APPENDIX D

Subject: Revisions to Cultural Heritage Evaluation Report, 2031 North Service Road West

To:
Susan Schappert
Heritage Planner, Town of Oakville

From:
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Principal, Letourneau Heritage Consulting Inc.
347 McEwen Drive
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Date:
Monday, May 8, 2017

As no specific comments pertaining to the above noted report were received as a result of the April 25, 2017 Heritage Oakville meeting, no changes were made to this report beyond minor corrections of a typographical or formatting nature.

Sincerely,

Marcus R Létourneau, PhD, MCIP, RPP, CAHP
Principal - Letourneau Heritage Consulting Inc.

FINAL REPORT:

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

2031 NORTH SERVICE ROAD WEST OAKVILLE, ONTARIO

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May 2017
Letourneau Heritage Consulting Inc. Project # LHC0033

Report prepared for:

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Executive Summary

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for part of Phase II of the Town's Cultural Heritage Landscape Strategy Implementation Project. As part of the project, this Cultural Heritage Evaluation Report was completed for the property at 2031 North Service Road West, considering its potential as a cultural heritage landscape.

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

The consulting team was not provided access to the property. Instead, a site review, from the public right-of-way, was undertaken on November 10, 2016. Other team members undertook independent site reviews from the public right-of-way on November 6 and 10, 2016. The site had previously been reviewed from the public right-of-way on September 8, 2015 as part of Phase I of the Cultural Heritage Landscape Strategy Implementation Project.

Based on upon the above approach, in the professional opinion of the project team, the property at 2031 North Service Road West is a significant cultural heritage landscape as defined within the 2014 *Provincial Policy Statement*.

Following the application of the three evaluative methods used for this project, it was determined that the property does not meet the criteria of Ontario Regulation 10/06 or the National Historic Sites Criteria. However, it was found that the property does meet the criteria of Ontario Regulation 9/06 and does have Cultural Heritage Value or Interest. In particular, it was found that the property has design or physical value as a representative example of an evolved farmstead and orchard landscape dating from the late 19th century. The property also has historical/associative value because of its direct associations with the Hilton family, the former hamlet of Merton, and the development and prevalence of apple-growing along Lower Middle Road. Lastly, the property has contextual value as a property that is physically and historically linked to its surroundings. While the property has seen changes over time, including the loss of some of its orchards and changes to the property as a result of the construction of both the North Service Road and the Queen Elizabeth Way (QEW), the property is still legible as an agricultural landscape with is farmhouse, orchards, and supporting structures. The property is a visible remnant of the historic hamlet of Merton and the prevalence of the apple-growing industry along Lower Middle Road in the late 19th and early 20th century. The cultural heritage landscape is limited to the current legal boundaries of 2031 North Service Road West.

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

- The property, as a coherent whole, which is still legible as an agricultural landscape with its prominently located and visually dominant 1858 farmhouse, the remnant apple orchards, and the other supporting secondary structures, as well as the positioning and interrelationships of these elements of the property;
- The rolling nature of the property;
- The organization of the property into three separate areas, separated by topography, fencing and tree-lines: i.e., the farmhouse and outbuilding area; the orchard area; and the open, low-lying valley area;
- The remnant laneway which recalls the property's connection to Third Line;

- The vernacular, one-and-a-half storey, 3-bay, 1858 farmhouse overlooking the remnant orchard (to the south), and creek, (to the north) with its multi-coloured fieldstones and rubblestone construction; central gable and projecting front porch; openings and headers including the remaining six-over-six double-sash wooden windows and frames; and, decorative wooden elements, including cornice brackets;
- The remnant orchard including the remaining apple trees (approximately 50 trees) arranged along approximately nine remaining straight rows;
- Post-and-paige wire fencing along the property boundary; and split-rail fencing located to the east and north of the house, along the property line and overlooking the creek valley; and
- The low-lying creek valley north of the farm house.

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

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1 Project Overview

1.1 Project Background

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for part of Phase II of the Town's Cultural Heritage Landscape Strategy Implementation Project. As part of the project, a Cultural Heritage Evaluation Report was completed for the property at 2031 North Service Road West, considering its potential as a cultural heritage landscape.

Phase I of the Cultural Heritage Landscape Strategy Implementation Project resulted in the screening-level evaluation of a total of 63 potential cultural heritage landscapes. Based on the screening evaluation, a total of eight properties were recommended for further assessment in Phase II. 2031 North Service Road West was identified as one of eight properties recommended to undergo a Cultural Heritage Evaluation Report to determine its cultural heritage value or interest and identify heritage attributes.

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

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

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

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

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

1.2 Methodology

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

1.2.1 Cultural Heritage Landscape Policy Analysis

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

1.2.2 Site Specific Analysis

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

1.2.2.1 Property Overview

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

1.2.2.2 Property Context

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

1.2.2.3 Research

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

1.2.2.4 Site Review

The purpose of the site visit was to document current conditions and features of the property and surrounding environs. The project plan included two site visits in accordance with the Ministry of Tourism, Culture and Sport (MTCS) recommendation for property evaluation. Access was not granted to property by the owner. Although the Town of Oakville does have the ability to access the property under Section 38 of the *Ontario Heritage Act* (OHA) as it is already designated under Section 29 of the OHA, it did not pursue this course of action. Instead, a site review was undertaken, from the public right-of-way, on November 10, 2016. Consulting team members present at the site review were: M. Létourneau, L. Smith, A. Barnes, and C. Uchiyama. Also present during the site review was S. Schappert from the Town of Oakville. Other team members undertook independent site reviews from the public right-of-way on November 6 and 10, 2016. The site had previously been reviewed from the public right-of-way by consulting team members A. Barnes and C. Uchiyama on September 8, 2015, as part of Phase I of the Cultural Heritage Landscape Strategy Implementation Project.

1.2.2.5 Historical Themes, Cultural Landscape Layers, and View identification

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

1.2.2.6 Draft Evaluations

As noted, in order to gauge the level of cultural heritage significance, the property, (including any potential cultural heritage landscapes) was evaluated using Ontario Regulation 9/06 criteria, Ontario Regulation 10/06 criteria, and

the Historic Sites and Monuments Board of Canada's *Criteria, General Guidelines, & Specific Guidelines for evaluating subjects of potential national historic significance* (2008) ("National Historic Sites Criteria").

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

1.2.2.7 Engagement

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

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

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

The following people and/or organizations were contacted for information pertinent to 2031 North Service Road West:

Property Owners:

- S. Schappert, Heritage Planner for the Town of Oakville, carried out communication with the property owners; the consultant team had no contact with the property owners.

Township of Trafalgar Historical Society (TTHS)

- Michael Reid, Chair of the TTHS was contacted on May 12, 2016 via email regarding the start-up of Phase II. A request was made about viewing any information relevant to 2031 North Service Road West that the TTHS might have in their collection.
- Mr. Reid suggested coming to the TTHS open house on June 17, 2016. A. Barnes attended the Open House on June 17, 2016 briefly to get a sense of the materials in their collection. A. Barnes did not carry out an exhaustive search as the project was on hold.
- Upon the reinstatement of the project in August 2016, email communication began with TTHS members Anne Little, Michael Reid and Michelle Knolls. Direction regarding TTHS online materials was provided.
- A. Barnes followed up with A. Little in November 2016 and attempts to view the collection in December were unsuccessful. Ms. Barnes attended the TTHS Open House on January 20, 2017.

Conservation Halton

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

Oakville Public Library

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

Oakville Historical Society

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

Open House

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

1.2.2.8 Report

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

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

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

1.3 Definitions[2]

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

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

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

[2] Unless otherwise noted, definitions provided reflect the definitions provided in the 2014 *Provincial Policy Statement*.

federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

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

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

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

MTCS means Ministry of Tourism, Culture and Sport

OHA means Ontario Heritage Act.

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

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

[3] *Ontario Heritage Act* R.S.O. 1990, Chapter O.18.

2 Cultural Landscapes and the Provincial Heritage Planning Framework

2.1 Understanding and Defining Cultural Landscapes

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

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

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

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

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

> *If we were to define this "new" cultural geography it would be contemporary as well as historical (but always contextual and theoretically informed); social as well as spatial (but not confined exclusively to narrowly-defined*

[4] Hilary P.M. Winchester, *et.al., Landscapes: Ways of Imagining the World.* New York, Routledge (2003).
[5] Hilary P.M. Winchester, *et.al., Landscapes: Ways of Imagining the World.* New York, Routledge (2003): 17.

> *landscape issues); urban as well as rural; and interested in the contingent nature of culture, in dominant ideologies and in forms of resistance to them.*[6]

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

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

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

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

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[6] Denis Cosgrove and Peter Jackson, "New Directions in Cultural Geography," in *Wiley* on behalf of *The Royal Geographical Society (with the Institute of British Geographers).* Vol. 19, No. 2 (June 1987): 95.
[7] Yvonne Whelan, "Landscape and Iconography." In. John Morrissey et al. (Eds.) *Key Concepts in Historical Geography*. London, Sage (2014): 165.
[8] See for example, The Ontario Heritage Trust. Cultural Heritage Landscapes – An Introduction. Updated 2012. Available at: http://www.heritagetrust.on.ca/CorporateSite/media/oht/PDFs/HIS-020-Cultural-heritage-landscapes---An-introduction-ENG.pdf.

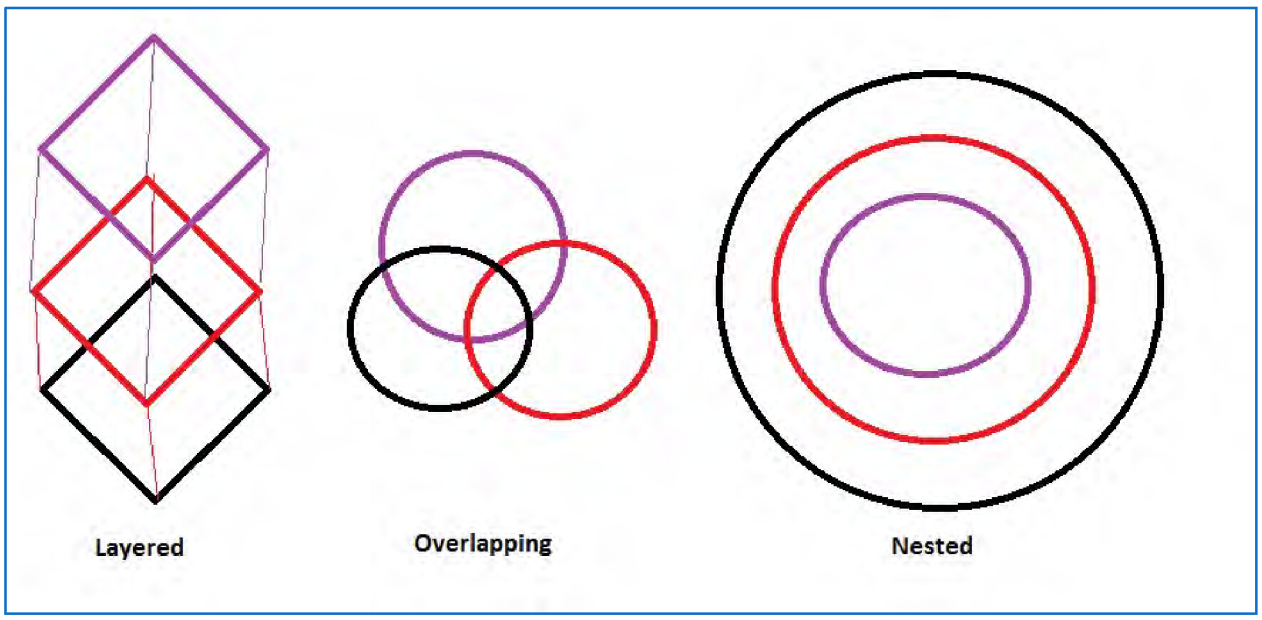

Figure 1: Graphic representation of layering, overlapping and nested cultural landscapes.

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

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

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

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

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

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

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

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

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

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

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

Region of Halton Official Plan (2009)

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

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

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

> 114.1(1) To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated Cultural Heritage Resources.
>
> 114.1(2) To maintain and enhance the landscape quality and open space character of Escarpment features
>
> 114.1(10) To protect significant scenic and heritage resources.
>
> 114.1(13) To preserve examples of the landscape that display significant earth science features and their associated processes.
>
> 114.1(14) To preserve examples of original, characteristic landscapes that contain representative examples of bedrock, surface landforms, soils, flora and fauna, and their associated processes.
>
> 114.1(16) To provide opportunities for scientific study, education and appropriate recreation.
>
> 114.1(17) To preserve the aesthetic character of natural features.[10]

[9] Halton Region, *Halton Region Official Plan [2009]*. December 2009: 6.
[10] Ibid: 81.

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

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

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

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

> 224. CULTURAL HERITAGE RESOURCES means elements of the Regional landscape which, by themselves, or together with the associated environment, are unique or representative of past human activities or events. Such elements may include built heritage resources, cultural heritage landscapes, and archaeological resources.
>
> 224.1 CULTURAL HERITAGE LANDSCAPES means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.
>
> 225. CUMULATIVE IMPACT means the effect on the physical, natural, visual and Cultural Heritage Resources resulting from the incremental activities of development over a period of time and over an area. All past, present and foreseeable future activities are to be considered in assessing cumulative impact.[13]

Town of Oakville Strategic Plans

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

As stated:

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

[11] Approved 2014-11-28.
[12] Ibid: 121.
[13] Ibid: 178-179.
[14] Town of Oakville. 2010a: 7.
[15] Town of Oakville. 2015: 3.
[16] Ibid: 22.

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

Livable Oakville

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

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

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

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

Relevant sections of the OP which address CHLs include:

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

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

Cultural Heritage Landscape Strategy

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

> **Designed Landscape** - the "clearly defined landscape designed and created intentionally by man."
>
> **Organically Evolved Landscape** - that "results from an initial social, economic, administrative, and/or religious imperative and has developed in its present form in response to its natural environment". Within this category two sub-categories are identified:

[17] Town of Oakville, 2009a: F-20.
[18] Ibid: C-10.
[19] Ibid: C-14 – C-15.

> **Relict landscape**, "in which an evolutionary process came to an end at some time in the past", and for which "significant distinguishing features, are, however still visible in material form."
>
> **Continuing landscape** which "retains an active social role in contemporary society closely associated with the traditional way of life, and which the evolutionary process is still in progress."

Associative Cultural Landscape – which is "justifiable by virtue of the powerful religious, artistic, or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent."[20]

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

Once a potential cultural heritage landscape area has been identified, it should be evaluated using the criteria provided in Criteria for Determining Cultural Heritage Value or Interest (Ontario Regulation 9/06), made under the Ontario Heritage Act.[21]

The document goes further, and also states:

> All potential cultural heritage landscapes shall be evaluated using these criteria, in order to provide consistency in the Town's approach to evaluation of potential resources.[22]

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

> a) to safeguard and protect cultural heritage resources through use of available tools to designate heritage resources and ensure that all new development and site alteration conserve cultural heritage resources and areas of cultural heritage significance.[23]

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

> The Town will use the power and tools provided by legislation, policies, and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, and the Municipal Act in implementing and enforcing the cultural heritage policies of the Town.[24]

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

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

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

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[20] Town of Oakville, *Cultural Heritage Landscape Strategy*, 2014: 5-7.
[21] Town of Oakville, "Section 2.4 Evaluation of Cultural Heritage Landscapes," *Cultural Heritage Landscapes Strategy,* 2014: 9.
[22] Ibid: 9.
[23] Town of Oakville, 2009a: C-9.
[24] Ibid: C-9.

