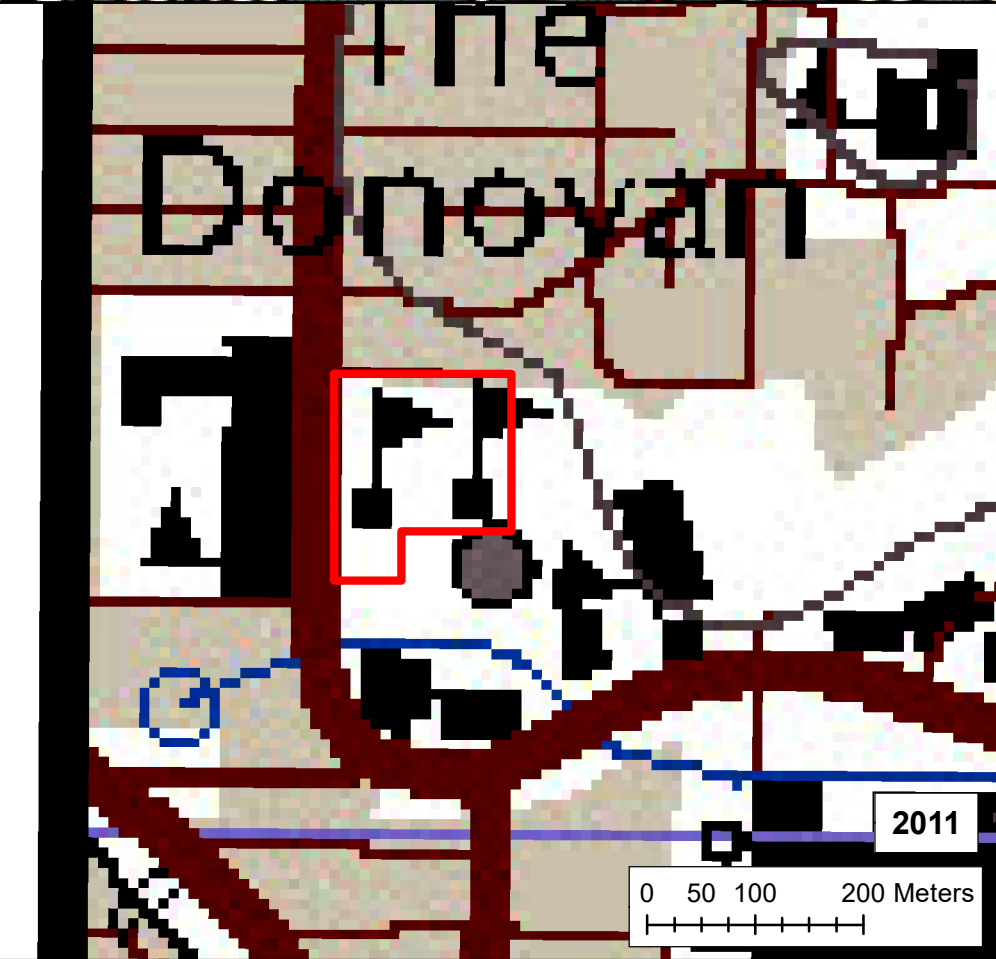
