

1. DESIGNATION OF RUINS AND CEMETERY, OLD ST. MARY'S ANGLICAN CHURCH, 269 PINHEY POINT ROAD, UNDER PART IV OF THE ONTARIO HERITAGE ACT

DÉSIGNATION DES RUINES ET DU CIMETIÈRE DE L'ANCIENNE ÉGLISE ANGLICANE ST. MARY'S, SITUÉS AU 269, CHEMIN PINHEY POINT, AUX TERMES DE LA PARTIE IV DE LA LOI SUR LE PATRIMOINE DE L'ONTARIO

COMMITTEE RECOMMENDATION

That Council issue a "Notice of Intention to Designate" for Old St Mary's Church Ruins and Cemetery, 269 Pinhey Point Road, under Part IV of the Ontario Heritage Act according to Statement of Cultural Heritage Value included as Document 5.

RECOMMANDATION DU COMITÉ

Que le Conseil publie un avis d'intention de désigner les ruines et le cimetière de l'ancienne Église St. Mary's, situés au 269, chemin Pinhey Point, aux termes de la partie IV de la Loi sur le patrimoine de l'Ontario, conformément à la Déclaration de valeur sur le plan du patrimoine culturel jointe comme document 5.

DOCUMENTATION / DOCUMENTATION

- 1. Deputy City Manager's report, Planning and Infrastructure, dated 19 December 2012 (ACS2013-PAI-PGM-0007).
Rapport de la Directrice municipale adjointe, Urbanisme et Infrastructure, le 19 décembre 2012 (ACS2013-PAI-PGM-0007).**
- 2. Extract of Draft Minutes, Ottawa Built Heritage Advisory Committee, 17 January 2013.
Extrait de l'ébauche du procès-verbal du Comité consultatifs sur le patrimoine bâti d'Ottawa, le 17 janvier 2013.**

Report to/Rapport au :

Ottawa Built Heritage Advisory Committee
Comité consultatif sur le patrimoine bâti d'Ottawa

and/et

Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales

and Council / et au Conseil

December 19, 2012
19 décembre 2012

Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice
municipale adjointe, Planning and Infrastructure/Urbanisme et Infrastructure

Contact Person / Personne ressource: *John Smit, Manager/Gestionnaire,
Development Review-Urban Services / Examen des projets d'aménagement-
Services urbains Planning and Growth Management/Urbanisme et Gestion de la
croissance*

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WEST CARLETON-MARCH (5)

Ref N°: ACS2013-PAI-PGM-0007

SUBJECT: DESIGNATION OF RUINS AND CEMETERY, OLD ST. MARY'S
ANGLICAN CHURCH, 269 PINHEY POINT ROAD, UNDER PART IV
OF THE *ONTARIO HERITAGE ACT*

OBJET : DÉSIGNATION DES RUINES ET DU CIMETIÈRE DE L'ANCIENNE
ÉGLISE ANGLICANE ST. MARY'S, SITUÉS AU 269, CHEMIN PINHEY
POINT, AUX TERMES DE LA PARTIE IV DE LA *LOI SUR LE
PATRIMOINE DE L'ONTARIO*

REPORT RECOMMENDATION

That the Ottawa Built Heritage Advisory Committee recommend that Agriculture and Rural Affairs Committee recommend that Council issue a "Notice of Intention to Designate" for Old St Mary's Church Ruins and Cemetery, 269 Pinhey Point Road, under Part IV of the *Ontario Heritage Act* according to Statement of Cultural Heritage Value included as Document 5.

RECOMMANDATION DU RAPPORT

Que le Comité consultatif sur le patrimoine bâti d'Ottawa recommande au Comité de l'agriculture et des affaires rurales de recommander à son tour au Conseil de publier un avis d'intention de désigner les ruines et le cimetière de l'ancienne Église St. Mary's, situés au 269, chemin Pinhey Point, aux termes de la partie IV de la *Loi sur le patrimoine de l'Ontario*, conformément à la Déclaration de valeur sur le plan du patrimoine culturel jointe comme document 5.