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

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

2.3 Changes since the completion of the Cultural Heritage Landscape Strategy

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

The question remains following this update if Ontario Regulation 9/06 remains the most appropriate evaluative framework for the assessment of Oakville's cultural heritage landscapes. While it does provide a foundation and a common language for the assessment of properties, its analytical focus is predicated upon the evaluation of a singular piece of real property and the heritage attributes thereon for local significance. This limits its ability to respond to cultural heritage landscapes that are located across multiple properties, in instances where there are significant views that are located off a property, and in instances where the values may be of provincial or national significance. Still, it provides a common language for assessment, and in reviewing comparable municipal approaches, it is a commonly applied approach and has been already used in the Province of Ontario for the identification, evaluation, and protection of cultural heritage landscapes. However, this is with the caveat that the cultural heritage landscapes must be considered holistically and in the application of Ontario Regulation 9/06, these limitations must be recognized and acknowledged. In the absence of any other provincial evaluative frameworks for cultural heritage landscapes, and in accordance with the Town's current policies, the primary evaluative framework for this project will continue to be Ontario Regulation 9/06. Nevertheless, it is recommended that this evaluative framework be augmented with other existing Ontario and Canadian evaluative frameworks where appropriate. This is in keeping with the provincial policy statement which indicates that "criteria for determining significance for the resources…are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used."[25] As discussed above, this report will build on established analytical approaches to understanding and contextualizing the history and evolution of the subject property and consider the potential level of significance of the property by considering it against three evaluative frameworks.

2.4 Evaluation Criteria and Frameworks

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

Evaluation Criteria	Description
• Ontario Regulation 9/06	Under the *Ontario Heritage Act* (OHA), Ontario Regulation 9/06(CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST) provides the minimum criteria against which a piece of real property must be evaluated in order for

[25] *Provincial Policy Statement*, 2014.

Evaluation Criteria	Description
	a municipality to designate it under Section 29, Part IV of the OHA. (Regulation attached in Appendix A)
• Ontario Regulation 10/06	Under the OHA, Ontario Regulation 10/06 (CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST OF PROVINCIAL SIGNIFICANCE) provides the minimum criteria against which a piece of real property must be evaluated in order for the Province to designate it under Section 34.5, Part IV of the OHA. (Regulation attached in Appendix A). Any formal designation would require the Minister to Tourism, Culture and Sport to approve the designation.
• Criteria for National Historic Significance	The Historic Sites and Monuments Board of Canada document, *Criteria, General Guidelines, & Specific Guidelines for evaluating subjects of potential national historic significance,* provides the criteria against which a place, a person or an event that may have been nationally significant to Canadian history, or illustrates a nationally important aspect of Canadian human history must be evaluated. Any designation would require a recommendation by the Historic Sites and Monuments Board of Canada and approved by the Minister responsible for the Board (currently the federal Minister of the Environment). Designation as a National Historic Site also requires the owner's consent; however, the commemoration of either a person or event does not require owner's consent. The boundaries of a place in this context must be clearly defined for it to be considered for designation as a national historic site, but may not be directly tied to the boundaries of a piece of real property. (Document attached as Appendix A)

3 Study Area

The Study Area for the evaluation of the cultural heritage value of 2031 North Service Road West was confined to the approximately 12-acre legal parcel of land described as "Part Lot 26, Concession 2 Trafalgar, South of Dundas Street (as in 328312 except PE93 & PTS 1, 2, 20R7101), Trafalgar Township", in the Town of Oakville. Background research and the on-site review included a consideration of the possible relationships of the Study Area to its surrounding context, including: the former 35-acre farmstead, the historic village of Merton, and Fourteen Mile Creek (Figure 3).

Existing Heritage Designations

2031 North Service Road (Hilton Farm) is currently designated under Section 29, Part IV of the *Ontario Heritage Act* (by-law 1994-043) as a property of historical, architectural and contextual value and interest. The full text describing the reasons for the designation are outlined in Schedule "A" to by-law 1994-043 (Appendix B). Schedule "A" describes the historical significance of the property's direct association with Charles Hilton, who settled the property as early as 1831 and constructed the extant farmhouse in 1858. The farm had the largest apple orchard in the area in the 1870s. In addition to the architectural significance of the stone farmhouse, the by-law also notes the house and orchard, and the relationship with the Fourteen Mile Creek, as being contextually significant.[26]

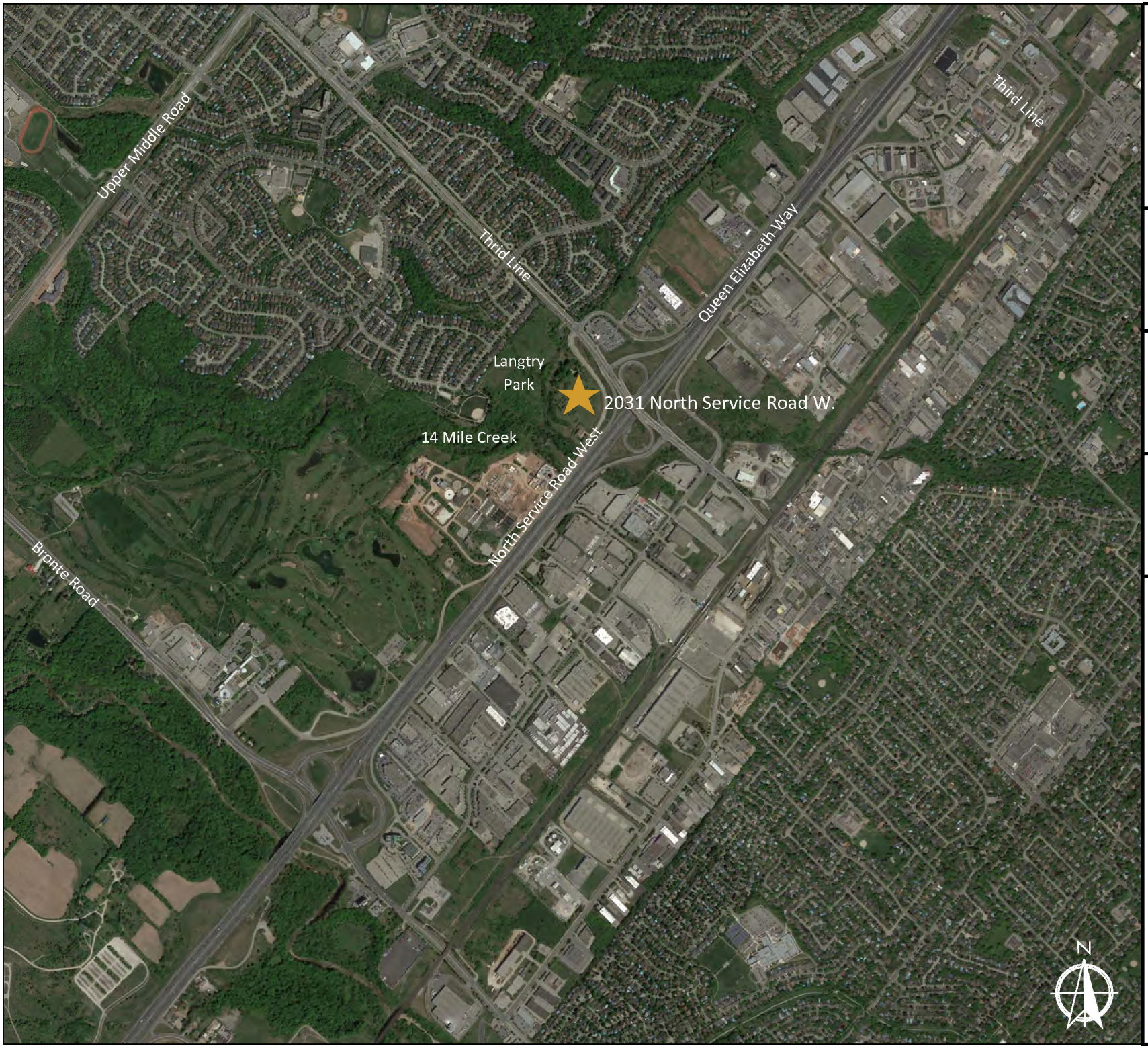
It should be noted that the current designation by-law references the property's former municipal address, 1054 Third Line and does not reflect the current address.

3.1 Description of Property

Municipal Address	2031 North Service Road
Name (if applicable)	Hilton Farm (Arland Farms)
Legal Description	PT LT 26, CON 2 TRAFALGAR, SOUTH OF DUNDAS STREET, AS IN 328312 EXCEPT PE93 & PTS 1, 2, 20R7101; OAKVILLE/TRAFALGAR
Location of Property	The property is located west of Third Line, on the north (and west) side of North Service Road West, where it bends northward before intersecting with Third Line.
Ownership	Private
Access	Access denied to consulting team
Current Observed Use	Residential, farm
Existing Heritage Designation	Designated under Part IV of the OHA (by-law 1994-043) as a property of historical, architectural and contextual value and interest. The Reasons for Designation are reproduced here as Appendix B.
General Description	2031 North Service Road (Hilton Farm) comprises the remaining portion (approximately 12 acres) of the Hilton Farm, including the fieldstone farmhouse, agricultural outbuildings, and part of the Hilton orchard, which once comprised 35 acres.

[26] The contextual significance of the property is described in Schedule A of by-law 1994-043 as follows, "Although it is in the vicinity of the Q.E.W., Third Line and North Service Road, the immediate setting of the Hilton house today appears much as it did over 100 years ago. It is situated just south of a branch of Fourteen Mile Creek and much of the surrounding land used by the Hilton's as orchard is still covered by trees."

Figure 2: View of 2031 North Service Road West from North Service Road, looking north (CU, 2016).



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

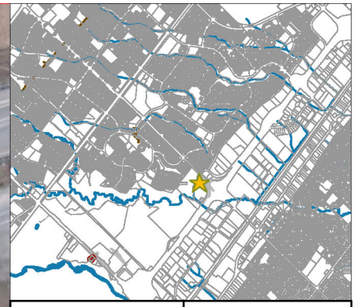
Air photo dated May 22, 2015 obtained from Google Earth

Figure 3: Location of 2031 North Service Road West

LEGEND

★ CHL Study Property

Drawing not to scale



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

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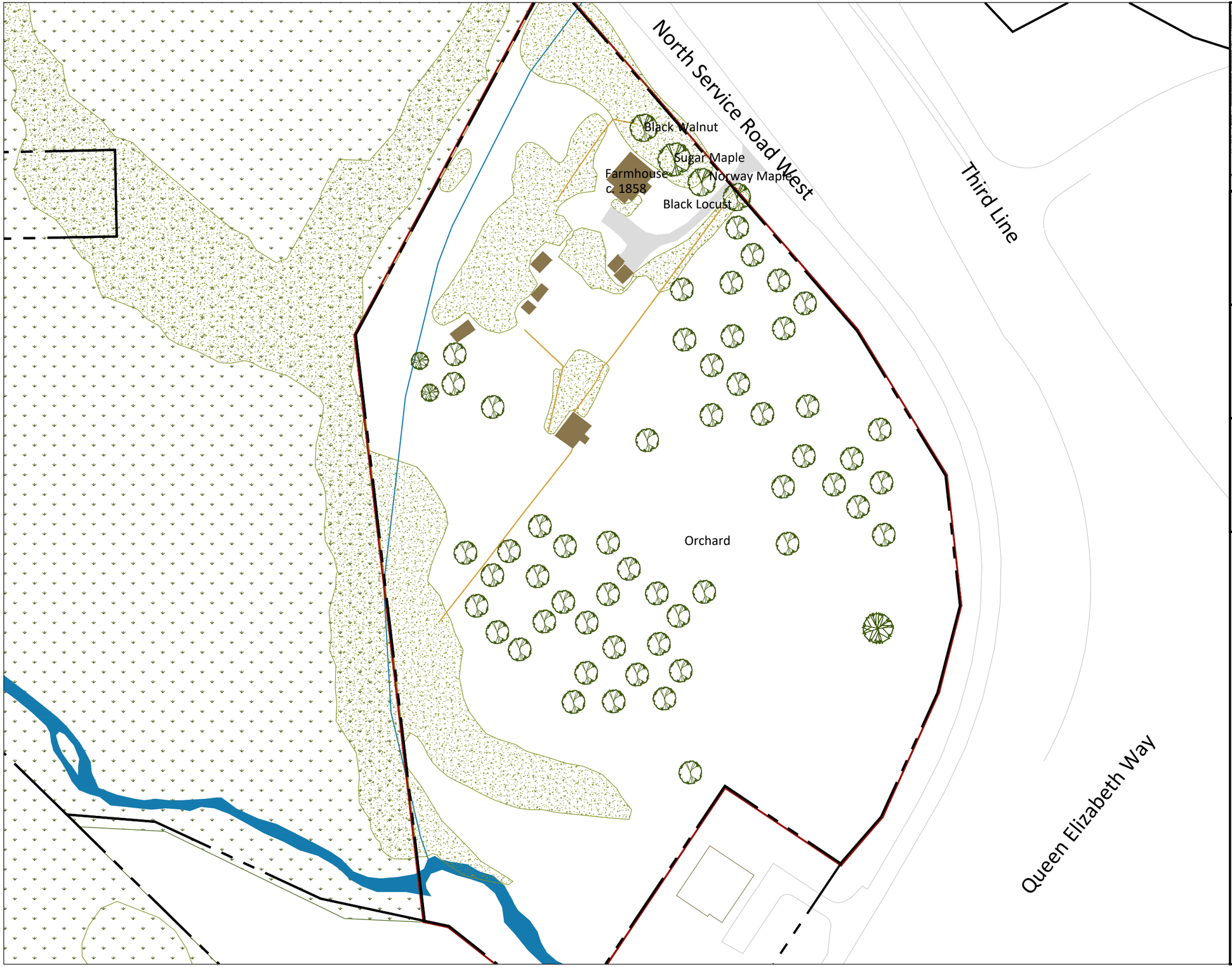
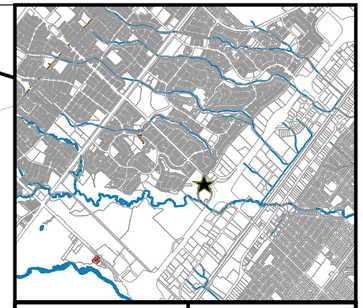
Figure 4:
2031 North Service Road West, Current Conditions

LEGEND

CHL Study Area

Drawing not to scale





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

N

Figure 5:
2031 North Service Road West, built and natural features

LEGEND

- Assessment Boundary
- Building
- CHL Study Area
- Demolished Outbuilding (2016)
- Coniferous Tree
- Deciduous Tree
- Watercourse
- Road
- Site Structures
- Parkland

Drawing not to scale

3.2 Context

The property at 2031 North Service Road West is located on the north side of North Service Road West, where the road bends northward to connect with Third Line, north of the on/off ramps for the QEW (Figure 3).

Historically, the property is located at the eastern edge of the former post office hamlet of Merton. The property is located along the Fourteen Mile Creek, which is situated immediately west of the property. The watercourse branches off at this point, and a tributary of the creek follows the northern boundary of the property (Figures 3 and 5).

Present-day land use around the property is primarily industrial to the west and south, and commercial to the east. Directly south and adjacent to the property is a Municipal pumping station. Langtry Park is located on the north side of the creek. Land use north of the park is primarily residential (Figure 3).

Figure 6: Stone farmhouse, garages, lane-way and trees around residential area of property (AB 2015).

Figure 7: Remnant rows of orchard trees (CU 2016).