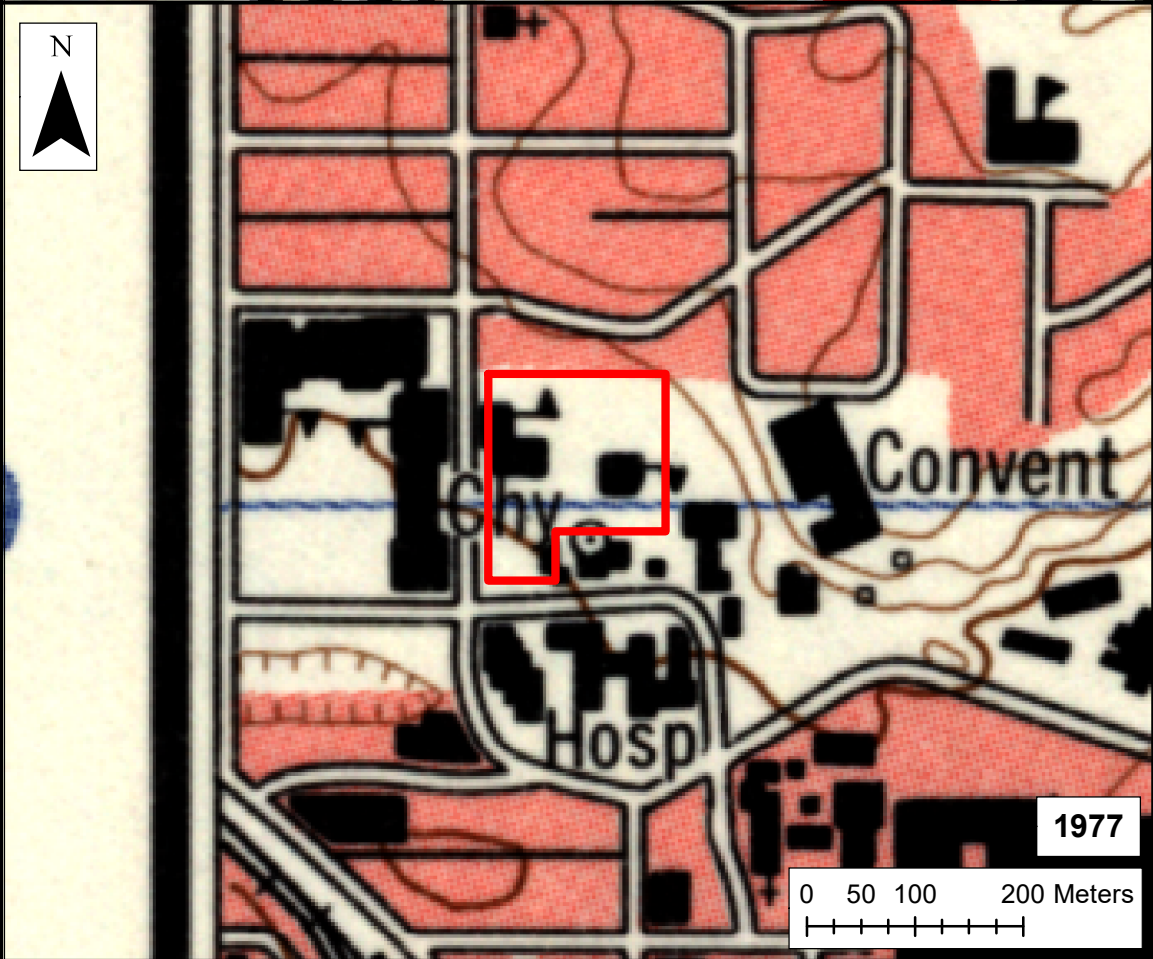
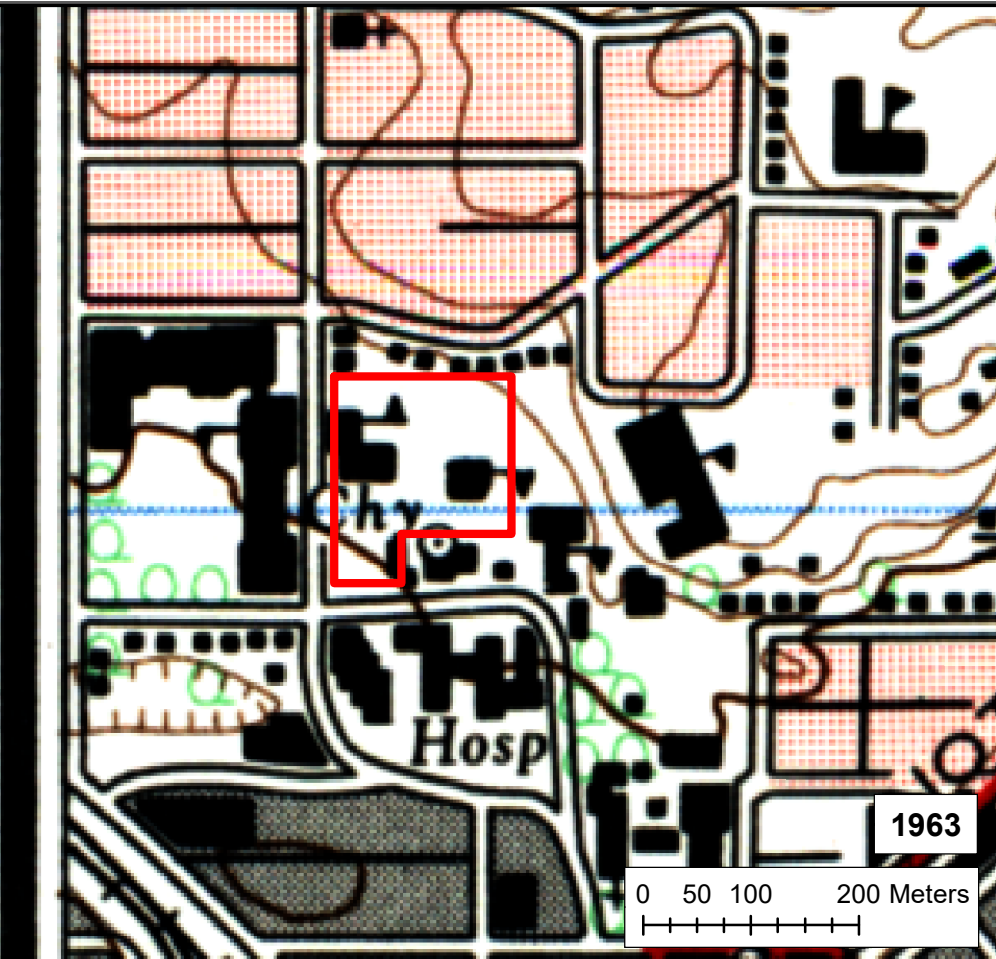