BACKGROUND

In July 2012, after years of discussion, St. Mary's Cemetery Board of St. Mary's Anglican Church, South March (constructed 1825-27), submitted a request to have the ruins of Old St. Mary's Church and its cemetery designated under Part IV of the *Ontario Heritage Act* (see Location Map, Document 1). The site is owned by the Anglican Diocese of Ottawa and still operates as a cemetery. The Diocese has no objection to the proposed designation. This report has been prepared in response to that request and because City Council approval is required to issue a "Notice of Intention".

DISCUSSION

The Official Plan, the Provincial Policy Statement and the *Ontario Heritage Act* provide policy direction with regard to the designation of properties under Part IV of the *Ontario Heritage Act*.

Official Plan

The Official Plan has heritage provisions in "Cultural Heritage Resources", Section 2.5.5.2 and 2.5.5.5. These policies provide for the identification and designation of individual buildings under Part IV of the *Ontario Heritage Act*.

2.5.5.2 "Individual buildings, structures and cultural heritage landscapes will be designated as properties of cultural heritage value under Part IV of the Heritage Act."

Provincial Policy Statement

Section 2.6.1 of the Provincial Policy Statement contains the following policy regarding the protection of cultural heritage resources: "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

Ontario Heritage Act

Part IV of the *Ontario Heritage Act* gives municipalities the authority to designate properties of cultural heritage value. The Ottawa Built Heritage Advisory Committee considers the designation and then makes a recommendation to either Agriculture and

Rural Affairs Committee and City Council. Council's decision can be appealed by anyone. If an appeal is received, a Conservation Review Board Hearing is held and its decision referred back to Council. Council may then choose to uphold or withdraw its original designation.

Regulation 09/06

Regulation 09/06 sets out criteria for designation under Part IV of the *Ontario Heritage Act*. It states that, "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 ..." These criteria are organized into three groups; design or physical value, historical or associative value and contextual value (see Document 2, Regulation 09/06).

St. Mary's Church was built from 1825-27 by Hamnett Kirkes Pinhey on his land, adjacent to his estate, Horaceville, at Pinhey's Point (see Heritage Survey Form, Document 3 for detailed information). Pinhey and the local gentry wanted the church to be built near to them along the shores of the Ottawa River, but there were objections to this plan by the Bishop and the early settlers of March Township who thought that the church should be located closer to them. Pinhey raised funds for the construction of the church himself, without the support of the Diocese. The first service was held in 1827 by Reverend Amos Ansley who wrote "... the church will be finished in a very handsome manner ... it is thirty feet by fifty and built of stone; the tower, arches and jambs of the doors and windows of cut stone, after the Gothic mode of architecture" (see Document 3, Historic photographs). The church was formally consecrated in 1834 on the condition that another church be constructed inland. Built by local inhabitants at a time when there was a shortage of skilled workers, the building underwent repairs in the 1890s when serious structural problems emerged. Despite this, the building collapsed in the early twentieth century, and was left as a ruin, surrounded by its associated cemetery.

From construction, there was a cemetery associated with the church to serve parishioners. In 1855, it was enlarged and a stone wall was built surrounding it using funds raised through a public subscription initiated by Pinhey. The cemetery, with its mix of tombstone types, green lawns, stone wall located beside the picturesque ruins of old St. Mary's Cemetery makes a significant contribution to the cultural heritage value of Horaceville /Pinhey's Point historic site (for current photographs, see Document 5).

Conclusion

The Department supports the designation of Old St. Mary's Ruins and Cemetery under Part IV of the *Ontario Heritage Act* as it meets the requirements of Ontario Regulation 09/06. It is a rare, albeit ruinous, example of a Gothic Revival Church, constructed through the efforts of a leading settler of the area, Hamnett Kirkes Pinhey, whose large stone house, Horaceville, is now a museum. In addition, the cemetery is the site of the

graves of many early settlers of the area and its tombstones reflect changing tastes from the pre-Victorian era to the present.

RURAL IMPLICATIONS

If approved, the designation of the old St. Mary's Ruins and Cemetery will ensure the ongoing protection of this historic parcel of land containing an historic church and cemetery associated with the history of the Pinhey Estate, a city-owned historic site, and of March Township.