Figure 8: Remnant orchard and outbuilding, viewed from south of property along North Service Road West (EE 2016).

Figure 9: Hilton farmhouse and split-rail fencing, viewed from northeast along North Service Road West (CU 2016).

Figure 10: View of driveway entrance along North Service Road, split-rail fence overlooking creek valley in background (CU 2016).

Figure 11: Open, low-lying valley along creek at north end of property (CU 2016).

3.3 Current Conditions

It should be noted that, as no property access was granted to the consulting team, the following physical description of 2031 North Service Road West is limited to features visible from the public right-of-way and from the architectural description included in the 1994 designation by-law.

The approximately 12-acre property, with its associated orchard, represents the core of the Hilton farmstead. It is still legible as an agricultural landscape with its prominently located and visually dominant 1858 farmhouse, the remnant apple orchards, and the other supporting secondary structures, as well as the positioning and interrelationships of these elements of the property

The adjacent creek and vegetation along the creek and within Langtry Park, north of the property, provide a visual buffer and extend the openness of the creek valley northward.

A key element in the landscape is the Hilton farmhouse is a one-and-a-half storey, stone structure built in 1858. Based upon the designation by-law it is understood that it is built on a roughly rectangular, central hall plan with a 3-bay façade and central gable. It is rubblestone construction uses multi-coloured fieldstones and includes voussoirs above openings and quoins along the building's corners and projecting central bay. Notable decorative features include cornice brackets along the front (south) façade and the 6-over-6 sash windows.

Alterations to the original farmhouse include enclosed porches along the front (south) and rear façades and an addition on the west façade. It is unclear when the addition on the north façade was constructed. The consultant team observed many of these elements from the right-of-way.

The house itself is located at the highest point of the property. To the north of the house, the site's rolling topography descends quickly into the valley lands associated with the creek. The southern portion of the property is less inclined and slopes gently toward the south.

In addition to the farmhouse, the property includes an estimated[27] seven outbuildings. Of the outbuildings, two are garages – located to the southwest of the house, adjacent to the laneway (Figures 4 and 5). A narrow, gravel drive leads from the North Service Road to the east side of the house, terminating in front of two garages. The remaining four or five outbuildings appear to be sheds (Figures 4 and 5). Their dates of construction are unknown.

Various types of fencing are located throughout the property. Fencing along the western, southern, and eastern property lines is generally post-and-paige wire fencing. Chain link fencing is located in the southwest corner of the property, surrounding the adjacent pumping station. Wood, split-rail fencing is located to the east and north of the house, along the property line and overlooking the creek valley.

The north end of the property is comprised of an open, maintained grassy area within the low valley lands along the creek. This area is bordered by trees and shrubby vegetation that wends along the creek edge, framing the north and west property. This valley appears to run along the creek, north of the property, and extends around to the west of the property, along the Fourteen Mile Creek.

The remnant orchard comprises an approximately 4-acre portion of the property, south of the residential area. About 50 mature apple trees remain in this area, arranged along nine east-west rows.

[27] As previously noted, no site access was granted to the consulting team. The number of outbuildings/ancillary structures is based on views from the road and from review of available aerial imagery.

4 Historical Research

4.1 History of the Area

The following sections (4.1.1 to 4.1.5) describe general patterns of land use and development in and around the property at 2031 North Service Road West. Section 4.2 provides an outline of property-specific land use beginning with the 1806 survey of the property by Deputy Surveyor Samuel S. Wilmot.

4.1.1 Pre-European Contact

Paleo-Indian (9500-8000 BC)

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

Archaic (8000-1000 BC)

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

Woodland (1000 BC – AD 1650)

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

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

The Late Woodland period is divided into three distinct stages: Early Iroquoian (AD 1000–1300); Middle Iroquoian (AD 1300–1400); and Late Iroquoian (AD 1400–1650). The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded village sites which

[28] Chris Ellis and D. Brian Deller, "Paleo-Indians," (1990): 37.
[29] David s. Smith, "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I," n.d., Accessed online August, 2015 http://www.oakville.ca/culturerec/is-firstnations.html.
[30] Smith, "Part II," n.d., Accessed online August, 2015 http://www.oakville.ca/culturerec/is-firstnations.html.
[31] Chris Ellis *et.al.*, "The Archaic," (1990): pp. 65-66.

included more and larger longhouses. These village communities were commonly organized at the tribal level; by the 1500s, Iroquoian communities in southern Ontario – and northeastern North America, more widely – were politically organized into tribal confederacies. South of Lake Ontario, the Five Nations Iroquois Confederacy comprised the Mohawk, Oneida, Onondaga, Cayuga, and Seneca, while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron and Neutral Confederacies. Oakville is located in a transitional or frontier territory between the Neutral and Huron.

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

European Contact (c.1650)

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

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

Agricultural crops were planted in early summer, including: corn, squash, and beans. These crops were harvested in the summer and fall, along with wild crops such as berries, mushrooms, roots, and wild rice. Wilmot's 1806 survey map of Trafalgar Township shows the locations of the Mississauga's agricultural fields at the mouths of the Bronte and Sixteen Mile Creeks (Figure 28). These tracts of land at the mouths of the creeks were delineated as part of the 1806 Treaty 13A,[35] which defined specific rights to fisheries in the Bronte (Twelve Mile) Creek, Sixteen Mile Creek, Etobicoke River, and the Credit River. With the pressures of European settlement mounting in the area, the lands at the mouth of the Twelve Mile and

[32] Smith, David. "Part III," n.d., Accessed online August, 2015 http://www.oakville.ca/culturerec/is-firstnations.html.
[33] Mississaugas of the New Credit First Nation, "The History of the Mississaugas of the New Credit First Nation," 2015: 5-6.
[34] The name for the Credit River and by extension the Mississaugas of the Credit, derives from the practice of French, and later English, traders providing credit to the Mississaugas at that river location.
[35] Mississaugas of the New Credit First Nation, "The History of the Mississaugas of the New Credit First Nation," 2015: 12.

Sixteen Mile Creeks were surrendered in treaties in 1820 in which the Mississaugas retained only a 200-acre reserve on the east bank of the Credit River.[36]

4.1.2 Early Settlement (1795-c.1850)

The property at 2031 North Service Road is part of a former 200-acre parcel comprising Lot 26, Concession II, South of Dundas Street in the historic Trafalgar Township.

The earliest portion of Trafalgar Township surveyed was Dundas Street – an important and strategic military transportation route between York (Toronto) and the lake head at Dundas (Hamilton) - in 1795. Deputy Provincial Surveyor Samuel S. Wilmot surveyed the County of Halton, including Trafalgar Township, in 1806 using Dundas Street as a baseline. Dundas Street through Trafalgar Township was partially cleared by 1800, but in order to ensure the timely clearing of "The Dundas Road" allowance, the first lots to be granted to settlers were along this route.[37] Settlement of Trafalgar Township began in the spring and summer of 1807.[38] As a result, a number of small hamlets and villages in what is now North Oakville were established prior to 1820 when land in the Mississauga Tract was ceded to the crown and land at the mouth of the Sixteen Mile Creek and Bronte Creek was able to be purchased.

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

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

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

Bronte Road played a role in the transportation of people and goods in and out of the township. The road (also known as Regional Highway 25) connects the village of Bronte, at the mouth of Bronte Creek (also known as the Twelve Mile Creek) to the historic Village of Milton.

4.1.3 Merton

The larger, 100-acre Hilton Farm was originally located just east of Third Line and north of Lower Middle Road (replaced by the QEW). The farm was situated at the eastern end of the former hamlet of Merton.

Merton was established in 1812, at the junction of Second Line (now Bronte Road) and Lower Middle Road (now the QEW). It was possibly named after Merton, in Middlesex County England; the birthplace of Edward Wrench, an early settler in the

[36] Sheila Campbell and Betty-Jean Lawrence, "The Treaty Period (1801-1847)," n.d., Accessed August, 2015 at http://www.oakville.ca/culturerec/firstnations-essay6.html.
[37] Judith Bourke, "Sixteen Hollow – 1820-1880," n.d., Accessed August, 2015 http://www.oakville.ca/culturerec/is-sixteen.html
[38] Robert Gourlay, "Trafalgar's Story, 1817," *Trafalgar Township Historical Society*. Summer 2014 Newsletter: 7. Accessed online September, 2015 http://www.tths.ca/Newsletter-Summer2014.pdf

area. Another possible origin of the name is the English home of Lord Nelson and Lady Hamilton, 'Merton Place'.[39] The general boundaries of Merton stretched from Burloak Drive to Third Line, along Lower Middle Road.[40]

The hamlet reached its peak population around 1880, owing to its location – adjacent to the Bronte Depot on the Hamilton and Toronto Railway line and at the halfway point between the communities of Palermo and Bronte – and its role as a centre for the harvesting of local pine. A post office was established in December 1883, when John Sheridan was appointed post master. He resigned in 1917, when the Merton post office was replaced by rural mail service from Bronte.[41] In addition to having a hotel and stagecoach stop, Merton had around 50 buildings at its height, including: a school, post office (1883-1917)[42], sawmill, gristmill, coal merchant and blacksmith shop.[43]

The population of Merton declined in the early 20th century and the landscape changed dramatically as a result of the construction of the QEW in the 1930s. The QEW was constructed along the former Lower Middle Road and resulted in the demolition of community landmarks, such as Merton, S.S. #15, the community's brick school house which had been constructed in 1857 to replace the earlier log schoolhouse east of Bronte Road and north of Lower Middle Road (the brick schoolhouse is shown on the 1877 map of Trafalgar, Figures 12 and 15). Merton became part of the Town of Oakville when the Town amalgamated with the Township of Trafalgar in 1962. Little evidence of the community remains.

4.1.4 Agriculture and Industry

Charles Hilton established his farm and began clearing and cultivating the property in the 1830s. As described in detail below in Section 4.2, the Hilton Farm became prosperous by the 1860s. The following section describes the development of agricultural in the general area.

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

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

The 1877 map of Trafalgar South[44] illustrates the prevalence of apple-growing in the area around the subject property (Figure 12). The map predates the 1883 establishment of the Merton Post Office, but suggests that apple-growing was

[39] Trafalgar Township Historical Society Digital Collections. "Painting of Merton School, S.S. #15," last accessed January 2017 at http://images.ourontario.ca/TrafalgarTownship/3205216/data?n=18.
[40] Ibid.
[41] Trafalgar Township Historical Society Digital Collections. "Painting of Merton School, S.S. #15," last accessed January 2017 at http://images.ourontario.ca/TrafalgarTownship/3177205/data?n=19.
[42] Trafalgar Township Historical Society Digital Collections. "Painting of Merton School, S.S. #15," last accessed January 2017 at http://images.ourontario.ca/TrafalgarTownship/3205216/data?n=18.
[43] Trafalgar Township Historical Society Digital Collections, "Mount Pleasant Methodist Cemetery, Merton, 1999," accessed September, 2015 at http://images.ourontario.ca/TrafalgarTownship/2663885/data.
[44] J.H. Pope. "Township of Trafalgar South," in the Illustrated Historical Atlas of the County of Halton Ont. Compiled and drawn from official plans and special surveys by J.H. Pope Esq. Toronto, Walker & Miles (1877).

popular in and around Merton. In fact, the map indicates that orchards were located in nearly every property along Lower Middle Road. The Hilton orchard appears to have been the most extensive.

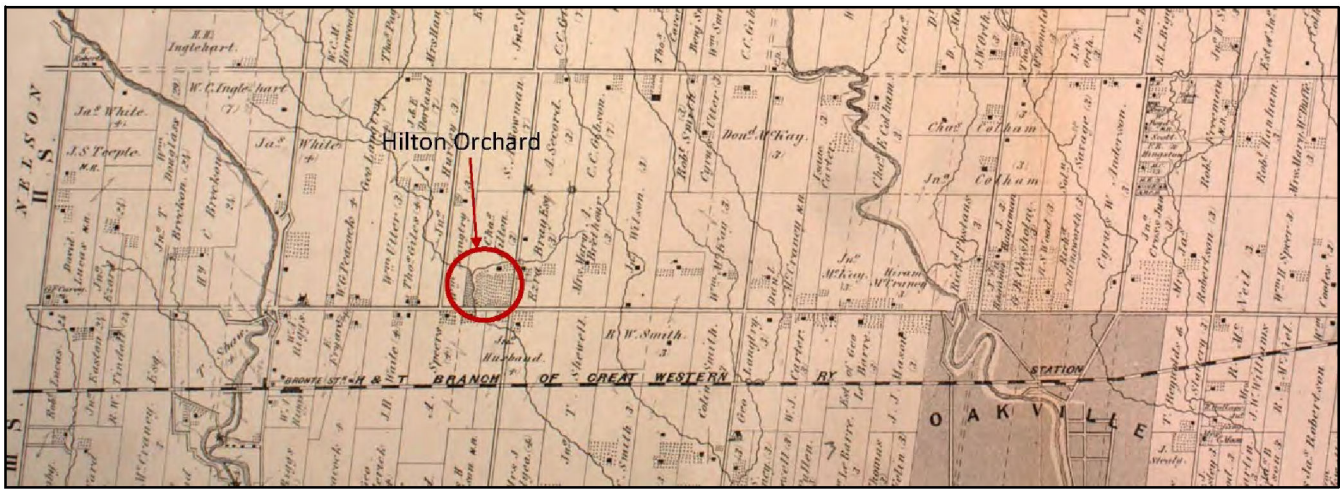


Figure 12: Detail of 1877 map of Trafalgar Township showing orchards along Lower Middle Road (Pope, 1877).

4.1.5 20th Century Development

Following the Second World War, the population along Ontario's lakeshore between Toronto and Hamilton experienced significant growth. As with other lakeshore towns and villages, the populations of Oakville and Bronte expanded northward from their respective urban cores, into the agricultural lands that once comprised a portion of an approximately 15,000-acre "fruit belt", well-known for its small fruits, vegetables, and orchards.[45] There were still approximately 1000 fruit and vegetable farms remaining in the lakeshore region as late as the 1940s, nearly all of which have been lost to suburban growth.[46]

With the increase in automobile traffic following the Second World War, and the continued suburban growth of Oakville, the landscape around 2031 North Service Road was dramatically altered. Most notably, the construction of the QEW in the 1930s and subsequent additions of lanes and larger on/off ramps at Third Line resulted in the construction, and later realignment, of North Service Road. This has resulted in the loss of portions of the property (see Section 4.2 Property Morphology).

The southern portion of Trafalgar Township amalgamated with the Town of Oakville in 1962, and the area continued to see dramatic changes as it transitioned from rural to central suburban core.

4.2 Study Area Property History

Lot 26, Con II, SDS

The property at 2031 North Service Road comprises a portion of the original 200-acre survey lot (Lot 26, Concession II, South of Dundas Street, Trafalgar Township). The 1806 Wilmot survey of Trafalgar Township indicates that the 200-acre parcel being Lot 26, Concession II, South of Dundas Street was Crown land (Figure 13). It was not until January 1828 that the 200-acre parcel was granted to Kings College. [47] King's College was Upper Canada's first institution of higher learning. It had been founded the previous year by royal charter. The Anglican college, which would become the University of Toronto in 1850, was originally controlled by the Church of England and was granted large amounts of land in order to finance its operations.

[45] John and Monica Ladell, *Inheritance*, Toronto, Dundurn Press (1986): 236.
[46] Ibid.
[47] LRO# 20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. P. 1.