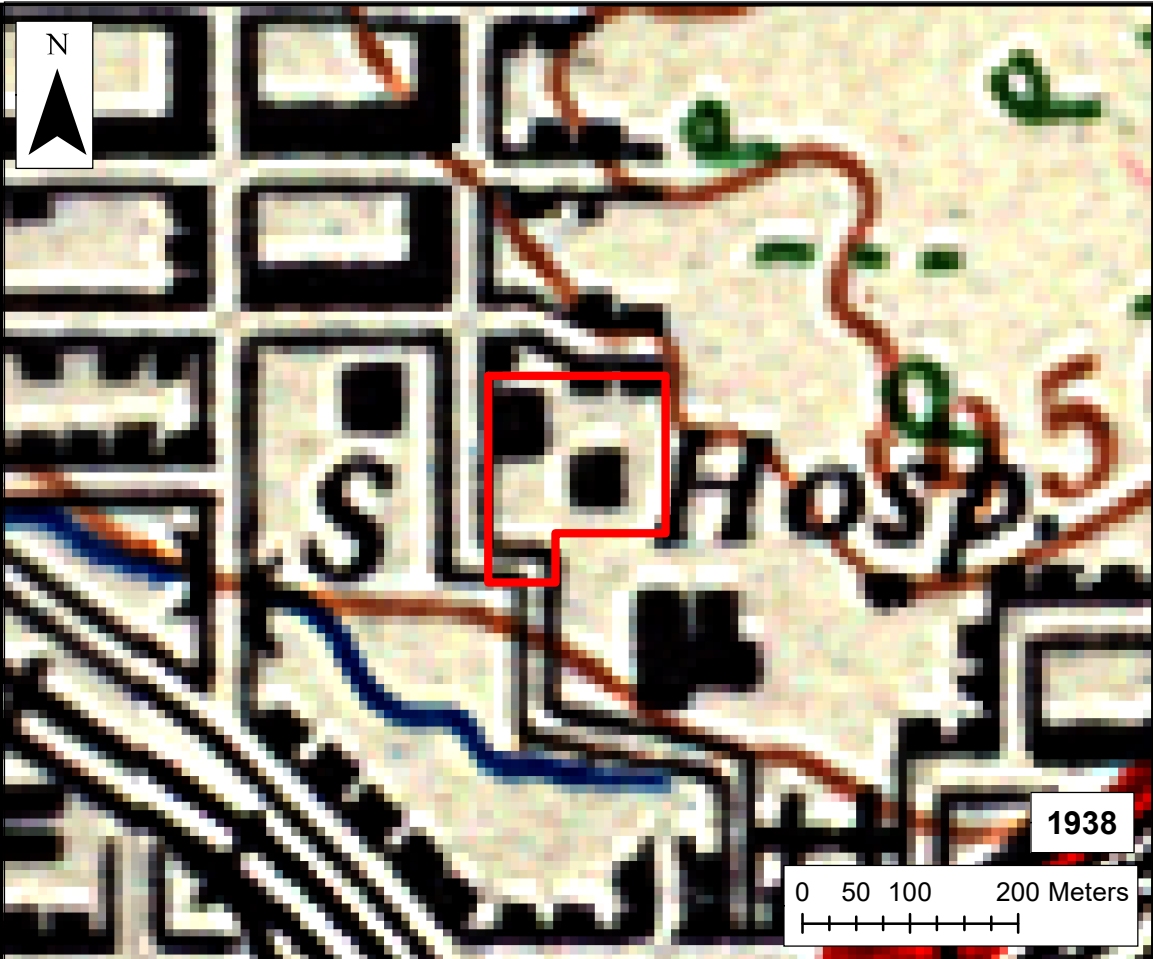
PREPARED JG