CONSULTATION

City heritage staff met with members of the congregation of St. Mary's Anglican Church, to discuss the proposed designation and its implications on at least two occasions. Staff outlined the requirements for designation and what ought to accompany a request. After due consideration and consultation with the Vestry of St. Mary's Church, Dunrobin, and the Anglican Diocese of Ottawa, the owner of the land, a request to have the property designated was submitted in July 2012. Both the Vestry and the Anglican Diocese support the proposed designation.

COMMENTS BY THE WARD COUNCILLOR

Councillor El-Chantiry is fully aware of this initiative and is in complete support of the designation of both the cemetery and ruins of Old St. Mary's Church, located beside Pinhey's Estate in Ward 5 – West Carleton-March.

LEGAL IMPLICATIONS

There are no direct legal implications associate with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

C3 Provide a compelling vibrant destination Objective
HC4 Improve arts and heritage

APPLICATION PROCESS TIMELINE STATUS

There are no timelines associated with this action report.

SUPPORTING DOCUMENTATION

Document 1 Location Map
Document 2 Ontario Regulation 09/06
Document 3 Heritage Survey and Evaluation Form
Document 4 Historic photographs
Document 5 Current Conditions
Document 6 Cemetery Plan
Document 7 Statement of Cultural Heritage Value

DISPOSITION

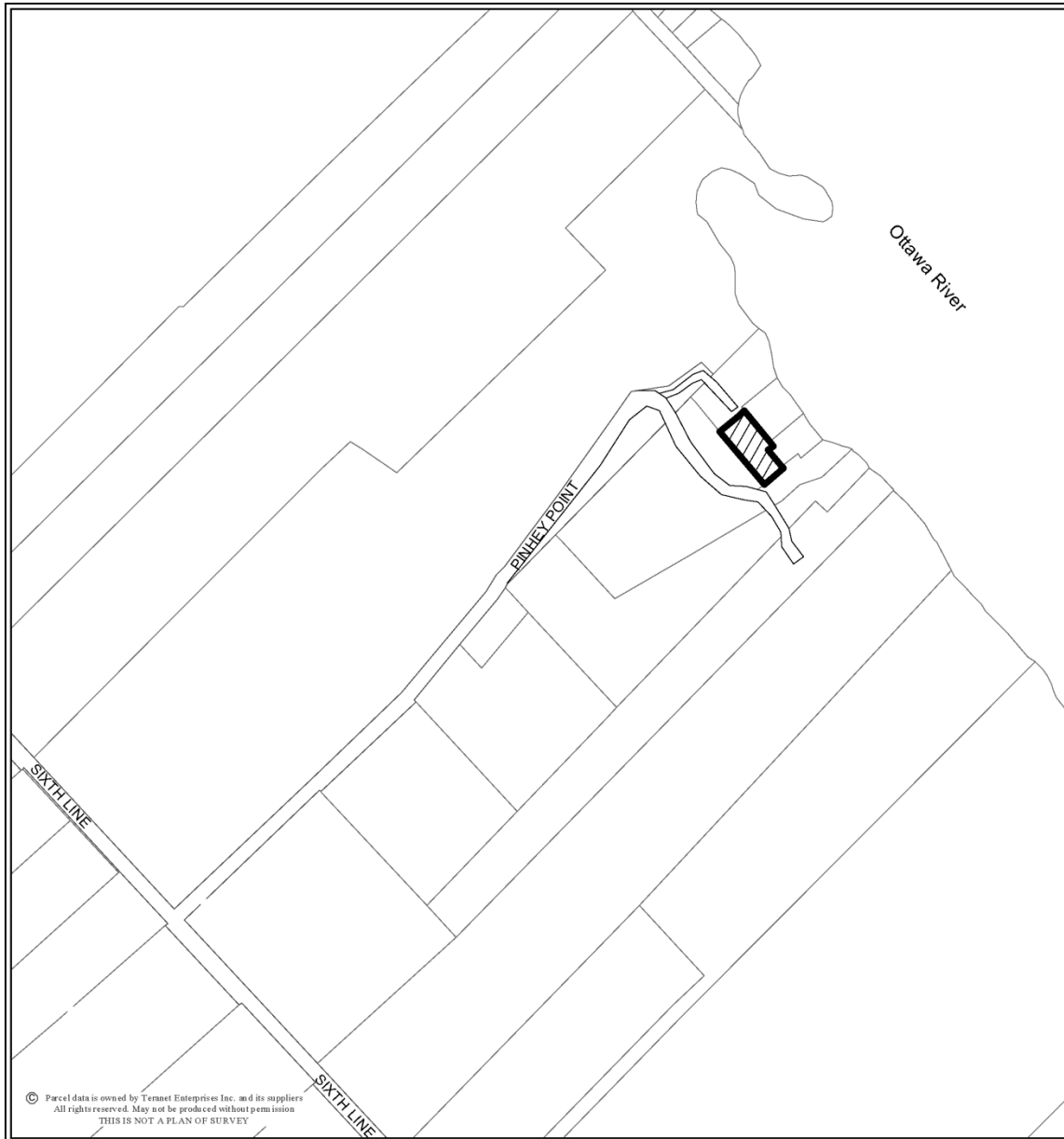
City Clerk and Solicitor Department, Legislative Services to notify the property owner and the Ontario Heritage Trust (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of Council's decision to designate Old St. Mary's Cemetery, 290 Pinhey's Point, under Part IV of the *Ontario Heritage Act*.