In November 1852, the south 100-acre parcel of Lot 26 was acquired by Charles Hilton;[48] although he is believed to have settled on the property as early as 1831, when tax assessment rolls list Hilton as living on 100 acres of uncultivated land.[49] Trafalgar Township tax assessment rolls indicate that Hilton progressively cleared land on his property: five acres by 1833; 30 acres by 1840; and 50 acres by 1848.[50]

Charles Hilton was born in the Village of Hays, near London, England in 1795. He died in Trafalgar Township, at the age of 85, on June 18, 1880 from congestion of the lungs.[51]

In 1858[52], Charles built the one-and-a-half storey stone house, replacing an earlier frame house which had been noted in the 1848 assessment roll. Charles Hilton's 100-acre parcel is indicated on the 1858 Tremaine map of Trafalgar Township (Figure 14). No buildings, or other features aside from the Fourteen Mile Creek, are shown on the property. However, preference was often given to the mapping of buildings owned by subscribers to these illustrated historical atlases, so it is not unusual that map omits the Hilton farmhouse, as Charles was not a subscriber.

By 1861, Charles Hilton, and his wife Rebecca, had a large family and a well-established farm. The nominal census lists their three sons and four daughters: Henry (b. 1833); Ann (b. 1835); Martha (b 1837); Charles (b. 1840); John (b. 1842); Rebecca (b. 1844); and Eliza (b. 1846).[53] The agricultural census of that year estimates the farm's value at $7000. Approximately 80 acres were under cultivation – 30 under crops, 48 under pasture, and two acres of orchards. The value of the Hilton farm and equipment was relatively high, as compared to others in the township; suggesting that it was a successful and prosperous farm.[54] The Hilton farm was also quite diversified. That year, Charles grew fall wheat, barley, peas, oats, buckwheat, corn, potatoes, turnips, carrots and hay.[55]

Around 1870, fruit growing was becoming more common in the Oakville area. What was to become an extensive orchard was likely planted and maintained by Charles Hilton Junior; who appears to have been the only one of Charles (Sr.) and Rebecca's children to still reside at the family farmstead by 1871.[56] The 1871 census lists Charles (Jr.) as a fruit grower. The orchard expanded significantly, from two acres in 1861, to what appears to have been closer to 30 acres (see Figure 15, 1877 historical atlas).[57] Based on the size of the orchard shown on the 1877 map, the Hilton orchard was one of the largest in Trafalgar Township (Figures 12 and 15). Positioned at the east end of the former hamlet of Merton, the Hilton farm no doubt benefited from its proximity to the Bronte Depot on the Hamilton and Toronto Railway line during a time when fruit growing was one of the primary industries of the area.

When Charles Hilton (Sr.) died in 1880, his son, Henry, took over the farm. By that time, the orchard had grown to 35 acres.[58] The 1901 census lists Henry as a farmer. At the time, Henry was 69 years of age and does not appear to have a wife or children.[59] His older sister, Annie, was living with him at the farm.

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[48] Ibid.
[49] By-Law 1994-043: A By-law to designate 1054 Third Ling as a property of historical, architectural and contextual value and interest. Accessed online at https://assets.oakville.ca/blis/BylawIndexLibrary/1994-043.pdf#search=1994%2D43&toolbar=1&navpanes=0
[50] Ibid.
[51] Archives of Ontario; Toronto, Ontario, Canada; Series: *MS935*; Reel: *24.*
[52] Library and Archives Canada; Ottawa, Ontario, Canada; *Census Returns For 1861*; Roll: *C-1031. P. 103. Line 45.*
[53] Library and Archives Canada; Ottawa, Ontario, Canada; *Census Returns For 1861*; Roll: *C-1031. P.103, Line 37-39*
[54]Library and Archives Canada; Ottawa, Ontario, Canada; *Census Returns For 1861*; Roll: *C-1031.*
[55] Ibid.
[56] Library and Archives Canada; Ottawa, Ontario, Canada; *Census Returns For 1871*; 9955; Page: 5; Family No: 13.
[57] Pope, J.H., 1877. "Township of Trafalgar South," in the *Illustrated Historical Atlas of the County of Halton Ont.* Toronto: Walker & Miles. Last accessed September 2016 at http://digital.library.mcgill.ca/countyatlas/Images/Maps/TownshipMaps/hal-m-trafalgar-s.jpg.
[58] By-Law 1994-043: A By-law to designate 1054 Third Ling as a property of historical, architectural and contextual value and interest. Accessed online at https://assets.oakville.ca/blis/BylawIndexLibrary/1994-043.pdf#search=1994%2D43&toolbar=1&navpanes=0
[59] Year: *1901;* Census Place: *Trafalgar, Halton, Ontario;* Page: *6;* Family No: *56.*

In the spring of 1913, Henry sold the 100-acre property to Archibald Atkinson Speers for $8,900.[60] Archibald Speers had previously acquired land in Lots 26 and 27, Con III (see Figure 15, 1877 historical atlas) and he and his family appear to have continued living at their farm in Lot 27 (south of the Hilton farm) well into the first quarter of the 20th century.[61]

Archibald A. Speers was of Irish descent, but born in Palermo in July 1855. He spent his entire life in the community.[62] On March 25, 1891, Archibald married Bronte-born Minnetta Walton in Halton.[63] Together, they had at least seven children: Elwood Earl (b. 1892); Austin (b. 1895); William Wallace (b. 1897); Clifford (1901); Mary Evelyn (1903); Roy (1905); and Orliff (1907).[64]

Archibald died August 12th, 1930 at the age of 75.[65] He was buried at St. Jude's cemetery. The following year his widow, Minnetta, and son, Austin Lawrence, acting as executers to Archibald's estate, granted the south 100 acres of Lot 26, Con III to William Wallace Speers for $82,000.[66]

William "Wallace" Speers was born in 1897 and married Rose Mable St. George on August 31, 1921.[67] It is unclear if William Wallace ever lived or farmed the land,[68] or if he was just granted the legal title to the southern half of the property. In 1935, William leased the 100 southern acres to Clifford Speers.[69] The Canadian voters list of 1935, lists Clifford Speers as a farmer (and also lists a Mrs. Clifford Speers).[70]

It appears as though Clifford dissolved the lease in 1946.[71] William Wallace Speers divided the 100-acre parcel into smaller lost and sold these to various people.[72]

On April 11, 1969, William Wallace Speers and his wife granted the portion of the original 100-acre lot which contains the home and orchard to Donald Bruce Malcolmson.[73] In 1971, the property was transferred to Donald's wife, Barbara Ethel Malcolmson.[74] Mrs. Malcolmson continues to own the property at writing.

In 2008, the Malcolmson's apple trees won the title of "Best Fruit Bearing Trees" at the Great Heritage Tree Hunt run by the Town of Oakville.[75]

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[60] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5: p.2.
[61] Reference Number: *RG 31;* Folder Number: *61;* Census Place: *Trafalgar (Township), Halton, Ontario;* Page Number: *14. 1921.*
[62] Archives of Ontario. Registrations of Deaths, 1869-1938. MS 935, reels 1-615. P. 179.
[63] Archives of Ontario; Toronto, Ontario, Canada; Registrations of Marriages, 1869-1928; Series: MS932; Reel: 71. P. 281.
[64] Year: 1911; Census Place: 21 - Trafalgar, Halton, Ontario; Page: 3; Family No: 18
[65] Archives of Ontario; Toronto, Ontario, Canada; Series: *MS935*; Reel: *390*
[66] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5: p.2.
[67] Archives of Ontario; Series: MS932; Reel: 566.
[68] The 1935 voters list indicates that a Dr. W. W. Speers was a Dentist, living in Oakville; however, it is unclear if this the William Wallace as there were many members of the Speers family living in the area.
[69] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. Pg. 2
[70] Voters Lists, Federal Elections, 1935–1980. R1003-6-3-E (RG113-B). Library and Archives Canada, Ottawa, Ontario, Canada. For year 1935, digitized pg. 2913
[71] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. Pg. 2
[72] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. Pg. 2
[73] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. Pg. 4
[74] LRO #20, Land Title Abstracts. Lot 26, Con II, SDS, Reel ER5. Pg. 6
[75] Kortmann, Liesa. Oct 24, 2008. *Awards go to local heritage tree spotters.* Inside Halton. Accessed online from, http://m.insidehalton.com/news-story/2887939-awards-go-to-local-heritage-tree-spotters.

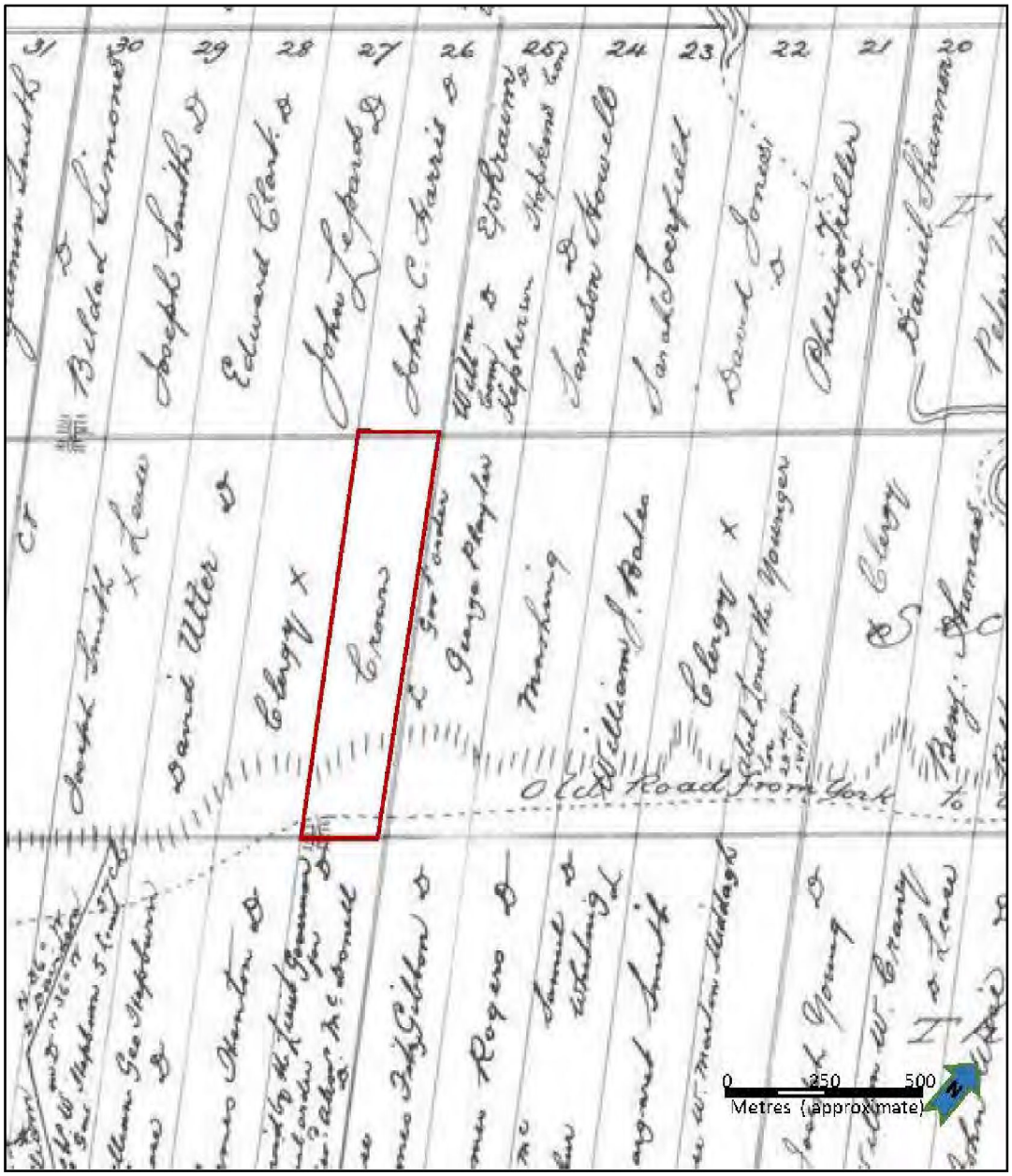


Figure 13: Detail of 1806 Wilmot Survey showing Lot 26, Concession II, SDS denoted as Crown land (Wilmot, 1806).

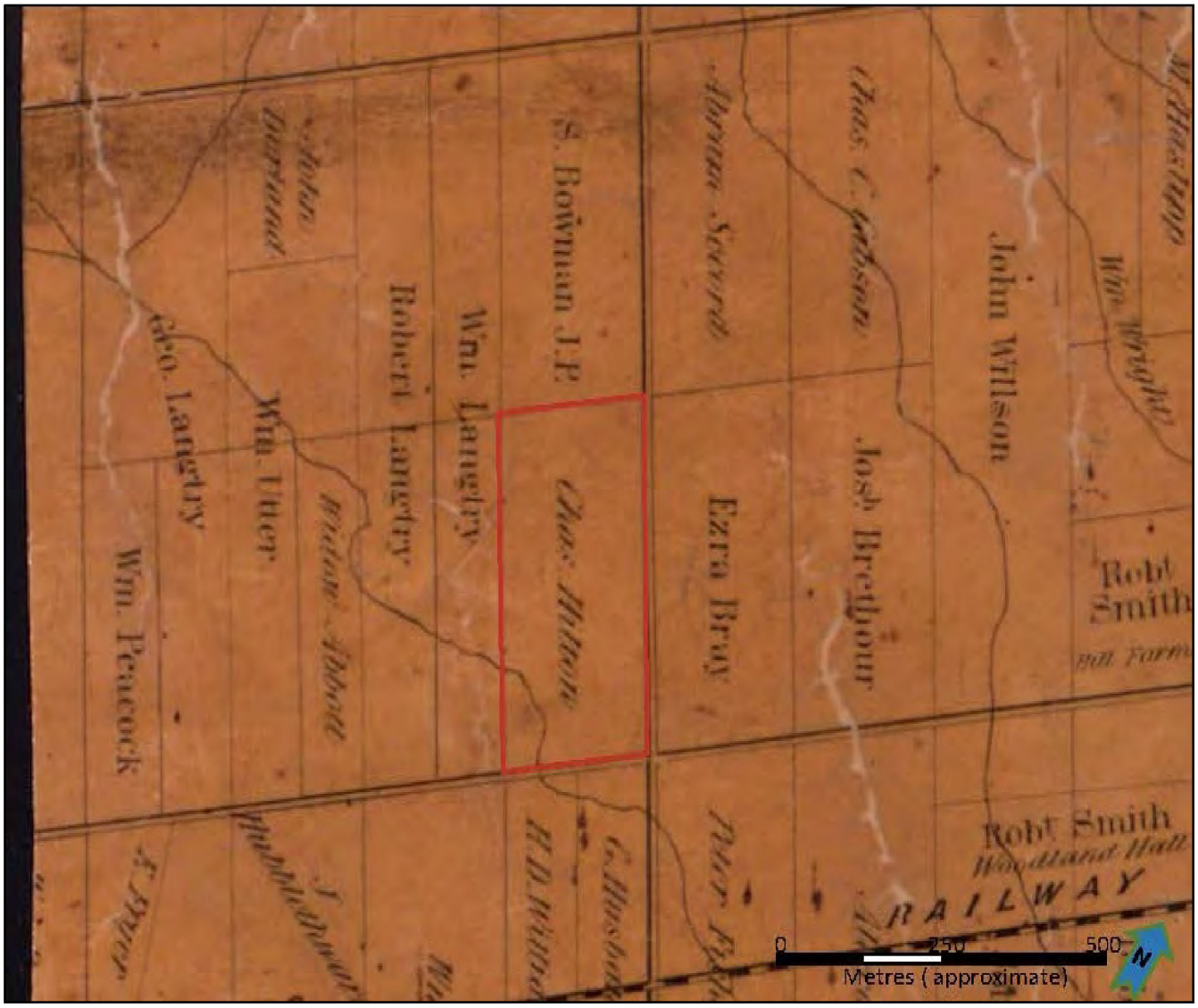


Figure 14: Detail of 1858 Tremaine Map of the County of Halton showing Charles Hilton's farm in the south half of Lot 26, Concession 2, South of Dundas Street (Tremaine, 1858).