REVIEWED

APPROVED

PROJECT NO.
LHC0220

FIGURE: 21



TITLE
1938, 1963, 1977, 2011 Topographic Maps of Subject Property

CLIENT
City of Greater Sudbury

PROJECT
Cultural Heritage Evaluation Report, 162 Mackenzie Street,
St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

Legend

Subject Property

CONSULTANT

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2020-09-15

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PREPARED

JG

REVIEWED

APPROVED

PROJECT NO.
LHC0220

FIGURE: 22

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

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2. Surveys and Mapping Branch, Department of Mines and Technical Surveys. *Sudbury, Sudbury District, Ontario*. Edition 1. Scale 1:25,000. Canada, sheet 41-1/7e. Ottawa: Map Distribution Office, Department of Mines and Technical Surveys. 1963.
3. Surveys and Mapping Branch, Department of Energy, Mines, and Resources. *Sudbury, Ontario*. Edition 2. Scale 1:25,000. Canada, sheet 41-1/7e. Ottawa: Canada Map Office, Department of Energy, Mines, and Resources. 1977.
4. Centre for Topographic Information, Natural Resources Canada. *Coniston, Ontario*. Edition 7. Scale 1:50,000. Canada, sheet 41-1/7. Ottawa: Natural Resources Canada. 2011.

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TITLE
1946, 64, 80, and 89 Aerial Imagery of Subject Property

CLIENT
City of Greater Sudbury

PROJECT
Cultural Heritage Evaluation Report, 162 Mackenzie Street,
St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

Legend

Subject Property

CONSULTANT

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FIGURE: 23

NOTE(S)

1. All locations are approximate

REFERENCE(S)

1. City of Greater Sudbury Aerial Photo App, 2020.

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Legend

Study Area

TITLE

1994, 2014, and 2019 Aerial Imagery of Subject Property

CLIENT

City of Greater Sudbury

PROJECT

Cultural Heritage Evaluation Report, 162 Mackenzie Street,
St-Louis-De-Gonzague Elementary School, City of Greater Sudbury, Ontario

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LHC0220

FIGURE: **24**

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. City of Greater Sudbury Aerial Photo App, 2020.
2. 2014 & 2019: Service Layer Credits: Esri, DigitalGlobe, EarthStar Geographics, CNES/Airbus DS, USDA FSA, USGS, AeroGrid, IGN, IGP, and the GIS user community.

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7 ASSESSMENT OF EXISTING CONDITIONS

The building located on the Subject Property is currently undergoing rehabilitation. Previously known as St. Louis de Gonzague and now given the project name 'The Village', the structure is a two-storey brick building with an "L" shaped plan and a concrete foundation. The roof is flat and has been heavily altered by renovations (Figure 25 and Figure 26). The south and west elevations act as entrances. The south elevation main entrance was previously divided into a boys' and girls' entrance. The two entrances are supported by a front-facing portico (Figure 27). The portico columns alternate between brick and concrete. At the apex of the portico are two ornate capstones that are influenced by Art Deco designs. Two window variations; a longer vertical three-pane window and large rectangular windows with multiple glass panes are found at the former school. All windows have a concrete sill and brick voussoirs. Historic photographs show windows on the lowest level near the building's base.

From the west elevation, it is possible to see the ornate parapet which was previously mirrored on the south elevation but was removed sometime after 1945 (Figure 28 and Figure 29). At varying intervals, a moulded triangle shape can be found at the roofline. Deterioration of brickwork along the roofline was observed. There is one entrance located on the west elevation. The west entrance is found under an arch made of concrete (Figure 30). Two long rectangular windows are located overhead the entrance with a geometric pattern further up the structure.

The rear gymnasium addition was added sometime between 1994 and 2004 based on aerial photography. A newspaper article mentions the construction of a concrete block masonry foundation taken place in 1994. The rear addition is one-storey in height with a concrete block masonry foundation and is clad in brick (Figure 31). The roof is a side gable with overhang eaves and extends westerly to a steep pitch.

The most popular architectural style for Ontario schools in the early 1900s was Collegiate Gothic, meant to emulate the monastic origins of education in Europe seen in both public and separate schools across Canada.¹⁴³ Modern amenities such as plumbing and electricity were installed in brick and stone buildings with Gothic detailing.¹⁴⁴ Collegiate Gothic schools can be identified by their front entrance towers, monochromatic design, low roofs, and block massing.

The former school's use of red brick, low roof, massing, twin boys' and girls' entrances, and multi-paned windows that generally encompass the entire wall are features found in the Collegiate Gothic. Unique to this structure is the "L" shaped massing, Art Deco-influenced parapet and absence of a front-facing entrance tower; which has been relegated to the side entrance. Due to its growth and additions over time, the former school is an evolved building and is not an example of a pure style. Rather, it shows different style influences based on the period of construction.