Planning and Growth Management to advertise the Notice of Intention to Designate according to the *Act* and subsequent Notice of the passage of the designation by-law.

Legal Services to prepare the designation by-law, submit it to City Council for enactment, serve the by-law and register it on title following passage by Council.

LOCATION MAP

DOCUMENT 1



 <p>Produced by Infrastructure Services and Community Sustainability Produit par le Services d'infrastructure et Viabilité des collectivités</p> <table border="1"> <tr> <td>D09-01-PINH269</td> <td>12-1799-C</td> </tr> <tr> <td colspan="2">I:\CO\2012\Heritage\PinheyPoint269</td> </tr> <tr> <td colspan="2">2012 / 12 / 14</td> </tr> <tr> <td colspan="2">REVISION DATE DE RÉVISION</td> </tr> </table>	D09-01-PINH269	12-1799-C	I:\CO\2012\Heritage\PinheyPoint269		2012 / 12 / 14		REVISION DATE DE RÉVISION		 <p>Location Map / Plan de révision HERITAGE / Patrimoine 269 PINHEY POINT ROAD</p>	<p>Échelle N.T.S. Mètres</p>  <p>Scale N.T.S. Metres</p>
D09-01-PINH269	12-1799-C									
I:\CO\2012\Heritage\PinheyPoint269										
2012 / 12 / 14										
REVISION DATE DE RÉVISION										

ONTARIO REGULATION 09/06

DOCUMENT 2

ONTARIO REGULATION 9/06

made under the

ONTARIO HERITAGE ACT

Made: December 7, 2005

Filed: January 25, 2006

Published on e-Laws: January 26, 2006

Printed in *The Ontario Gazette*: February 11, 2006

**CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR
INTEREST**

Criteria

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act.

(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.

HERITAGE SURVEY AND EVALUATION FORM

DOCUMENT 3



<u>HERITAGE SURVEY AND EVALUATION FORM</u>		Prepared By: Sebastian Beck-Watt	
		Month/Year: July 2012	
Address	Pinhey's Point, Dunrobin	Building name	Old St. Mary's Anglican Church and Cemetery
Construction date	1825-1827	Original owner	The Anglican Diocese of Ottawa



CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE/ INTEREST

	Yes	No
Design Value		X
Historical Value	X	
Contextual Value	X	

A property may be designated under Section 29 of the Ontario Heritage Act if it meets one of more of the above criteria. Ontario Regulation 09/06