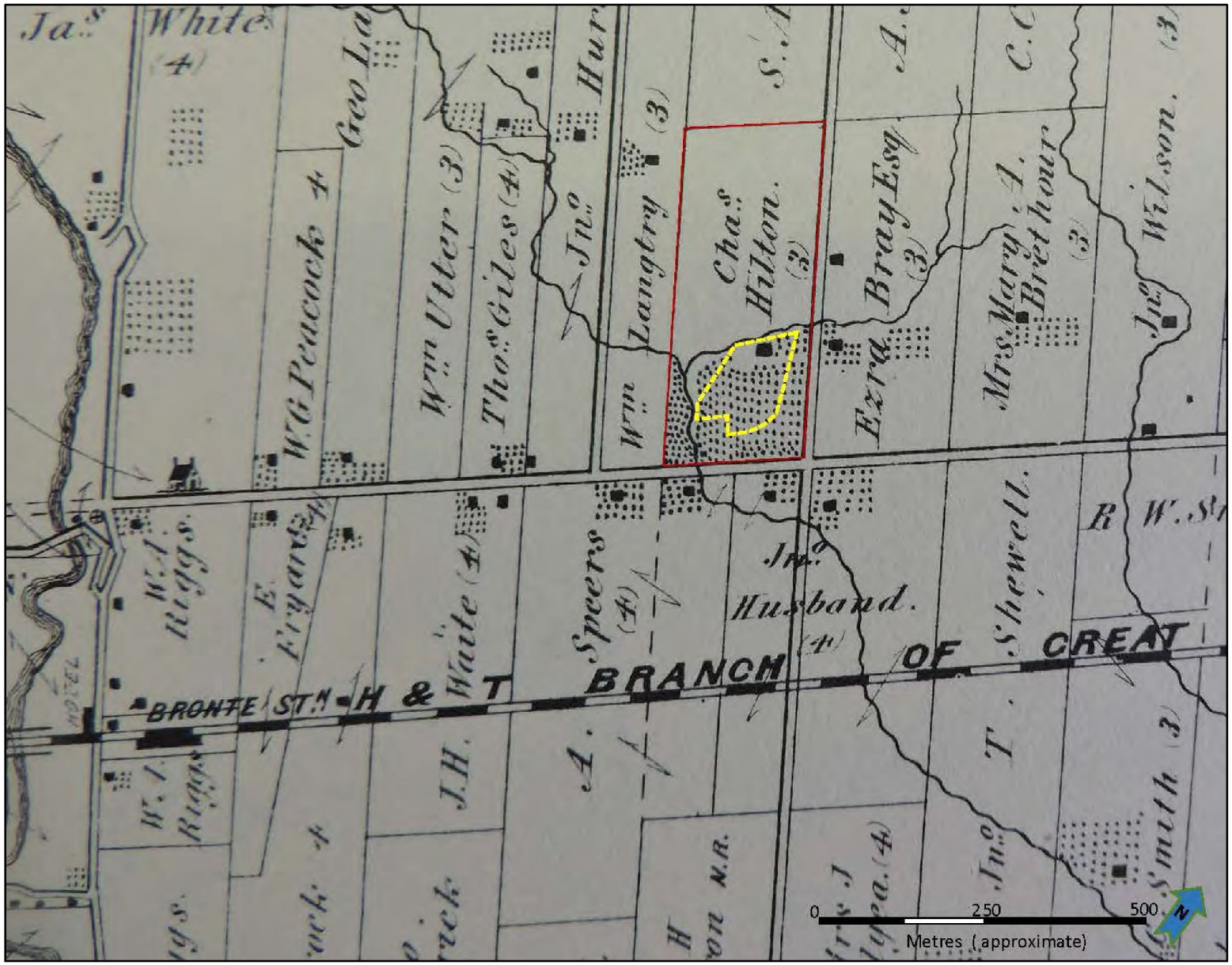


Figure 15: Detail of 1877 Map of Trafalgar showing Lot 26, Concession 2, SDS, owned by Charles Hilton, and location of farmhouse and orchards (subject property in yellow) (Pope, 1877).

4.2.1 Property Evolution

The property has evolved since originally settled by Charles Hilton around 1831. As described, above, portions of the 100-acre farmstead have been severed and sold since the 1940s; however, the core of the farmstead (comprising the farmhouse and orchards) appear to have remained relatively intact.

Figure 16 illustrates changes to the property and its surroundings since 1954 by overlaying the current property boundary over air photos from 1954, 1960, 1980, 1995, 2006, and 2015. Figure 17 provides a comparison of the current state of the property, with the 1954 aerial image overlain.

The 1954 air photo shows the current approximately 12-acre property at the northwest corner of the intersection of Third Line and the QEW. At the time, the orchard does not appear to have extended as far south as the QEW. Access to the property appears to have been via a laneway off Third Line. Farms were located immediately opposite Third Line, to the east. The property was surrounded by agricultural fields.

The 1960 air imagery shows much more detail of the property including well-defined rows of orchard trees, extending as far east as Third Line north and south of the tree-lined laneway, which extended from the farmhouse and connected to Third Line. The 1960 image shows the significant impact of the QEW and associated road construction on the surrounding landscape.

Subsequent air photos (1980, 1995, 2006 and 2015) show the continued impact of surrounding road construction and industrial development on the area. The photos also show the loss of orchard trees to the east of the farmhouse, although the configuration of the current approximately 4-acre orchard parcel has remained relatively unchanged aside from the loss of individual trees. Undated photos (possibly dating to the 1980s) included in the Town indicate that the orchard was used to pasture horses at some point in the late-20th century (see Figure 18).

Key Views

No key views related to the cultural heritage value or interest of the agricultural landscape at 2031 North Service Road were identified; however, it should be reiterated that the consulting team was not provided access to the property and was therefore unable to identify any potential key views from within the property.

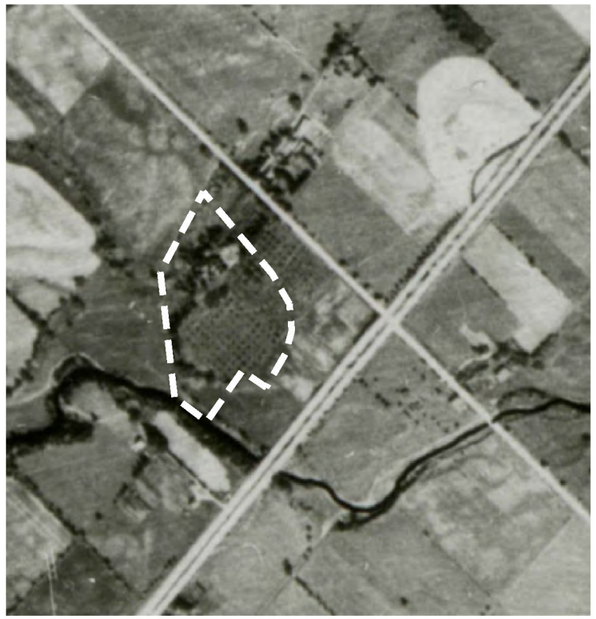
Key Themes

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

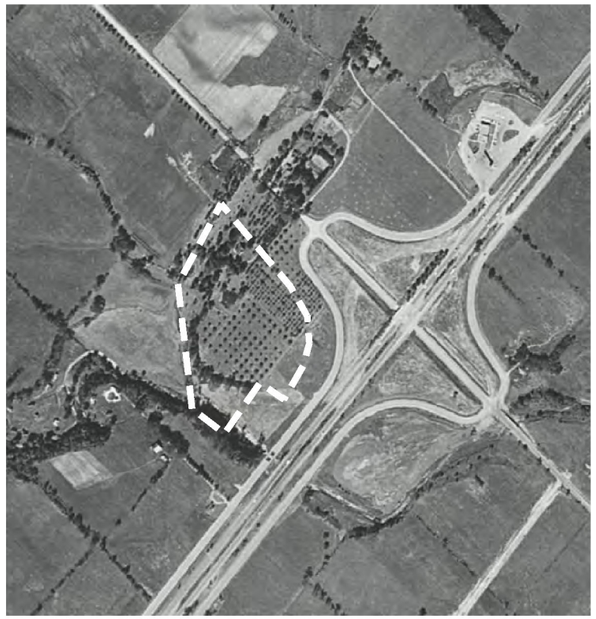
Key themes for 2031 North Service Road West include:

- Pre-European contact land use along the Fourteen Mile Creek;
- Early settlement of Trafalgar Township South; and,
- Apple-growing along Lower Middle Road (Merton).

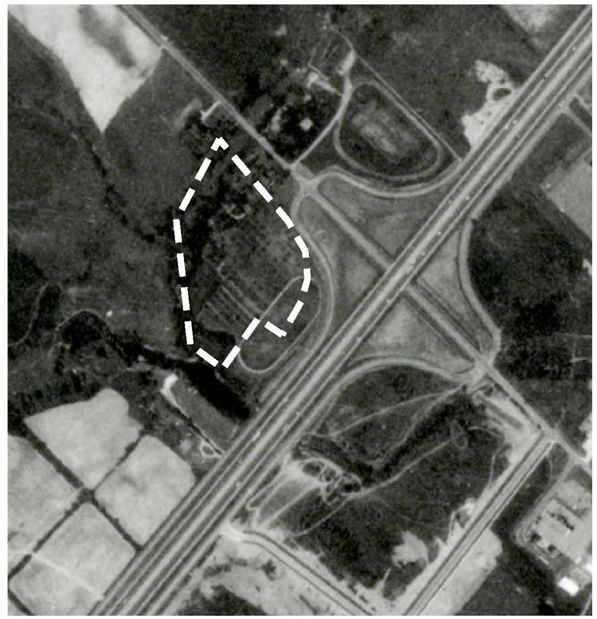
1954



1960



1980



1995

2006

2015

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

N

Figure 16:

Property Evolution

Drawing not to scale

Figure 17: 1954 Air Photo over Current Conditions (Base map source: Google Earth Pro, 2017 and NAPL, 1954).

Figure 18: Undated photo of 2031 North Service West (likely c.1980s) showing horses in the orchard (Source: Town of Oakville)

5 Evaluation

5.1 Evaluation of Cultural Heritage Value or Interest

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

5.1.1 Evaluation of Cultural Heritage Value or Interest, Ontario Regulation 9/06

Evaluation of the Cultural Heritage Value or Interest of the property at 2031 North Service Road West was guided by the evaluation criteria provided in *Ontario Regulation 9/06: Criteria for determining cultural heritage value or interest under the Ontario Heritage Act*. A discussion of the evaluation follows. Table 1 provides a summary.

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

The topography of the south half of Lot 26, Concession II SDS would have been a determining factor in the layout of the Hilton Farm. A key component in the layout of 19th century farms and the location of farm buildings was access to water. Prior to the 1860s when well-digging became increasingly more common, settlers relied on surficial bodies of water.[76] In the case of this property, Fourteen Mile Creek would have provided the Hilton family reliable access to water and the selection of the location for the house and outbuildings was undoubtedly influenced by this watercourse. The Hilton family chose for their stone farmhouse and outbuildings a high point of elevation within their property. This choice was both practical – as a raised area would have provided better drainage and been easier to excavate for basement construction. In addition, the location of the house would have provided convenient access to both Lower Middle Road and Third Line. Given Charles Hilton's British-descent, the choice of location may have also been inspired by his own experience with old British farmsteads which "ride high on hills"[77] providing not only practical benefits, but also intangible benefits such as views of the surrounding landscape.[78] The location of the orchard along a slight downward slope, is also not uncommon in early farm design as the slope provided air drainage,[79] neither is its location in close proximity to the house.[80]

The layout of the farmhouse and outbuildings is likewise, a representative southern Ontario farm layout. In addition to the farmhouse and barn, typical farmstead components which generally comprised the "nerve centre of the operating farm"[81] included: "silos, smoke-houses, wells, corn cribs, sheds, driveways, utility lines, windmills, and tree-line windbreaks."[82] A well and pump, cistern, and privy would also have been found in the vicinity of the house. The house, with its most attractive, public face to the road, shielded more utilitarian features from public view. The kitchen was generally located to the rear of the house and acted as the access to and from the farm's activity areas. The farm yard served a number of purposes. It provided a space for a number of the farm's activities (e.g., washing, vegetable or ornamental gardening) and formed a buffer between the house and farming activities. Extant tree-lines and fencing appear to delineate this domestic area. The gravel lane-way, once stretched further eastward, connecting to Third Line. Although it has been truncated by the reconfiguration of the North Service Road, based on review of air photos, it does not appear to have moved from its earlier location (see Figure 16).

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[76] Thomas F. McIlwraith, *Looking for Old Ontario*. Toronto, Dundurn Press (1999): 242.
[77] Ronald Blythe, *Akenfield: Portrait of an English Village*. Harmonsworth: Penguin Books (1969): 20, as cited in McIlwraith, *Looking for Old Ontario*. (1999): 242.
[78] McIlwraith, (1999): 242.
[79] McIlwraith, (1999): 242.
[80] Wendy Shearer Architect Limited, *Cultural Landscape Assessment.* (2006): 10-11.
[81] McIlwraith, (1999): 243.
[82] McIlwraith, (1999): 243.

In these respects, the property at 2031 North Service Road West is an example of the general building location and layout of a 19th century farm. Likewise, the remnant orchard, planted along a downward slope, south of the farm yard and neatly organized in rows running parallel to the former Lower Middle Road, is representative of a late-19th century orchard.

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

The property is associated with Charles Hilton, who settled on the south 100 acres of Lot 26, Concession II SDS in 1831. By 1848, Charles had cleared approximately half of his property which had developed into a prosperous farming operation. By 1871, a quarter of the property was occupied by the Hilton orchard and Charles Hilton Jr. was listed in the nominal census as a 'fruit grower'. The orchard had reached its maximum size of 35 acres by 1881 and, as illustrated on the 1877 map of Trafalgar South, it was one of the largest in the area (see Figure 12). The property, with its remnant orchard, is directly associated with the theme of fruit-growing, more specifically apple-growing. In the late 19th 20th century, orchards were located in nearly every property along Lower Middle Road between Bronte Road and Third Line - the area which comprised Merton. Given the size and prosperity of the Hilton Farm, the Hilton family appear to have been significant contributors to the theme of apple-growing in the community.

Furthermore, the remnant orchard at 2031 North Service Road West is one of the few surviving examples of a late 19th century orchard; other large-scale orchards having been lost to suburban expansion following the Second World War. As such, the property has the potential to yield information which may contribute to an understanding of the history of fruit growing in this former 'fruit belt'. Other aspects of the property with the potential to yield information include the house (i.e., potential to yield information about rubblestone construction in the 1850s) and, due to its location along the Fourteen Mile Creek, the property in general has the potential to yield information that contributes to the archaeological record.

Evaluation of the contextual vale of the property took into consideration the current conditions of the property in relation to its surrounding area, which included: its immediate surroundings; the Fourteen Mile Creek; the North Service Road; Third Line; North Oakville; and the geographic township of Trafalgar more generally.