¹⁴³ Southwestern Ontario Digital Archive. 2020. 'Holy Rosary Separate School, Ford, Ont'. *Southwestern Ontario Digital Archive*. Accessed from: <http://swoda.uwindsor.ca/node/2137> and Chambly County High School and Chambly Academy Alumni Association. 2020. 'St. Lambert Schools'. *Chambly County*. Accessed from: <https://chamblycounty.com/st-lambert-schools/> and Lord Tennyson Elementary. n.d. 'Lord Tennyson History'. *Lord Tennyson Elementary*. Accessed from: <http://www.lordtennyson.ca/history--archive.html> and Ontario Architecture. n.d. 'School'. *Ontario Architecture*. Accessed from: <http://ontarioarchitecture.ca/school.htm>

¹⁴⁴ Kyles, S. 2016. "Test of Time: Trends in Ontario School Architecture". *ACORN* Fall 2016: 14: 2. p. 4.



Figure 25: 162 MacKenzie Street, south elevation (Source: ML 2020).

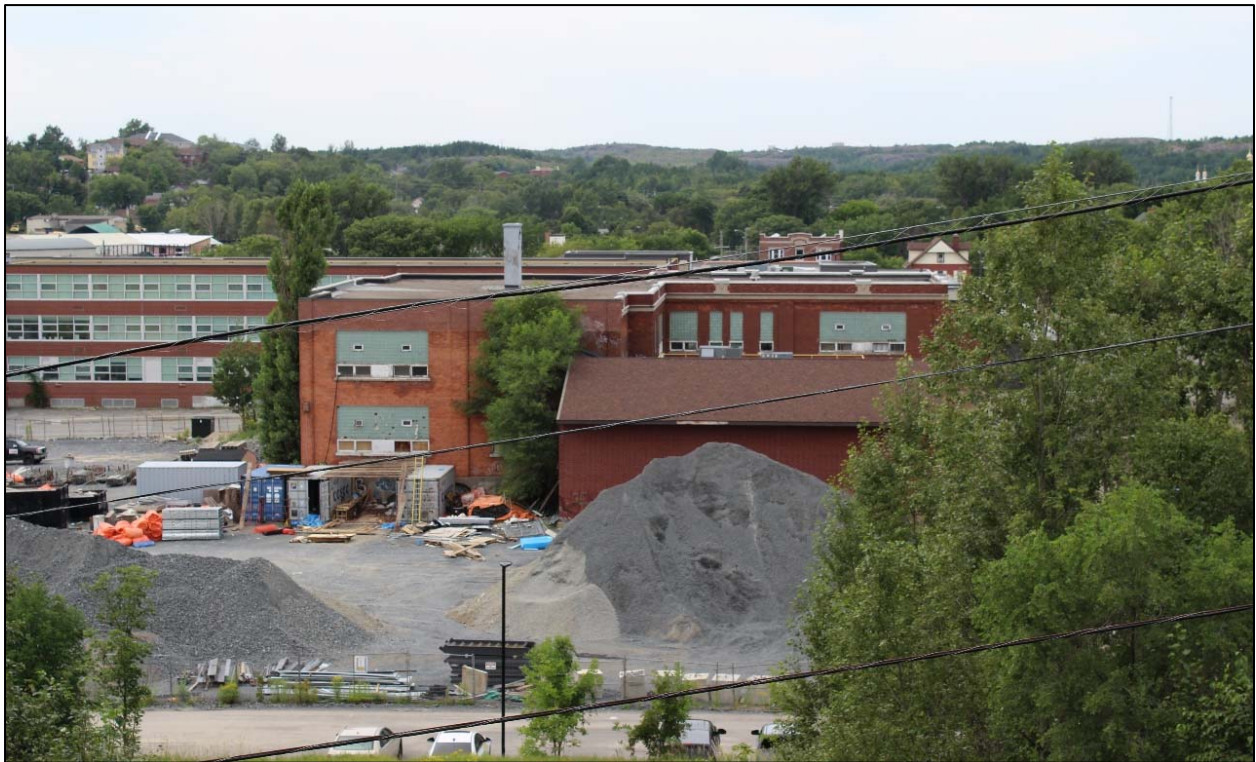


Figure 26: View of 162 MacKenzie Street, east elevation (Source: ML 2020).



Figure 27: Detailed view of 162 MacKenzie Street south elevation (Source: CY 2020).



Figure 28: West and north elevation of 162 MacKenzie Street (Source: ML 2020).



Figure 29: Detail of ornate designs along the roof and side entrance (Source: ML 2020).



Figure 30: Detail view of 162 MacKenzie Street west entrance (Source: CY 2020).



Figure 31: Rear addition gymnasium (Source: ML 2020).