Design or Physical Value	
<p>Architecture Is the property a rare, unique, representative, or early example of a style, type, expression, material, or construction method?</p>	<p>YES NO</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>
<p>The church was constructed in 1825-1827 in the English early Gothic Revival style, though at the time, the most common style for churches was neoclassical. It intentionally evokes an English parish church and churchyard. The Gothic ogee arches of the window and door openings have sophisticated S curves. The building is oriented towards the river, with rubble stone walls on the church and tower structures. The rubble stone walls surround the churchyard were erected in 1855 and extended in 1882. The church is the oldest ecclesiastical structure in Ottawa and is largely intact save for no longer having a roof and missing much of its western wall.</p> <p>The walled churchyard contains the ledger and box tombs of colonial gentry and family, the separate Pinhey family plot, and the graves of the humbler members of the community. An 1882 addition to the courtyard contains large family plots and a common ground for the graves of the "strangers and the poor," symbolic of High Victorian sensibilities. In the cemetery, the grave markers exhibit a variety of styles, materials and symbolism, and the more recent markers are generally flat stone tablets which preserve the sightlines in the historic churchyard.</p>	
<p>Craftsmanship/Artistic merit Does the property display a high degree of craftsmanship or artistic merit?</p>	<p>YES NO</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>
<p>The church and churchyard evoke an English parish church and are an excellent example of English Gothic Revival architecture. Hamnett Kirkes Pinhey financed the church as part of his land modeled after the English manor.</p>	
<p>Technical/Scientific merit Does the property demonstrate a high degree of technical or scientific achievement?</p>	<p>YES NO</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>
<p>Summary</p> <p>Old St. Mary's Anglican Church is an example of an English Gothic Revival style ecclesiastical building. It was modeled upon the English parish church as part of an English-manor inspired community financed by Hamnett Kirkes Pinhey. The churchyard and cemetery contain diverse grave markers and plots of members of the community from various socioeconomic strata.</p>	
<p>Sources</p> <p>"Proposed Designation Under Part IV of the Ontario Heritage Act: Old St. Mary's Church Ruins & Cemetery, Pinhey's Point." St. Mary's Cemetery Board & St. Mary's Anglican Church, South March. July 11, 2012.</p>	

Historical and Associative Value	
Date of Construction (Factual/Estimated)	1825-1827
Historical Associations Does the property have direct associations with a theme, event, belief, person, activity organization or institution that is significant to a community?	YES NO <input checked="" type="checkbox"/> <input type="checkbox"/>
<p>Old St. Mary's Anglican Church is directly associated with Hamnett Kirkes Pinhey and an attempt by immigrant officers and gentlemen to develop a traditional English estate on the Upper Canadian frontier. Pinhey, a retired London merchant who sought to reinvent himself as a landed gentleman, became Warden of the Dalhousie District and an appointed member of the Legislative Council of Canada. He was the chief liaison between the residents of the district and the colonial administration. Pinhey modeled his estate after the traditional English manor, providing land and funding for Old St. Mary's Anglican Church beside his great house, Horaceville (constructed 1820-1848), thereby juxtaposing the historic interdependence of church and state in England. The church, deliberately evocative of the English parish church, was built as part of a project by immigrant officers and gentlemen to create an English squire and parson landscape on the Upper Canadian frontier. The church building was deeded to the Anglican Church in 1830. The cemetery is still in use by the Sixth Line congregation, and the range of monuments is representative of designs common to the Ottawa area since the 1830s.</p> <p>Hamnett Kirkes Pinhey (1784-1857) was born in Plymouth, England. He worked as a merchant, ship owner, blockade runner, and King's Messenger during the Napoleonic Wars. He was a successful businessman and was independently wealthy by the age of 35. He applied for and received a Crown land grant of 1000 acres in the new military settlement along the Ottawa (Grand) River. He arrived in Canada in 1820 and, over the next 20 years, built his Horaceville estate and its surrounding buildings.</p>	
Community History Does the property yield, or have the potential to yield, information that contributes to an understanding of a community or culture?	YES NO <input checked="" type="checkbox"/> <input type="checkbox"/>
<p>The choice of English architectural style for the church was a deliberate decision in order to contrast the settlement with Philemon Wright's American settlement downriver. It was also used in order to create a monument to the "Ecclesiastical Establishment of Old England." Furthermore, the distinctly English style reflects the desire to create an English-inspired manor on the riverfront establishment, and elements such as the cemetery provide insight into the socioeconomic layout of the pre-1848 community. The grave markers demonstrate the continuity of many early families, representing styles common from the 1830s to the present.</p>	
Representative Work Does the property demonstrate or reflect the work or ideas of an architect, artist, building, designer or theorist who is significant to a community?	YES NO <input type="checkbox"/> <input checked="" type="checkbox"/>
<p>The church and churchyard are in the style of an English parish church.</p>	

Summary

Old St. Mary's Anglican Church is associated with what is now Pinhey's Point Historic Site. It was part of the riverfront establishment built by retired businessman Hamnett Pinhey. Pinhey sought to build an English-style manor, and the English parish design of the church and its grounds illustrate this endeavour.