The property is located along the Fourteen Mile Creek, which is situated immediately west of the property. The watercourse branches off at this point, and a tributary of the creek follows the northern boundary of the property. Present-day land use around the property is primarily industrial to the west and south, and commercial to the east. Directly south and adjacent to the property is a Municipal pumping station. Langtry Park is located on the north side of the creek. Land use north of the park is primarily residential. The QEW and North Service Road have dramatically altered the property's immediate surroundings (as described in Sections 4.1.4 and 4.2.1). Historically, the property was located at the eastern edge of the former post office hamlet of Merton.

The 12-acre property is one of the few remnants of the former hamlet of Merton and a rare reminder of the former prevalence of agriculture and apple growing along Lower Middle Road. It is an important feature in maintaining a connection to the agricultural character of this area.

Table 1: Evaluation of 2031 North Service Road West as per Ontario Regulation 9/06 Criteria.

O.Reg. 9/06 Criteria	Criteria Met (y/n)	Justification
1. The property has design value or physical value because it,		
i. is a rare, unique, representative or early example of a style, type, expression, material, or construction method,	Y	The property at 2031 North Service Road West is a representative example of an evolved farmstead and remnant orchard landscape dating from the late 19th century. The cultural heritage landscape of the property includes the 1858 rubble stone Hilton farmhouse and supporting outbuildings, a rare remnant apple orchard, and open, low-lying creek valley.as a cultural heritage landscape,
ii. displays a high degree of craftsmanship or artistic merit, or	TBC	This criterion could not be fully assessed from the public right-of-way.
iii. demonstrates a high degree of technical or scientific achievement.	TBC	This criterion could not be fully assessed from the public right-of-way.
2. The property has historical value or associative value because it,		
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	Y	The property at 2031 North Service Road West is directly associated with the development of agriculture and the fruit-growing (specifically apple-growing) industry in Trafalgar Township. It is also directly associated with the Hilton Family. The farm was quite prosperous in the 1860s and, although the Hilton farm was one of many orchards located in the area in the 1870s and 1880s, it was, by far, one of the largest. This, in turn contributed to the development of the former hamlet of Merton.
ii. yields, or has the potential to yield information that contributes to an understanding of a community or culture, or	Y	The property has the potential to yield information about rubblestone construction in the 1850s. It may also contribute to an understanding of the history of apple growing in Trafalgar Township. Furthermore, the property's location along a branch in the Fourteen Mile Creek and the lack of recent and extensive disturbance suggest an elevated likelihood that the property has the potential to contribute to the archaeological record of the area.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	N	The property, as a cultural heritage landscape, does not demonstrate or reflect the work or ideas of any architect, artist, builder, designer or theorist who is significant to the community. The builder of the farmhouse is unknown.

O.Reg. 9/06 Criteria	Criteria Met (y/n)	Justification
3. The property has contextual value because it,		
i. is important in defining, maintaining or supporting the character of an area,	Y	The 12-acre property is still legible as an agricultural landscape with is farmhouse, orchard, and supporting structures. It is one of the few remnants of the former hamlet of Merton and a rare reminder of the former prevalence of agriculture and apple growing along Lower Middle Road (which has been replaced by the QEW and North Service Road). It, along with the Merton Cemetery (to the west), is one of the few remnants of this former rural area.
ii. is physically, functionally, visually or historically linked to its surroundings, or	Y	Historically, the property was linked to the development of the hamlet of Merton and the orchard industry along Lower Middle Road. The 12-acre property is one of the few remnants of the former hamlet of Merton. Visually, the property is linked to the Fourteen Mile Creek.
iii. is a landmark.	N	2031 North Service Road West is not a landmark.

5.1.2 Evaluation of Cultural Heritage Value or Interest of Provincial Significance, Ontario Regulation 10/06

Evaluation of the Cultural Heritage Value or Interest of the property at 2031 North Service Road West was guided by the evaluation criteria provided in *Ontario Regulation 10/06: Criteria for determining cultural heritage value or interest of Provincial Significance*.

Considering the property in the broader context of Ontario's history, it does not appear to represent or demonstrate any themes or patterns which are significant in the province's history. It is associated with the approximately 15,000-acre "fruit belt", known for its small fruits, vegetables, and orchards which stretched along the lakeshore between Toronto and Hamilton in the early-20th century.[83] Although, this theme is more regionally than provincially significant. There is no evidence to suggest that Charles Hilton, or the Hilton Farm had an influence outside of the local community.

In general, the property and its history are associated with locally significant themes and figures, rather than broader provincial themes. Table 2 provides a summary of the results of that evaluation.

[83] John and Monica Ladell, *Inheritance*, Toronto, Dundurn Press (1986): 236.

Table 2: Evaluation of 2031 North Service Road West as per Ontario Regulation 10/06 Criteria

O.Reg. 10/06 Criteria	Criteria Met (y/n)	Summary
A property may be designated under section 34.5 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest of provincial significance:		
1. The property represents or demonstrates a theme or pattern in Ontario's history.	N	While the property is an example of Ontario's farming history, it is not provincially significant. The property is associated with the theme of apple-growing; although, this is regional rather than provincially significant theme.
2. The property yields, or has the potential to yield, information that contributes to an understanding of Ontario's history.	N	While the property has the potential to yield information, the information that would be significant at a local, rather than provincial, level.
3. The property demonstrates an uncommon, rare or unique aspect of Ontario's cultural heritage.	N	The property does not demonstrate a provincially significant uncommon, rare or unique aspect of Ontario's cultural heritage
4. The property is of aesthetic, visual or contextual importance to the province.	N	The property does not demonstrate provincially significant aesthetic, visual or contextual importance.
5. The property demonstrates a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.	N	The property does not demonstrate a high degree of excellence or creative, technical or scientific achievement at a provincial level in a given period.
6. The property has a strong or special association with the entire province or with a community that is found in more than one part of the province. The association exists for historic, social, or cultural reasons or because of traditional use.	N	The property does not have a provincially significant or special association.
7. The property has a strong or special association with the life or work of a person, group or organization of importance to the province or with an event of importance to the province.	N	The property does not have a provincially significant or special association. The property is associate with Charles Hilton and his descendants, who are locally, but not provincially significant. The Hilton Farm is associated with the theme/event of apple-growing along Lower Middle Road (Merton). This is not a provincially significant event.
8. The property is located in unorganized territory and the Minister determines that there is a provincial interest in the protection of the property.	N	This property is not located in unorganized territory.

5.1.3 Evaluation of National Historic Significance

Evaluation of the property at 2031 North Service Road West per the National Historic Sites Criteria involved the comparison of nationally significant farmstead and agricultural sites against the current conditions of the agricultural landscape at 2031 North Service Road West. Comparative examples of National Historic Sites that reflect 19th agricultural philosophies include:

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

The Motherwell Homestead National Historic Site of Canada is a 3.59-hectare farmstead developed by W.R. Motherwell from 1882 to 1939. It was recognized by the Historic Sites and Monuments Board of Canada (HSMBC) in 1966 for "its association with the career of W. R. Motherwell and in its illustration of an individual dispersed prairie homestead planned around scientific farming principles."[84]

Thistle Ha' National Historic Site of Canada is an 80-hectare agricultural landscape established around 1840, comprising a stone house, large wooden barn, and various outbuildings. It was designated by the HSMBC in 1973 because of its "historic associations with John Miller; a pioneer, importer and breeder of pedigree livestock in Canada. Miller's example played an important role in improving stock breeding throughout North and South America in the 19th century."[85]

Seager Wheeler's Maple Grove Farm National Historic Site of Canada is a 17-hectare farmstead established in 1898. The site was designated by the HSMBC in 1994 for its association with Seager Wheeler, a farmer, agronomist and pioneering seed breeder who established the farm in 1898. "The site includes various buildings, archaeological resources, and landscape features that depict a model farm of the Wheat Boom era from 1898-1940."[86]

The aforementioned examples were all reviewed by the HSMBC and deemed to be nationally significant. In each instance, in addition to being an in tact agricultural landscape, the site is associated with a theme or event that contributed to the development of Canada – such as the Wheat Boom era in the prairies – and/or a well-known figure who contributed to the advancement of Canadian agricultural sciences – such as pioneering seed breeder Seager Wheeler, livestock breeder John Miller, or W.R. Motherwell, a well-known figure in the advancement of scientific farming principles in Canada.

Although the Hilton Farm, and the orchard more specifically, was a prosperous farm and Charles Hilton Sr. and Jr. appear to have been locally significant, no evidence was found to suggest an influence outside of the local community and it is unlikely that the property would be considered nationally significant by the HSMBC.

[84] Historic Sites and Monuments Board of Canada Minutes, May 1966 as cited on *Canada's Historic Places* http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=1209&pid=0.
[85] Historic Sites and Monuments Board of Canada Minutes, June 1973 as cited on *Canada's Historic Places* http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=9632&pid=0.
[86] Historic Sites and Monuments Board of Canada Minutes, November 1994 as cited on *Canada's Historic Places* http://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=12136&pid=0.

Table 3: Evaluation of 2031 North Service Road West against Criteria for National Historic Significance

National Historic Site Criteria	Criteria Met (y/n)	Summary
1. **A place** may be designated of national historic significance by virtue of a direct association with a nationally significant aspect of Canadian history. An archaeological site, structure, building, group of buildings, district, or cultural landscape of potential national historic significance will:		
a) illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada; or	N	This criterion could not be fully assessed; however, based on visual assessment from the public right-of-way, the overall agricultural landscape does not appear to illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada.
b) illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada; or	N	The cultural landscape at 2031 North Service Road West represents a mid- to late-19th century evolved agricultural landscape. This property does not illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada as well as comparative examples of nationally significant agricultural landscapes such as Motherwell Homestead or Thistle Ha'.
c) be most explicitly and meaningfully associated or identified with persons who are deemed of national historic importance; or	N	Although the property is associated with Charles Hilton, and the Hilton family more generally, they are locally, not nationally, significant.
d) be most explicitly and meaningfully associated or identified with events that are deemed of national historic importance.	N	The property is not explicitly and meaningfully associated or identified with any defining action, episode, movement, or experience in Canadian history.
2. **A person** (or persons) may be designated of national historic significance if that person individually or as the representative of a group made an outstanding and lasting contribution to Canadian history.	N	Although the property is associated with Charles Hilton, and the Hilton family more generally, they are locally, not nationally, significant.
3. **An event** may be designated of national historic significance if it represents a defining action, episode, movement, or experience in Canadian history.	N	The property is associated with the theme/event of apple-growing in the former hamlet of Merton (Lower Middle Road between Bronte Road and Third Line) and Trafalgar Township more generally. This is, however, a local theme and is not a defining action, episode, movement, or experience in Canadian history.

5.2 Cultural Heritage Landscape and Results of Evaluation

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

The property at 2031 North Service Road West **meets** the criteria of Ontario Regulation 9/06 for determining cultural heritage interest or value under the *Ontario Heritage Act*.

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

Based upon the analysis of the property, there do not appear to be any significant views associated with the property.[87]

5.3 Summary of Evaluation Findings

5.3.1 Boundaries of Cultural Heritage Landscape

2031 North Service Road West is an approximately 12-acre parcel of land located on the north side of North Service Road West, where the road bends northward to connect with Third Line, north of the on/off ramps for the QEW. The legal description of the property is "Part Lot 26, Concession 2 Trafalgar, South of Dundas Street (as in 328312 except PE93 & PTS 1, 2, 20R7101), Trafalgar Township", in the Town of Oakville.

The property is a cultural heritage landscape, set on complex topography along the Fourteen Mile Creek. The approximately 12-acre property, with its associated orchard, represents the core of the Hilton farmstead. It is still legible as an agricultural landscape with its prominently located and visually dominant 1858 farmhouse, the remnant apple orchards, and the other supporting secondary structures, fencing, as well as the positioning and interrelationships of these elements of the property.

The 1858 rubblestone farmhouse is set on a prominent east-west ridge, and the land falls off steeply to the north to meet a shallow, meandering creek. To the south of the farmhouse, the remnant trees of an apple orchard are aligned in neat, east-west rows. Outbuildings are arranged close to the house. A narrow, gravel drive leads from the North Service Road to the east side of the house, terminating in front of two garages.

5.3.2 Summary of Cultural Heritage Value

The property at 2031 North Service Road, as a whole, is a representative example of an evolved farmstead and orchard landscape dating from the late 19th century. Key features of the cultural heritage landscape of the property include the 1858 rubblestone farmhouse and supporting outbuildings, remnant apple orchard, and open, low-lying creek valley.

The property has historical associations because of its direct associations with the Hilton family, the former hamlet of Merton, and the development and prevalence of apple-growing along Lower Middle Road. The property has the potential to yield information about rubblestone architecture in the 1850s. It may also contribute to an understanding of the history of apple growing in Trafalgar Township. Furthermore, the property's location along a branch in the Fourteen Mile Creek and the lack of recent and extensive disturbance suggest an elevated likelihood that the property has the potential to contribute to the archaeological record of the area. The stone farmhouse at 2031 North Service Road West was built circa 1858 by the Hilton family, who were farmers on the southern half of the property as early as 1831. Charles Hilton established a prosperous farming operation on the property. It was between 1861 and 1871 that the Hilton's planted the apple orchard which would come to characterize their farm. By 1881, the orchard had reached its maximum size of 35 acres.

Lastly, the property is physically and historically linked to its surroundings. While the property has seen changes over time, including the loss of some of its orchards and changes to the property as a result of the construction of both North Service

[87] As per Section 1.3.2.4, the consultant team was not provided property access. As such, only views of the property from the public Right of Way were assessed. Because no site access was provided during this phase, potential key views from within the property could not be identified.

Road and the Queen Elizabeth Way (QEW), the property is still legible as an agricultural landscape with is farmhouse, orchards, and supporting structures. It is situated along a branch of Fourteen Mile Creek and much of the surrounding land used by the Hilton's as orchard is still covered by trees. The property contributes to the character of the area and is a visible remnant of the historic hamlet of Merton and the prevalence of the apple-growing industry along Lower Middle Road in the late 19th and early 20th century.

5.3.3 Key Features

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

- The property, as a coherent whole, which is still legible as an agricultural landscape with its prominently located and visually dominant 1858 farmhouse, the remnant apple orchards, and the other supporting secondary structures, as well as the positioning and interrelationships of these elements of the property;
- The rolling nature of the property;
- The organization of the property into three separate areas, separated by topography, fencing and tree-lines: *i.e.,* the farmhouse and outbuilding area; the orchard area; and the open, low-lying valley area;
- The remnant laneway which recalls the property's connection to Third Line;
- The vernacular one-and-a-half storey, 3 bay 1858 farmhouse overlooking the remnant orchard, to the south, and creek, to the north with its multi-coloured fieldstones and rubblestone construction; central gable and projecting front porch; original openings and headers including the remaining six-over-six double-sash wooden windows and frames; and, decorative wooden elements, including cornice brackets;
- The remnant orchard including the remaining apple trees (approximately 50 trees) arranged along approximately nine remaining straight rows;
- Post-and-paige wire fencing along the property boundary; split-rail fencing is located to the east and north of the house, along the property line and overlooking the creek valley; and
- The low-lying creek valley north of the farm house.

6 Conclusions

Letourneau Heritage Consulting Inc., in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates, Aboud & Associates Inc., and Laurie Smith Heritage Consulting, was retained by the Corporation of the Town of Oakville (the Town) in August 2016 to provide consulting services for part of Phase II of the Town's Cultural Heritage Landscape Strategy Implementation Project. As part of the project, a Cultural Heritage Evaluation Report was completed for the property at 2031 North Service Road West considering its potential as a cultural heritage landscape.