8 EVALUATION

The Subject Property known as 162 MacKenzie Street was evaluated against *O. Reg. 9/06* under the *OHA* to determine its eligibility for designation under Part IV, Section 29 of 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	<p>162 MacKenzie Street is a unique and early example of an evolved vernacular school building that exhibits the influences of various styles including Collegiate Gothic and Art Deco architecture. 162 MacKenzie Street also appears to be the third oldest surviving school building in Sudbury.</p> <p>However, the rear gymnasium, now a theatre, is not in keeping with the rest of the structure. The rear addition, built after 1994, does not demonstrate a defined style and was built economically using commonly sourced materials and methods.</p>
ii. displays a high degree of craftsmanship or artistic merit, or	N	<p>162 MacKenzie Street does not display a high degree of craftsmanship or artistic merit. The materials used were brick and concrete, along with metal as reinforcements. These materials were commonly used at the time. The Collegiate Gothic style was commonly applied to schools, therefore, does not display artistic merit</p> <p>The Art Deco-influenced parapet does display craftsmanship or artistic elements but does not stand out as unique or as a high degree of craftsmanship or artistic merit beyond what would be expected of a public building at the time of construction.</p>
iii. demonstrates a high degree of technical or scientific achievement.	N	<p>162 MacKenzie Street does not display a high degree of technical or scientific achievement. The Collegiate Gothic style was commonly used in many institution buildings at the time.</p>
The property has historical or associative value because it,		
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	Y	<p>162 MacKenzie Street has direct associations with the theme, activity, and institution of education in Sudbury – specifically, French-language education of the Sudbury Francophone community.</p> <p>The former school is an example of separate bilingual Catholic Francophone education and the coordinated efforts of Anglophone and Francophone School Board</p>

		<p>members to defy Regulation 17. The former school also contributed to the repeal of Regulation 17 through the 1927 Royal Commission Inquiry which used the Sudbury Separate Board as an example of positive bilingual instruction.</p> <p>Operating from 1915 to its closure in 2000, 162 MacKenzie Street is directly associated with the events of Regulation 17 and the teaching of French and English language 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>162 MacKenzie Street was built using commonly available materials and methods at the time. The use of red brick, concrete, and metal is expected for structures built during this time.</p> <p>The Subject Property may have archaeological potential not yet disturbed by the extensive redevelopment of the site since 2017. This is best addressed through a separate Archaeological Assessment.</p>
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Y	<p>162 MacKenzie Street demonstrates the work of architect P.J. O’Gorman who was significant to the creation of institutional buildings, such as schools, churches, and commercial structures, in Sudbury and Northern Ontario. Many of O’Gorman’s works are still present in Sudbury and Timmins, Ontario.</p> <p>St. Louis de Gonzague was one of O’Gorman’s earliest institutional buildings constructed in Sudbury and appears to have been the first in a series of educational (as well as other institutional, ecclesiastic, and commercial) buildings designed over a prolific career.</p>
The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	Y	<p>162 MacKenzie Street is important in defining, maintaining, and supporting the character of the area. The area, defined as the Institutional Block, has a mixture of residential, commercial, and institutional buildings. These buildings include churches, schools, and public/government buildings.</p> <p>Eight schools and six public/government buildings are currently within this block. A higher concentration of these structures reinforces this area as an Institutional Block.</p> <p>The Institutional Block, located in the centre of Sudbury, fulfilled the needs of the community by providing educational, religious, leisure, and governmental needs.</p>

ii. is physical, functionally, visually or historically linked to its surroundings, or	Y	162 MacKenzie Street is physically, visually, and historically linked to the Institutional Block. The Institutional Block is defined by its multiple schools and public and government buildings, including 162 MacKenzie Street. The overall relationship of the buildings on this Block reinforces these links.
iii. is a landmark.	N	<p>162 MacKenzie Street 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... The key physical characteristic of a landmark is its prominence within its context"¹⁴⁵</p> <p>While the Subject Property was an institutional landmark in the past, and continues to contribute to the streetscape, its closing has diminished its landmark status.</p> <p>The Subject Property is no longer a prominent property within its context compared to the adjacent Sudbury Secondary School, Greater Sudbury Public Library, Red Oak Villa, and the Diocese of Sault Ste. Marie which all remain active institutional properties currently used as landmarks.</p>

8.1 Summary of Evaluation

It is LHC's professional opinion that the Subject Property at 162 MacKenzie Street meets criteria 1i, 2i, 2iii, 3i, and 3ii. of *O. Reg. 9/06*.

8.2 Proposed Statement of Cultural Heritage Value or Interest

8.2.1 Civic and Legal Address

162 MacKenzie Street, City of Greater Sudbury, Ontario, Canada

Lot 6, Concession 4, Township of McKim

8.2.2 Description of Property

The Subject Property known as 162 MacKenzie Street is an "L" shaped property and approximately 12,489 square metres. The Subject Property is located on the east side of MacKenzie Street between Baker and Davidson Street. There is currently one structure located on the Subject Property, the 20th century brick former school known as St. Louis de Gonzague.