Sources

"Proposed Designation Under Part IV of the Ontario Heritage Act: Old St. Mary's Church Ruins & Cemetery, Pinhey's Point." St. Mary's Cemetery Board & St. Mary's Anglican Church, South March. July 11, 2012.

Contextual Value



Community Character

Is the property important in defining, maintaining, or supporting the character of the area?

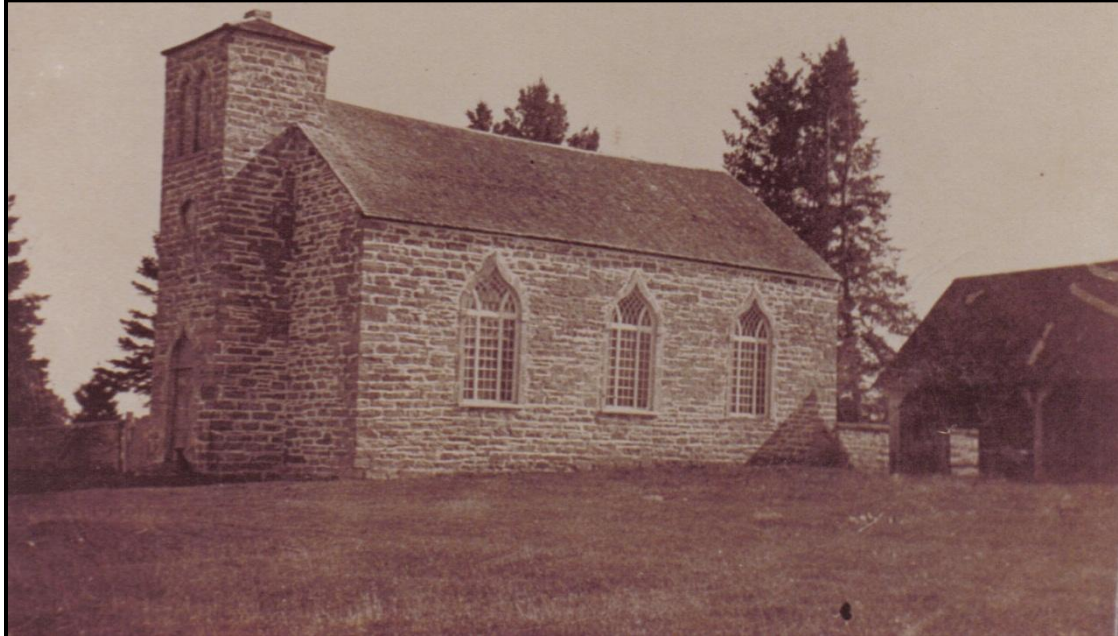
YES

NO

<p>The church contributes to the overall character of Pinhey's Point Historic Site, highlighting the ecclesiastical and Old English influences on Hamnett Kirkes Pinhey's local community.</p> <p>The ledger and box tombs of colonial gentry and family, the separate Pinhey family plot, and the graves of the humbler members of the community illustrate the socioeconomic composition of the pre-1848 community, thereby highlighting the colonial character of Pinhey's Point.</p>					
<p>Context Is the property physically, functionally, visually or historically linked to its surroundings?</p>	<table> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	YES	NO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
YES	NO				
<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<p>Though deeded to the Church in 1830, St. Mary's was an integral part of Hamnett Pinhey's riverfront establishment, today Pinhey's Point Historic Site. Pinhey's Point Historic Site is among the Ottawa-area museums that represent the collective and hierarchical ethos of the colonial period. Old St. Mary's Church and Horaceville exemplify the partnership of church and state in historic English culture.</p>					
<p>Landmark Is the property a landmark?</p>	<table> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	YES	NO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
YES	NO				
<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<p>The Church is an integral part of Pinhey's Point Historic Site, an important museum in the City of Ottawa's "Greater Ottawa Story."</p>					
<p>Summary</p>					
<p>"Proposed Designation Under Part IV of the Ontario Heritage Act: Old St. Mary's Church Ruins & Cemetery, Pinhey's Point." St. Mary's Cemetery Board & St. Mary's Anglican Church, South March. July 11, 2012.</p>					