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

The consulting team was not provided access to the property. Instead, a site review, from the public right-of-way, was undertaken on November 10, 2016. Other team members undertook independent site reviews from the public right-of-way on November 6 and 10, 2016. The site had previously been reviewed from the public right-of-way by consulting team members A. Barnes and C. Uchiyama on September 8, 2015, as part of Phase I of the Cultural Heritage Landscape Strategy Implementation Project.

Based on upon the above approach, in the professional opinion of the project team, the property at 2031 North Service Road West is a *significant cultural heritage landscape* as defined within the 2014 *Provincial Policy Statement*. Following the application of the three evaluative methods used for this project, it was determined that the property does not meet the criteria of Ontario Regulation 10/06 or National Historic Sites Criteria. However, it was confirmed that the property does meet the criteria of Ontario Regulation 9/06 and does have cultural heritage value.

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7.2 Legislation

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Ontario Regulation 10/06, Criteria for Determining Cultural Heritage Value or Interest of Provincial Significance.

Provincial Policy Statement (2014)

Planning Act, R.S.O. 1990. C.P.13

8 Appendix A – Evaluation Criteria

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Ontario Heritage Act

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

Consolidation Period: From January 25, 2006 to the e-Laws currency date.

No amendments.

This is the English version of a bilingual regulation.

Criteria

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

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

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

Transition

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

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Ontario Heritage Act

ONTARIO REGULATION 10/06

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST OF PROVINCIAL SIGNIFICANCE

Consolidation Period: From January 25, 2006 to the e-Laws currency date.

No amendments.

This is the English version of a bilingual regulation.

Criteria

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

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

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

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Historic Sites and Monuments Board of Canada
Commission des lieux et monuments historiques du Canada

Criteria
General Guidelines
Specific Guidelines

for evaluating subjects of potential national historic significance

Spring 2008

Canada

Historic Sites and Monuments Board of Canada

Criteria, General Guidelines & Specific Guidelines

Introduction

About the National Commemoration Program

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

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

About this Booklet

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

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

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

1. Criteria for National Historic Significance (1998)

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

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

1. **A place** may be designated of national historic significance by virtue of a direct association with a nationally significant aspect of Canadian history. An archaeological site, structure, building, group of buildings, district, or cultural landscape of potential national historic significance will:

    a) illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada; or

    b) illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada; or

    c) be most explicitly and meaningfully associated or identified with persons who are deemed of national historic importance; or

    d) be most explicitly and meaningfully associated or identified with events that are deemed of national historic importance.

2. **A person** (or persons) may be designated of national historic significance if that person individually or as the representative of a group made an outstanding and lasting contribution to Canadian history.

3. **An event** may be designated of national historic significance if it represents a defining action, episode, movement, or experience in Canadian history.

2. General Guidelines (1998)

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

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

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

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

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

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

PLACES (2007)

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

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

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

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

PERSONS

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

EVENTS (2002)

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

3. Specific Guidelines: Place

3.1 Extra-Territorial Commemorations

In 1960, the Board considered a proposal for the Government of Canada to take over the General Simcoe family burial ground at Wolford in the United Kingdom.
It was moved, seconded and carried,

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

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

3.2 Commemoration of Cemeteries

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

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

In June 1990:
The Board then reaffirmed its long-standing interest in the commemoration of cemeteries and graves of archaeological significance and of the graves of the Fathers of Confederation. Further, following discussion, the Board recommended that its [guidelines] respecting the commemoration of cemeteries be expanded as follows:

> that the Board consider eligible for commemoration only those cemeteries which are exceptional examples of designed or cultural landscapes in accordance with the following criteria;
> 1) it is a cemetery representing a nationally significant trend in cemetery design;
> 2) it is a cemetery containing a concentration of noteworthy mausoleum, monuments, markers or horticultural specimens;
> 3) it is a cemetery which is an exceptional example of a landscape expressing a distinctive cultural tradition.

3.3 Churches and Buildings Still in Religious Use

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

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

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

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

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

that the following definition of a religious property be adopted:

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

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

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

3.4 Archaeological Sites

In June 1978:

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

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

3.5 Facades of Historical Structures Integrated into Modern Developments

In November 1986:

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

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

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

3.6 Identification of Historic Districts of National Significance

In November 1987, the Board adopted the following definition and guidelines:
Historic districts are geographically defined areas which create a special sense of time and place through buildings, structures and open spaces modified by human use and which are united by past events and use and/or aesthetically, by architecture and plan.

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

3.7 Identification of Schools of National Significance

In November 1988, the Board agreed that:
in order to be considered for possible commemoration on grounds of national historic and/or architectural significance, a school, be it rural public, urban public, private or [Aboriginal] must meet one or more of the [specific guidelines] which follow:

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

3.8 Monuments Which Themselves Have Commemorative Purpose

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

Following considerable discussion, the Board recommended that

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

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

3.9 Commemoration of Movable Heritage Property

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

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

3.10 Identification of Parks and Gardens of National Significance

In November 1994, the Board recommended that:

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

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

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

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

3.11 Identification of Rural Historic Districts of National Significance

In November 1994, the Board adopted the following:

Definition

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

[Guidelines]

Rural historic districts of national significance:

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

3.12 Country Grain Elevators

In November 1995, the Board adopted the following:

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

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

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

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

3.13 Assessing Sites Associated with Persons of National Historic Significance

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

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

2. Types of Association and their Evaluation
   2.1 For a site to be designated for its association with a nationally significant person, the nature of the association **will be important**, and will be one or a combination of the following:
      - A site directly and importantly associated with a person's productive life often best represents his or her significant national contribution.
      - A birthplace, a childhood home, or a site associated with a person's formative or retirement years should relate persuasively to the national significance of the person.
      - A site that is attributed to be the source of inspiration for an individual's life work requires scholarly judgement of that relationship.
      - A site associated with a consequential event in a person's life must be demonstrably related to his national significance.
      - A site that has become a memorial (that is, that has symbolic or emotive associations with a nationally significant person) must demonstrably speak to the significance of the person in the eyes of posterity.
   2.2 When a nominated site is reviewed for its association with a nationally significant person, all sites prominently associated with the individual will be compared, with a view to choosing the site(s) that best tell(s) the national historic significance of the individual.
   2.3 Where the associated individual is the designer of the site, and their national significance lies with that aspect of their lives, then the nominated site should be evaluated for physical as much as associative values.

3. Related Commemorations at One or More Places
   3.1 A long, complex or multi-faceted life can warrant more than one commemoration, provided nationally significant aspects of that life are reflected in each of the commemorations.

4. The Test of Integrity
   4.1. A site must retain sufficient integrity or authenticity to convey the spirit of the place, and/or to tell the story of the national significance of the person.
   4.2. The richness of association of the individual, or the closeness of the identification of the individual with the nominated site, may override degrees of physical modifications to the site.
   4.3. A site that has symbolic and emotive associations with a nationally significant person may be designated for that association where the degree of compelling emotive attachment is established by research and analysis.

3.14 Built Heritage of the Modern Era

The following guidelines first adopted in November 1997, and later amended in July 2007:
A building, ensemble or site that was created during the modern era may be considered of national significance if it is in a condition that respects the integrity of its original design, materials, workmanship, function and/or setting, insofar as each of these was an important part of its overall intentions and its present character; and

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

3.15 Framework for Identifying and Assessing Settlement Patterns

In November 1997:
The Board noted that this paper provided a useful and clear elaboration of [guidelines] for a multifarious subject and requested that any future briefing materials on priority sub-themes related to settlement patterns follow this framework.

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

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

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

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

3.16 Historic Engineering Landmarks

In November 1997, "Historic Engineering Landmarks Project, Consultations on Prioritizing Sites for Potential Commemoration" was presented to the Board, which approved the following:
Resources will be assessed primarily for their engineering significance, but also for their historical significance with respect to their impact on Canadian history and Canada's development. A forty-year rule is also applied to preclude the selection of engineering landmarks of the present era.

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

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

3.17 Assessing the National Historic Significance of Lighthouses

In December 1998, the Board approved the following guidelines:
A lighthouse or light station may be considered of potential national historic significance if its current physical context and historic integrity respect or potentially respect its ability to meet two or more of the following guidelines:

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

3.18 Aboriginal Cultural Landscapes

In June 1999, the Board recommended the following definition and guidelines:
An Aboriginal cultural landscape is a place valued by an Aboriginal group (or groups) because of their long and complex relationship with that land. It expresses their unity with the natural and spiritual environment. It embodies their traditional knowledge of spirits, places, land uses and ecology. Material remains of the association may be prominent, but will often be minimal or absent.

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

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

3.19 Shipwrecks of National Historic Significance in Canada

In December 2000, the Board recommended:
For designation purposes, shipwreck shall mean an artifact representing a ship, boat, vessel or craft, whatever its type, which is deemed to have sunk, been driven aground, run aground or wrecked, and has been abandoned, thus putting an end to its career.

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

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

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

3.20 Commemoration of Court Houses

In June 1980, the Board recommended […]
that Court Houses selected for commemoration by the Board would be identified as falling into one of three distinct categories:

These categories are:

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

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

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

4. Specific Guidelines: Person

4.1 Commemoration of Governors-General

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

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

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

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

4.2 Provincial Figures Both Prior to and Subsequent to Confederation

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

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

4.3 Commemoration of Prime Ministers

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

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

In May 1974, the Board recommended:

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

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

3) that when a decision has been taken to acquire a house it would be most appropriate to choose one that is either closely associated with the most important period in the Prime Minister's career or which has very close family ties. When the Prime Minister is survived by a widow then life tenancy to the widow will in all cases be granted should she desire it;

4) that the present policy of not, with very rare exceptions, commemorating birthplaces and graves of Prime Ministers should be re-affirmed.

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

4.4 Individuals of Importance in the Canadian Economy

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

1) Economic leaders must have made a contribution to Canadian life that is of a definite or positive or undeniable kind.

2) Economic leaders must have made contributions, which are of national significance rather than of provincial or territorial importance.

3) In the consideration of business or economic leaders, where it seems appropriate that in the absence of outstanding individuals, firms which are no longer in existence may be commemorated.

4.5 Canadians Who Developed an Image of Canada Abroad

In November 1996, the Board recommended:

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

4.6 Evaluating Canadian Architects

In July 2003, the Board adopted the following guidelines:

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

1) a significant and/or influential creative architectural design achievement, either as a practitioner or as a theorist, as exemplified by a body* of consistently exceptional design work; and/or

2) a significant and/or influential contribution to the profession and discipline of architecture in Canada, as an exceptional educator, writer, organizer, or other activity not directly related to the architectural design process.

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

4.7 Evaluating Canadian Athletes

In July 2007, the Board adopted the following guidelines:
An athlete may be considered of national historic significance if:

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

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

5. Specific Guideline: Events/Other

5.1 Origins of Settlements

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

> That the Board has considered with care the communication of Mr. W.H. Breithaupt, President of the Waterloo Historical Society, with reference to the proposed monuments to commemorate the pioneers of the County of Waterloo, as well as representations from other districts as to similar proposals therein, and desires to express its hearty approval of every effort to perpetuate and honour the memory of the founders of settlements, throughout the Dominion, and its high appreciation of Mr. Breithaupt's patriotic objects and efforts.
>
> The Board, however, has to deal with so many sites of outstanding national importance which require priority of action that it feels it would **not be advisable for it to undertake at present action in the matter of the placing of memorials in connection with early settlements in Canada.**

This policy has been reaffirmed numerous times. For example, in October 1967:
In connection with the proposal to commemorate the Founding of Pictou, the Board reaffirmed its policy of not recommending the commemoration of settlement origins; but recommended that the Department suggest to the Government of Nova Scotia the appropriateness of a provincially sponsored commemoration.

In October 1969:
The Board reaffirmed its policy of not recommending the origins of existing communities for commemoration, but considered that the significance of former settlements and colonizing ventures should be considered each on its own merits.

5.2 Pre-Confederation Events

In November 1973, the Board recommended that:

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

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

In November 1973, the Board enunciated that:

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

5.4 Ethnic or Religious Groups

In November 1977, the Board recommended that:

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

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

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

5.5 Disasters and Disaster Areas

In November 1982:

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

> it continue to be guided in its deliberations by the 1967 "National Historic Sites Policy"

Amended as follows:

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

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

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

5.6 Commemoration of Post-Secondary Educational Institutions

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

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

6. Specific Guidelines: Forms of commemoration

6.1 Monuments Not Owned by the Department

In October 1967:
The Board reviewed the proposal of the Montmagny-L'Islet Historic Monuments Society, requesting federal assistance for a monument to Étienne-Pascal Taché. Considerable discussion ensued on the Department's monuments [guidelines]. The Board then passed the following resolution:

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

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

6.2 Distinctive Monuments

In June 1968, the Board recommended the following:
The Criteria Committee of the Board has had under consideration the future [guidelines] that should be followed with respect to distinctive monuments. It makes the following recommendations:

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

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

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

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

6.3 Quality and Content of Plaque Inscriptions

In June 1988, the Board, following discussion, accepted the following recommendations regarding plaque inscriptions.
The Board first stated that it believed that the primary purpose of its plaques was to educate and it followed, therefore, that plaque inscriptions should be above all else informative. With this in mind, the Board put forward a number of specific recommendations to serve as guidelines when drafting plaque inscriptions:

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

In November 1997, the Board further added:
that in preparing inscriptions, staff should ensure that the first sentence clearly indicate the reason for national significance. Further, national significance must be a single, compelling justification and not a layering of many unrelated items, none of which on its own would constitute grounds for national significance.

6.4 The Use of Non-Official Language on Commemorative Plaques

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

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

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

6.5 Consultation on Commemorative Plaque Texts

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

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

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

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

6.6 Style and Layout of Plaque Inscriptions

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

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

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

6.7 Dual or Multiple Plaquing of a Designation

In December 2002, the Board approved these guidelines as follows:
Under normal circumstances, a single plaque will be erected for each person, event, or site designated of national historic significance. In rare instances, a dual or multiple plaquing of a designation may be considered as an option:

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

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

7. Specific Guidelines: Procedure

7.1 Original Fabric on the Ground Floors of Buildings

In June 1988, the Board recommended that:

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

In November 1988, the Board reiterated its above recommendation, and:
emphasized that, in future, architectural papers should clearly identify contemporary fabric in buildings when it was felt that the nature and extent of the use of new materials might be a determining factor in determining the significance of the structure in question.

7.2 Deferred Matters

In the context of a discussion of Fort Whoop-Up, Alberta, in November 1989, the Board noted that:
often, matters are deferred in order that additional material may be brought together on the subject which will permit the Board to objectively assess its national significance and put forward a recommendation to the Minister, in that regard. As the practice of waiting for formal Ministerial approval of all Board recommendations often resulted in lengthy delays in the resubmission of deferred items to the Board, which seemed to it to be unnecessary, it recommended that

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

7.3 National Historic Sites Whose Commemorative Integrity Has Been Destroyed

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

> On the advice of the Historic Sites and Monuments Board of Canada, the Minister may transfer a National Historic Site of Canada (NHSC) from the official list of NHSC to a list of NHSC whose commemorative integrity has been destroyed. Such action will rarely be undertaken and then only when:
>
> 1) the commemorative integrity of the site has been destroyed through loss or impairment of the resources directly related to the reasons for designation, or
> 2) the reasons for designation of a national historic site can no longer be effectively communicated to the public.