¹⁴⁵ Ministry of Tourism, Culture, and Sport. 2014. *Standards & Guidelines for Conservation of Provincial Heritage Properties: Heritage Identification & Evaluation Process*. p. 17. Accessed from: http://www.mtc.gov.on.ca/en/heritage/MTCS_Heritage_IE_Process.pdf

8.2.3 Summary of Cultural Heritage Value or Interest

The Subject Property known as 162 MacKenzie Street has cultural heritage value or interest for its physical/design values, its historical/associative values, and its contextual values.

162 MacKenzie Street has design value or physical value because it is a unique and early example of an evolved vernacular school building that exhibits the influences of various styles including Collegiate Gothic and Art Deco architecture. 162 MacKenzie Street also appears to be the third oldest surviving school building in Sudbury.

162 MacKenzie Street has historical or associative value because it has direct associations with the theme, activity, and institution of education in Sudbury – specifically, French-language education of the Sudbury Francophone community. The former school is an example of separate bilingual Catholic Francophone education and the coordinated efforts of Anglophone and Francophone School Board members to defy Regulation 17. The former school also contributed to the repeal of Regulation 17 through the 1927 Royal Commission Inquiry which used the Sudbury Separate Board as an example of positive bilingual instruction. Operating from 1915 to its closure in 2000, 162 MacKenzie Street is directly associated with the events of Regulation 17 and the teaching of French and English language in the community.

162 MacKenzie Street has historical or associative value as it demonstrates the work of architect P.J. O’Gorman who was significant to the creation of institutional buildings, such as schools, churches, and commercial structures, in Sudbury and Northern Ontario. Many of O’Gorman’s works are still present in Sudbury and Timmins, Ontario. St. Louis de Gonzague was one of O’Gorman’s earliest institutional buildings constructed in Sudbury and appears to have been the first in a series of educational (as well as other institutional, ecclesiastic, and commercial) buildings designed over a prolific career.

162 MacKenzie Street has contextual value because it is important in defining, maintaining, and supporting the character of the area. The area, defined as the Institutional Block, has a mixture of residential, commercial, and institutional buildings. These buildings include churches, schools, and public/government buildings. Eight schools and six public/government buildings are currently within this block. A higher concentration of these structures reinforces this area as an Institutional Block. The Institutional Block, located in the centre of Sudbury, fulfilled the needs of the community by providing educational, religious, leisure, and governmental needs.

162 MacKenzie Street also has contextual value because it is physically, visually, and historically linked to the Institutional Block. The Institutional Block is defined by its multiple schools and public and government buildings, including 162 MacKenzie Street. The overall relationship of the buildings on this Block reinforces these links.

8.2.4 Heritage Attributes

Heritage attributes that illustrate the cultural heritage value or interest of 162 MacKenzie Street lie in the 20th century brick school building, previously known as St. Louis de Gonzague, including:

- Its location, orientation, and scale and massing;
- Monochromatic brickwork;
- Art Deco-influenced parapet;
- Twin entrances located on the south elevation;
- Tower entrance located on the west elevation;
- The locations and configuration of large window openings; and,
- Views of the double entrance on the southern elevation from the property boundary along MacKenzie Street.

9 CONCLUSION AND RECOMMENDATIONS

Based upon the research, existing conditions, and evaluation, LHC finds that the Subject Property known as 162 MacKenzie Street meets five criteria for designation under *O. Reg. 9/06*. As such, it is eligible for designation under Part IV, Section 29 of the *OHA*.

10 SIGNATURES



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Christienne Uchiyama, MA, CAHP
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Letourneau Heritage Consulting Inc.

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Appendix A

Qualifications

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

Marcus 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 & 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).

Christienne Uchiyama, M.A. CAHP – Principal, LHC

Christienne Uchiyama MA CAHP is Principal and Manager - Heritage Consulting Services with Letourneau Heritage Consulting. She is a Heritage Consultant and Professional Archaeologist (P376) with more than a decade of experience working on heritage aspects of planning and development projects. She is a member of the Board of Directors of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Since 2003 Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario and New Brunswick, including such major

projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 100 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports. Her specialties include the development of Cultural Heritage Evaluation Reports, under both *O. Reg. 9/06* and *10/06*, and Heritage Impact Assessments.

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 a 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 eight 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 (MHSTCI). In 2020, he was accepted as an intern member at the Canadian Association of Heritage Professionals (CAHP). He is currently working with Marcus Létourneau and Christienne Uchiyama in developing a stronger understanding of the heritage industry.