HISTORIC PHOTOGRAPHS

DOCUMENT 4



Church, 1890s (Pinhey's Point Foundation)



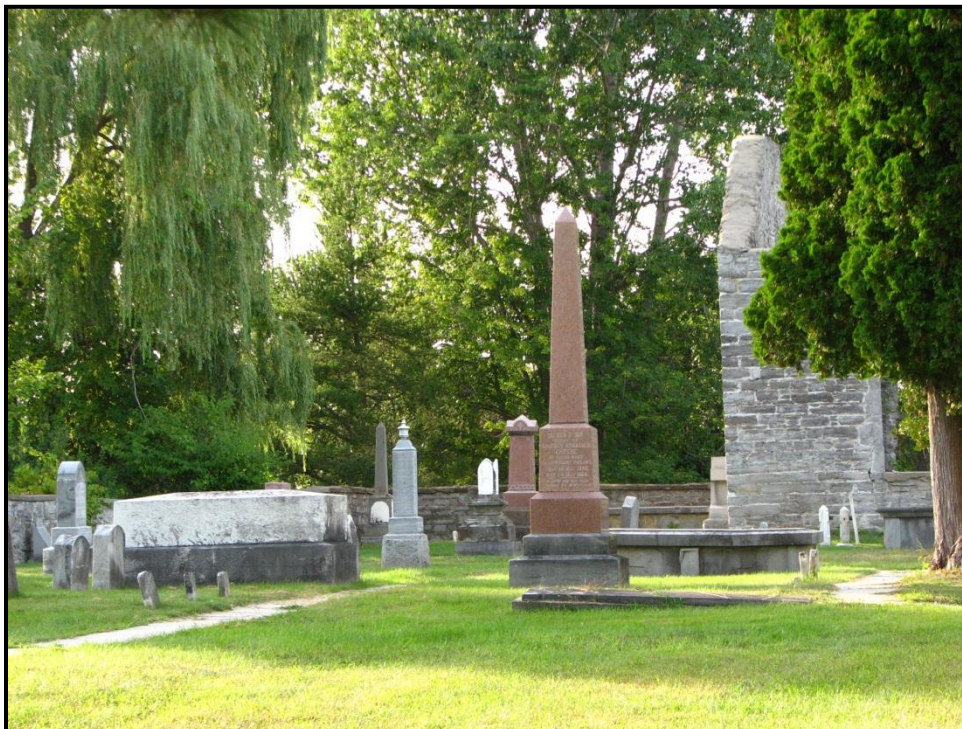
Old St. Mary's after collapse, early 20th century (St. Mary's Parish)

CURRENT CONDITIONS

DOCUMENT 5



St. Mary's Church Ruins and Cemetery (Bruce S. Elliott)



St. Mary's Church Cemetery (Bruce S. Elliott)