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

In December 2000, the Board approved the following guidelines:

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

7.5 Determining Designated Place

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

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

   Scope:

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

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

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

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

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

7.6 Changing the Directory of Designations of National Historic Significance

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

- Approved Minutes will continue to be used to determine the existence of designations and to determine the category to which they belong. Changes to the Directory will therefore be based on scrutiny of approved Minutes. Plaque texts, departmental publications and administrative correspondence may be consulted for context and corroboration, but will not be used to overrule the Minutes.

- When research confirms the existence of an administrative error in the Directory, an administrative process will be followed to correct it. That process will employ the interdisciplinary team which oversees reports to the Status of Designations Committee (SDC).

- The SDC will be informed in a brief note of each correction to the Directory which arises from administrative error in the past and which results in a change in the number of designations in any category. This note will be the official confirmation of the change.

- Changes arising from ambiguity or new knowledge will continue to receive the Board's attention through formal reports to the SDC.

7.7 Guidelines for Establishing Names for National Historic Sites

In December 2003, the Board approved the guidelines as follows:
Four principles will be taken into account when site names are chosen; these are (i) well-established usage, (ii) historic usage, (iii) communication of the reasons for designation, and (iv) brevity and clarity. Ideally, Parks Canada and site owners will submit names which conform to all these principles. Often, though, it will be necessary for one or more principles to prevail over the others. The four principles are stated and explained in the first four proposed guidelines. The last two proposed guidelines deal with the use of official geographical names, and with the official status of names of national historic sites.

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

Notes:

a. This principle is particularly appropriate when a site has had the same name throughout most of its recorded history. Established names may be one or more of the following: the name on the owner's publications or Web site; a name carved onto a building on the site, or written on a permanent sign; a name well-established in local usage. When there are variants of an established name, the full legal name will not necessarily be the best choice, especially if this is long, or generally not known in its locality; the choice shall be made in accordance with these guidelines as a whole.

b. Bar U Ranch NHSC (Longview, Alberta), Fort Wellington NHSC (Prescott, Ontario) and Kicking Horse Pass NHSC (Yoho National Park of Canada, British Columbia) are examples of sites whose names were well established before they were designated as national historic sites.

c. For sites not administered by Parks Canada, it is preferable for Parks Canada and the partner to use the same name. For example, the Emily Carr House NHSC in Victoria, British Columbia, is called Emily Carr House by its owner. However, if the name used by the site's owners or stakeholders communicates a different message than does the Board designation, the Board may recommend a different name. In the case of the Old Woodstock Town Hall NHSC (Woodstock, Ontario), the partner's name for the site is the Woodstock Museum. Since the Board designation clearly refers not to the museum, but to the architecture and former function of the town hall itself, Parks Canada uses a different name than does the partner.

   In cases when a partner uses a different name than the official one, Parks Canada will use the generic "National Historic Site of Canada" ("lieu historique national du Canada") only with the Board-approved specific, and will encourage the partner to follow the same practice.

d. A commercial name will not be used, even if it is the name used by the owner, unless this name reflects the reason for designation.

   i. Maplelawn & Gardens NHSC (Ottawa, Ontario) is currently operated as a business called the Keg Manor. This name reflects its current use rather than its historic significance. In

this case, the historic name of the house, Maplelawn, is used by the Board and Parks Canada.

ii. Commercial names can be used, however, when they are directly related to the national significance of the site. For example, the Gulf of Georgia Cannery NHSC (Richmond, British Columbia) or the Empress Hotel NHSC (Victoria, British Columbia) incorporate commercial names.

2. When a site's current or established name is not appropriate, for one reason or another, a historic name may be the best choice.

Notes:

a. A historic name may be preferable in cases where a change in use or ownership has established a new name for a building or site. The Former Vancouver Law Courts NHSC, for example, currently houses the Vancouver Art Gallery, which is how the building is now known. The HSMBC name reflects the building's historic significance rather than its current function.

b. The advantage of a historic name is that it will continue to be appropriate over time even if the owner or use of the site changes.

c. When a site has had several names over time, and a choice must be made among these names, the name most closely associated with the site's national historic significance is generally preferable.

3. When possible, names should communicate the reasons for the designation of national historic significance.

Notes:

a. Marconi Wireless Station NHSC (Port Morien, Nova Scotia), Riel House NHSC (Winnipeg, Manitoba) and St. John's WWII Coastal Defenses NHSC (St. John's, Newfoundland) are examples of names that clearly communicate the commemorative intent of the designation.

b. A commemorative name may be appropriate for sites that are not associated with an established place name. In the past, for example, a number of descriptive, thematic names have been used, such as First Homestead in Western Canada NHSC (Portage La Prairie, Manitoba) or First Oil Wells in Canada NHSC (Oil Springs, Ontario)

c. For certain types of designations, however, it is difficult to convey explicitly the commemorative intent in the site name:

• when the designation arises through a thematic study, particularly an architectural study.

A site designated as "one of the finest examples of Carpenters' Gothic on the West Coast of Canada," for example, is not named Carpenters' Gothic NHSC, but rather Church of Our Lord NHSC (Victoria, British Colombia).

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

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

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

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

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

Notes:

a. All official names must include the generic "National Historic Site of Canada" ("lieu historique national du Canada"). In addition, official site names will normally appear as plaque titles. For the specific part, then, brevity is of particular importance.

b. It will normally not be necessary to specify locality, religious denominations, or similar identifiers in a site's official name. In exceptional cases, such words may be required to avoid confusion at a local or national level. For example, in the case of St. John the Baptist Anglican Cathedral NHSC (St. John's, Newfoundland) and St. John the Baptist Roman Catholic Basilica NHSC (St. John's, Newfoundland), religious denominations are specified to distinguish between two sites with the same name, in the same locality.

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

c. Dual or alternate names will be avoided in the future. The Directory of Designations, for example, currently contains entries such as Malahat Building / Old Victoria Custom House NHSC (Victoria, British Columbia), consisting of two names of apparently equal status. Rarely, separate aspects of a site's history may be jointly reflected in a double-barrelled name joined by a long dash, for example, Port-la-Joye – Fort Amherst NHSC (Rocky Point, Prince Edward Island). In addition, it will sometimes be appropriate to use the conjunction "and" to link two places that are physically separate but jointly designated, for example, Arvia'juaq and Qikiqtaarjuk NHSC (Arviat, Nunavut).

d. It is preferable not to use the word "site" in the specific part of the name, given that "National Historic Site of Canada" will always be part of the official name.

e. "National Historic Site of Canada" is the only approved generic, and terms such as "National Historic District" or "National Rural Historic District" will not be used, either as a generic or within the specific.

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

Notes:

a. The Geographical Names Board of Canada (GNBC) is the national body which coordinates all matters affecting geographical nomenclature in Canada. Geographical name decisions approved by the appropriate federal, provincial or territorial authority become official decisions of the GNBC (Order-in-Council P.C. 2000-83).

b. The GNBC-approved form of a geographic name should be used when it is part of the name of a designation. For example, the Smiths Falls Bascule Bridge NHSC incorporates the name of a settled place in Ontario, which has been approved by the GNBC as Smiths Falls (rather than Smyth's Falls or Smith's Falls, even though these forms were used in early official documents).

c. When a different, or earlier, form of a name than the one approved by the GNBC is used, it must be justified on historic grounds, or be part of an established name.

6. All official forms of names of designated national historic sites will be explicitly part of the Historic Sites and Monuments Board of Canada's advice to the Minister.

Notes:

a. Names of designations will be among the details of the commemoration, which will be recommended by the Board to the Minister, and, when approved, will be the official names of these sites. Changes to official names will similarly require a Ministerially approved recommendation of the Board.

b. All names of designations will have an official form in each of the official languages of Canada. These versions are not considered to be multiple names, but two forms of a single name, and they will be derived using established toponymic and translation rules. The Board may, at its discretion, recommend adoption of further forms of the name in another language that is directly related to the reasons for the commemoration.

c. The present guidelines provide direction concerning the choice of names for future national historic sites, and name changes to existing designations, if required. These names will be considered official names.

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

Procedures:

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

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

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

3. Name changes must be approved by the HSMBC.

9 Appendix B – By-law 1994-043

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW 1994-43

A by-law to designate 1054 Third Line as a property of historical, architectural and contextual value and interest.

THE COUNCIL ENACTS AS FOLLOWS:

1. The property municipally known as 1054 Third Line is hereby designated as a property of historical, architectural and contextual value and interest pursuant to the Ontario Heritage Act for reasons set out in Schedule "A" to this By-law.

2. The property designated by this by-law is the property described in Schedule "B" attached to this by-law.

PASSED by the Council this 18th day of April, 1994.

MAYOR

A/CLERK

4 240

SCHEDULE "A" TO BY-LAW 1994-43

HISTORICAL SIGNIFICANCE

The house at 1054 Third Line, being Lot 26, Concession 2, S.D.S. in the nineteenth century, was built circa 1858 by the Hilton family who were farmers on the southern half of the property.

Charles Hilton moved onto Lot 26 in 1831. The assessment roll for that year shows that he resided on a 100 acre lot, none of which was cultivated at that time. By the assessment of 1833, Hilton had cleared 5 acres of his land. At this time, the property on which the Hilton family settled belonged to King's College, as part of their original grant from the Crown issued in the 1820's. It was not until 1854 that Hilton registered the purchase of the south half of Lot 26 from the University of Toronto. Meanwhile, he had established a prosperous farming operation on the land.

The clearing of the property was a slow process which has been documented in the Trafalgar Township Assessment Rolls. Within 3 years of settling on the property, Hilton had 14 acres under cultivation. By 1840, 30 acres were cultivated and it was not until 1848 that Hilton had cleared half of his 100 acre property. Throughout much of this period the family was fortunate enough to have 2 oxen to assist with the clearing and the ploughing.

Charles was 32 when he first settled on Lot 26. His wife, Rebecca was 23. In 1831, there were also three other persons "under sixteen" living on the property - 1 male and 2 females. There is no indication whether or not these were Hilton's children. The assessment roll of 1848 shows that the Hilton's were living in a frame house, under 2 storeys.

The 1851 Census of Trafalgar Township is incomplete, leaving the 1861 Census as the first available detailed information for the Hilton family. In 1861, Charles was 64 years old, a farmer who listed his birthplace as "England", and his religion as "Wesleyan Methodist". His wife Rebecca, age 53, was also born in England. In this census, seven children were recorded - Henry, laborer, 28; Ann, 26; Martha, 24; Charles E., laborer, 21; John, laborer, 19; Rebecca, 17; and Eliza, 15. By 1861, the four persons "under 16" who were counted in the 1833 assessment roll would have been older than Henry, who was 28, but there is no evidence of their whereabouts in this record.

By 1861, there were nine members of the Hilton family living in a 1 1/2 storey house. The stone residence which was built in 1858. This is the same dwelling which appears in the 1877 atlas of Halton County, and which is still standing on Lot 26 today.

The agricultural census of 1861 indicates that the Hilton farm was prospering. There were 80 acres under cultivation, 30 in crop, 48 in pasture and 2 in orchard. The value of the farm was $7,000. The farm machinery was worth $442.

It was between 1861 and 1871 that the Hilton's planted the apple orchard which would come to characterize their farm. According to the 1871 census, one quarter of the farm (25 acres) was under orchard. Charles E., age 34, was the only Hilton offspring living with his parents that year. In keeping with the nature of the farming operation, this son gave his occupation as "Fruit Grower".

In the Illustrated Atlas of Halton County, published in 1877, the south half of Lot 26, Concession 2, S.D.S., is shown in the name of Charles Hilton. There is a house marked just south of the creek which cuts across the property. The land south of the house is covered by a large orchard. There is no other orchard of its size marked on the map in the surrounding area.

By 1881, the orchard had reached its maximum size of 35 acres. The farm was operated then by Henry Hilton, who had inherited his father's property. Henry was 34 and lived with his mother, his sister Anne Harrison, 47, who had been widowed, and Frank Curtis, age 22, who was probably a hired farm hand. Henry was still residing on this farm in 1899. This is the last year for which records of Lot 26, Conc. 2 S.D.S. are available.

SCHEDULE "B" TO BY-LAW 1994-43

Part of Lot 26, Concession 2, South of Dundas Street, Town of Oakville, Regional Municipality of Halton, more particularly described as follows:

PREMISING that the bearing for the road allowance between Lots 25 and 26, Concession 2, South of Dundas Street (Third Line), is North 44 degrees, 38 minutes, 30 seconds West and relating all bearings herein thereto;

COMMENCING at an iron bar planted, being distant 775.80 feet on a course of North 44 degrees, 38 minutes, 30 seconds West along the westerly limit of the road allowance between Lots 25 and 26, Concession 2, South of Dundas Street, from the most easterly angle of Lot 26, Concession 2, South of Dundas Street;

THENCE continuing along the said road allowance on a course of North 44 degrees, 38 minutes, 30 seconds West, a distance of 434.26 feet to a point;

THENCE South 29 degrees, 13 minutes, 30 seconds West, a distance of 709.77 feet to a point;

THENCE South 05 degrees; 48 minutes, 30 seconds West, a distance of 695.29 feet to a point;

THENCE South 77 degrees, 02 minutes East, 29.33 feet to a point;

THENCE South 50 degrees, 56 minutes East, 394.00 feet to a point in the northwesterly limit of Department of Highways of Ontario Registered Plan Number 861;

THENCE North 38 degrees, 43 minutes East along the last mentioned limit 120.56 to a point;

THENCE continuing along the last mentioned limit on a course of North 43 degrees, 07 minutes East, 326.02 feet to a point;

THENCE North 33 degrees, 12 minutes East, 197.20 feet to a point;

THENCE North 03 degrees, 11 minutes East, 207.82 feet to a point;

THENCE North 26 degrees, 49 minutes, 30 seconds West, 235.53 feet to a point;

THENCE North 37 degrees, 54 minutes West, 140.00 feet to a point;

THENCE North 04 degrees, 22 minutes, 30 seconds West, 83.36 feet to a point;

THENCE North 29 degrees, 09 minutes East, 79.13 feet to a point;

THENCE North 07 degrees, 45 minutes West, 79.98 feet to the point of commencement.

As described in Instrument No. 328312.

5 24 59

ARCHITECTURAL SIGNIFICANCE

The Hilton house at 1054 Third Line is a 1 1/2 storey structure, rectangular with a central hall plan.

It is a vernacular design incorporating elements of various architectural styles, including Neoclassical and Gothic Revival. The building has a 3 bay facade, with a central gable and projecting front porch. The front facade is adorned with bracketed cornice.

The house is constructed in rubble stonework using the colorful local fieldstone, a rare feature in Oakville. There are well-cut stone voussoirs over the windows and upper floor door, and rusticated stone quoins on the corners and on the projecting central bay.

There have been several alterations to the house. These include the replacement of the original wood shingles with asphalt, the addition of porches to the south, north and west, the application of stucco to the north (rear) facade, the addition of a dormer to the rear, and the attachment of aluminum storm windows (although most of the original 6 over 6 sash windows have been retained). An unusual feature in the central gable is the existence of a doorway instead of the more typical window. Although compatible with the symmetry of the facade, this is most likely a later alteration.

The design of the house has incorporated varied architectural features into a form which is well balanced, and of pleasing proportions.

Although there have been alterations to the house at 1054 Third Line, these do not significantly detract from its heritage character.

CONTEXTUAL SIGNIFICANCE

Although it is in the vicinity of the Q.E.W., Third Line and North Service Road, the immediate setting of the Hilton house today appears much as it did over 100 years ago. It is situated just south of a branch of Fourteen Mile Creek and much of the surrounding land used by the Hilton's as orchard is still covered by trees.