At Letourneau Heritage Consulting Inc., Colin has worked on numerous projects dealing with all aspects of Ontario's cultural heritage. He has completed over thirty cultural heritage technical reports for development proposals and include Cultural Heritage Evaluation Reports, Heritage Impact Statements, Environmental Assessments, and Archaeological Assessments. Colin has worked on a wide range of cultural heritage resources including; cultural landscapes, institutions, commercial and residential sites as well as infrastructure such as bridges, dams, and highways.

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*.

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.

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)*. *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



P.J. O’Gorman Designed Buildings in Northern Ontario



Table 3: P.J. O’Gorman Designed Buildings in Northern Ontario

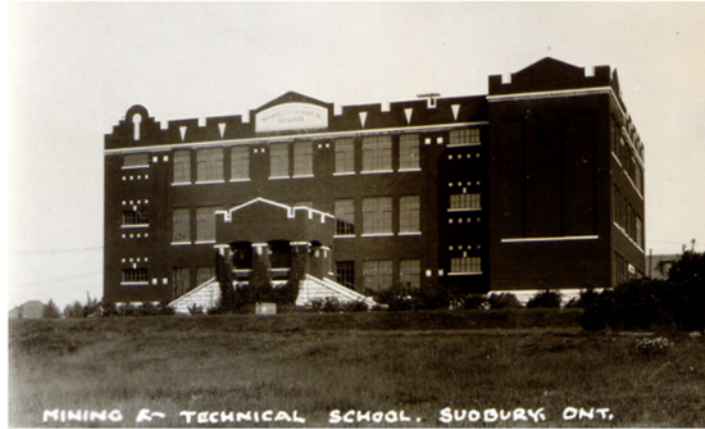

Historic Address	Name	Date of Construction	Notes	Image
Mackenzie Street and Davidson Street, Sudbury, Ontario	Central Roman Catholic Separate School	1914	Demolished	 <p>(Greater Sudbury Library MK487H)</p>



Historic Address	Name	Date of Construction	Notes	Image
21 Ste Anne Road, Sudbury, Ontario	St. Joseph's Roman Catholic Church	1917		 <p>(Greater Sudbury Library MK1599EN) (Google Maps 2020)</p>
71 Elm Street, Sudbury, Ontario	Regent Theatre Block	1925	Extant status: unknown	 <p>(Greater Sudbury Library MK6422EN)</p>

Historic Address	Name	Date of Construction	Notes	Image
56 Elm Street, Sudbury, Ontario	Mackey Block	1925		 <p>(Google Maps 2020).</p>
Beech Street, Sudbury, Ontario	St. Joseph's Hospital	1929		 <p>(Greater Sudbury Library MK0936L)</p>

Historic Address	Name	Date of Construction	Notes	Image
408 Wembley Drive, Sudbury, Ontario	Wembley Public School	1943		 <p>(Greater Sudbury Library MK4136L)</p>  <p>(Google Maps 2020)</p>



Historic Address	Name	Date of Construction	Notes	Image
350 Jean Street, Sudbury, Ontario	St. David's Roman Catholic School	1944		 <p>(Greater Sudbury Library MK4133L)</p>  <p>(Google Maps 2020)</p>

Historic Address	Name	Date of Construction	Notes	Image
Mackenzie Street and Baker Street, Sudbury, Ontario	Mining & Technical High School	1920	Demolished 2011	 <p>(Greater Sudbury Library (MK4745EN))</p>
Mackenzie Street and Davidson Street, Sudbury, Ontario	Sudbury High School	1931-1932		 <p>(Colin Yu 2020)</p>

Historic Address	Name	Date of Construction	Notes	Image
274 5 th Avenue, Timmins Ontario	St. Anthony's Roman Catholic Church	1921		 <p>(Google Maps 2020).</p>
220 Algonquin Boulevard, Timmins, Ontario	Timmins Town Hall	1937		 <p>(Google Maps 2020).</p>

Historic Address	Name	Date of Construction	Notes	Image
McLaren Street, North Bay, Ontario	St. Joseph's Hospital	1931	Demolished 2012 ¹⁴⁶	<p>(North Bay Heartbeat.com).</p>

¹⁴⁶ City of North Bay. North Bay Hospitals Heritage Site Plaque. Accessed from <https://www.cityofnorthbay.ca/cityhall/departement/planning-services/committees/municipal-heritage-committee/illustrative-guide/sites/north-bay-hospitals-heritage-site-plaque/>

Historic Address	Name	Date of Construction	Notes	Image
50 Rue Kirkpatrick, Kirkland Lake, Ontario	Kirkland Lake Roman Catholic Church	1932		 <p>(Google Maps 2020).</p>
52 Sequin Street Perry Sound, Ontario	Parry Sound Town Hall	1934		 <p>(Google Maps 2020).</p>