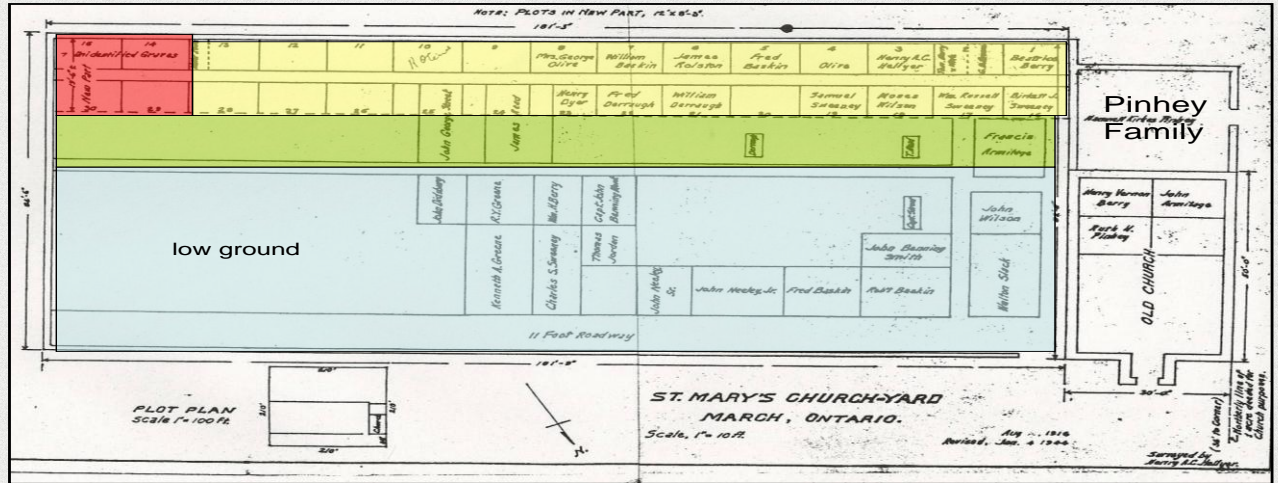
Aerial view showing relationship of Old St. Mary's to Horaceville (City of Ottawa)



St. Mary's, aerial view

CEMETERY PLAN

DOCUMENT 6



Extension 1855
 Original churchyard
 c.1825

Family plots 1882
 'Strangers & the poor'

STATEMENT OF CULTURAL HERITAGE VALUE

DOCUMENT 7

Description of Property- the ruins of Old St. Mary's Anglican Church & Cemetery

Old St. Mary's Anglican Church and Cemetery consists of the ruins of an Anglican parish church and its accompanying cemetery. The church and cemetery are situated at Pinhey's Point, overlooking the Ottawa River, at 269 Pinhey Point Road.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the ruins of Old St. Mary's Anglican Church & Cemetery lies in its architectural value as a good example of an English Gothic Revival ecclesiastical structure in the English parish style, and in its historical significance as part of Hamnett Kirkes Pinhey's estate, Horaceville, now Pinhey's Point Historic Site and as an excellent example of a cemetery in use since the early 19th century.

Old St. Mary's Anglican Church was constructed between 1825 and 1827 in rural March Township. The building was largely financed by landowner Hamnett Kirkes Pinhey, a retired London merchant turned landed gentleman. Pinhey was the Warden of the Dalhousie District and an appointed member of the Legislative Council of Canada. He sought to create an English-style manor at what is now Pinhey's Point, and the juxtaposition of the English parish-style church and churchyard with Pinhey's great house, Horaceville, evoked the traditional interdependence of church and state in historic England.

Old St. Mary's Anglican Church is an example of an English early Gothic Revival style ecclesiastical architecture, in which Gothic details, such as pointed arch windows and towers are applied to symmetrical, neoclassical buildings. The walled churchyard contains the ledger and box tombs of colonial gentry, the Pinhey family plot, and the graves of the ordinary members of the community.

Description of Heritage Attributes

Key elements that embody the architectural value of the ruins of Old St. Mary's Anglican Church and Cemetery as an early example of the English Gothic Revival are:

- Its symmetrical and neoclassical form
- Its orientation to the river
- The rubble stone construction of the remaining walls and of the tower
- The ogee arches and other stone window and door openings
- The rubble stone churchyard walls, erected in 1855 and extended in 1882, with the curved coping on two sections of the northwest corner enclosing the Pinhey plot

Key elements that embody the cultural heritage value of the cemetery are:

- The original plan and layout of the family plots and grave markers in an open lawn
- The variety of trees planted in the cemetery
- The variety of styles, materials, and symbolism and the range in size and sophistication of the grave markers
- The iron railings around the Rolston family plot
- The Pinhey family plot and associated monuments
- Its location adjacent to the grounds of Horaceville, the home of the Pinhey family
- The ledger stones and box tombs of the families of officers and gentlemen, and the markers and monuments of succeeding generations of local residents and parishioners

Nothing in this designation will prevent the normal operation of the cemetery.