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REPORT OF THE CONSERVATION REVIEW BOARD IN RESPECT OF THE INTENDED REPEAL, IN PART, OF THE BY-LAW DESIGNATING THE CUMBERLAND TOWNSHIP HERITAGE MUSEUM

Introduction

A hearing was held pursuant to section 29(7) of the Ontario Heritage Act R.S.O. 1990, Chapter 0.18, in the Township of Cumberland Council Chambers, Orléans, Ontario on June 3, 1994. Mr. Robert Bowes, Chair of the Conservation Review Board, presided.

The Board opened the hearing by tabling the Declaration of Notice of Hearing by Board staff.

J.R. Houlahan, Q.C., Solicitor, presented the case for the Township. He called one witness: Township Planner, Carolyn Bond. Public statements in support of the proposed repeal, in part, of the designating by-law were made by Angus Wilson, Chairman of the Board of Dale Cemetery; Robert Vandenharn, Councillor for the Heritage Ward, in which the subject property is located, and Chairman of the Museum Board; and Rob Edwards, a Trustee of the Board of Dale Cemetery. No presentations were made in opposition to the proposal.

The Case for the Township of Cumberland

Mr. Houlahan called Carolyn Bond, Township Planner, as a witness and established her training, experience and familiarity with the matter in question. Ms. Bond testified that the site was located 1 km. east of the core of the village of Cumberland and consisted of an initial 56 acres which contains the buildings of the operating Museum; a 4-acre parcel to the north which is currently vacant; and a 40-acre parcel from the Wilson farm, purchased in 1988. The Dale Cemetery lies to the east of the original site and had existed before the Museum. In 1990 the Board of the Cemetery approached the Township with a request to expand the Cemetery by acquiring, through purchase, 3 acres of currently vacant land from the adjoining Museum property, to the south of a portion of the current Cemetery. The Township determined that the lands were surplus to the needs of the Museum. The Local Architectural Conservation Advisory Committee (LACAC) and Museum Board had no objection to the transfer. However, when the Township published notice of its intention to amend the designating by-law to remove the 3 acres in question, one resident, David Ferguson, objected by letter. He felt it was ill-advised to consider the proposal until the Township had completed the new master plan for the Museum which it is currently undertaking. In addition, he stated that, according to the Cemetery's own records, the Cemetery had expansion capacity for the next 25 years without this additional parcel. In response to Mr. Ferguson's concern, Council passed a resolution that the sale proceed subject to a condition that would require the re-transfer of the lands back to the municipality (at the present sale price) should they not be used for Cemetery purposes. Mr. Ferguson then withdrew his objection.

Ms. Bond noted that the 3 acres in question are very flat, as is the adjacent Cemetery property, and stated that expansion of the Museum, if any, would occur on the Wilson farm portion of the property. She mentioned that the 1979 master plan raised the idea of interpreting the Dale Cemetery, which is quite historic, as part of the Museum programme.

Ms. Bond closed by saying that the Museum Board, the LACAC, and she, as a planner, have no objection to the proposed transfer and reiterated that the lands are vacant and surplus to the needs of the Museum.

In response to a query from the Board, she stated that the 1979 master plan, which was conceptual in nature, proposed a series of interpretive clusters: a residential cluster, focussing on the current Museum buildings; an agricultural cluster, using the Wilson farm and its buildings; and an industrial cluster in the southern portion of the site by the gully. The northern parcel of land would stress historic links to the Ottawa River.

Mr. Houlahan, in summation, stated that the Township would like the Board to formally put the objection to rest. He reminded the Board of the condition placed on the proposed sale by Council, which resulted in the withdrawal of the only objection, and stated that now all concur. He asked the Board to support the recommendation by Council.

Public Statements

Mr. Angus Wilson, Chairman of the Board of Dale Cemetery, spoke in favour of the proposed transfer. He noted that the Cemetery was two-thirds full now, and stated that, given the current rapid development and population growth in Cumberland Township, if the Cemetery doesn't expand to the adjacent property as proposed, it will have to acquire a parcel of land elsewhere. In response to a question from the Board, he stated that the Cemetery Board would not object to having the Cemetery linked to the interpretive programme of the Museum.

Robert Vandenharn, Councillor for Heritage Ward (which contains the Museum) and Chairman of the Museum Board, also spoke in favour of the proposal. He pointed out that the 3 acres in question were a natural extension of the Cemetery and that the Cemetery had nowhere else to grow. He reminded the Board of the condition Council had placed on the proposed sale.

Rob Edwards, a Trustee of the Cemetery Board, also supported the proposal. He was concerned that once the Cemetery was full there might be no-one to look after it and stated that this had happened elsewhere in the province. The Cemetery must stay "active" in order to be maintained or its care would become a burden on the municipality. He stressed the heritage character of the Cemetery which had been part of the community for some time.

Conclusion

The Board's observations and conclusions are three-fold. First, given the lack of opposition and based on the evidence presented, the Board can see no reason why the Township should not proceed with its amendment, as proposed, to the designating by-law for the Cumberland Township Heritage Museum.

Second, it seems to the Board that the property assembled for the Museum has considerable potential to provide heritage interpretation of high quality to residents and visitors alike, situated as it is in a

key location in one of the fastest-growing areas in the province. Therefore, the Board urges the Township to continue with its current master planning exercise towards the establishment of firm directions and guidelines for future use of the Museum property, which will enable it to achieve the potential of the property for heritage conservation and interpretation and to respond effectively to development pressure in the future.

Third, the idea of linking the Cemetery to the interpretive programme of the Museum seems worthy of further investigation as part of the planning exercise.

(Signed)

Robert Bowes, Chairman

List of Exhibits

Exhibit

- 1 - Affidavit that required notice of hearing had been published.
- 2 - By-law 65-84, designating the Museum property.
- 3 - Council resolution concerning preparations for the hearing.
- 4 - Letter from David Ferguson objecting to the proposed amendment.
- 5 - Letter from David Ferguson withdrawing the objection.
- 6 - LACAC resolution stating no objection to the proposed amendment.
- 7 - Museum Board resolution stating no objection to the proposed amendment.
- 8 - Deed of ownership.
- 9 - Print of Plan 4R-8588, detailing proposed transfer. The Board also received a binder of information which included notices of intention to amend, the curriculum vitae of Carolyn Bond, photographs and maps of the Museum property, and Council Resolution 7688, placing a condition on the proposed agreement of purchase and sale.