

40 Peter Street South, Mississauga, ON
Heritage Impact Assessment



Prepared by
Heritage Resources Consulting

40 PETER STREET SOUTH, PORT CREDIT (MISSISSAUGA, ON)
HERITAGE IMPACT ASSESSMENT
August 2021

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INTRODUCTION

40 Peter Street South, Port Credit is a modest one and a half storey single family residence. Its front elevation includes a central, gable roof extension, a central entrance door and an offset large window. It sits on a small lot facing east. The house was severely damaged by fire in December 2020 and the current owner wishes to demolish the existing structure and replace it with a two-storey residence. The property is located in the Old Port Credit Village Heritage Conservation District and is designated under Part V of the Ontario Heritage Act as contributing to the heritage values of the district.

OVERVIEW - 40 PETER STREET SOUTH, PORT CREDIT

The property is about 200 metres west of the mouth of the Credit River, on the west side of Peter Street South, with Bay Street to the north and Lake Street to the south. The residence is a modest one and a half storey structure with entrances on the front and south façades. It was likely erected soon after its lot was severed from 34 Peter Street South in 1948. It was constructed of yellow brick with horizontally laid aluminum gable fronts. It has a full basement with a cement block foundation. The roof has a medium pitch, both front and on the sides. The cinder-block walls were covered with faux yellow brick facing. The brick facing was re-surfaced with stucco and the front elevation was finished with field stone. These changes were made between 1980 and 2009.

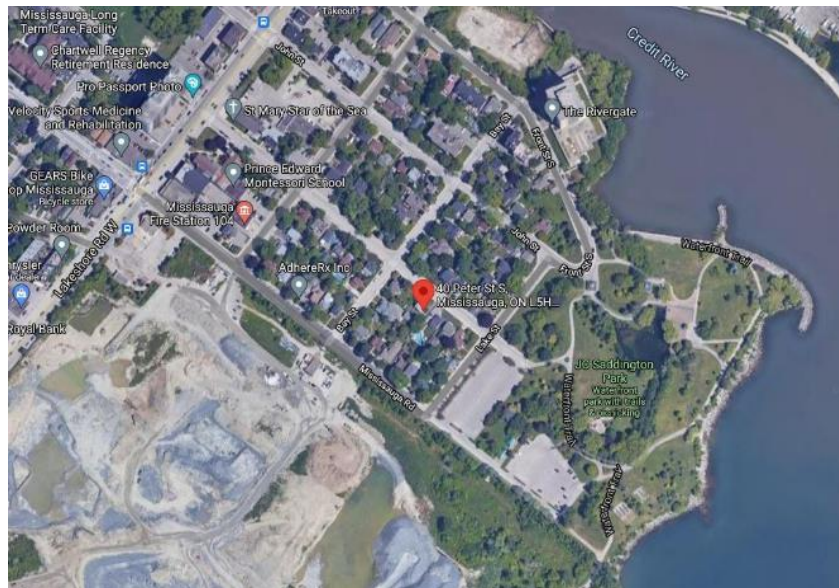


Figure 1 An aerial view of 40 Peter Street South, Port Credit and its relationship to Port Credit. (Google Image:

<https://www.google.ca/maps/place/40+Peter+St+S,+Mississauga,+ON+L5H+2G4/@43.5469086,-79.5876954,762m/data=!3m1!1e3!4m13!1m7!3m6!1s0x882b46745315b5ad:0xa17519cb80413de8!2s40+Peter+St+S,+Mississauga,+ON+L5H+2G4!3b1!8m2!3d43.5469826!4d-79.5860827!3m4!1s0x882b46745315b5ad:0xa17519cb80413de8!8m2!3d43.5469826!4d-79.5860827>.)

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Figure 2 40 Peter Street South, Port Credit, *in situ*. (Image from Mississauga Property Information, Mississauga Web Site.)



Figure 3 The front and north façades of 40 Peter Street South, 1980. (Image complements of the Canadiana Room, City of Mississauga Public Library.)

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Figure 4 The east façade of 40 Peter Street South, 2009. *(Image from Google Maps.)*

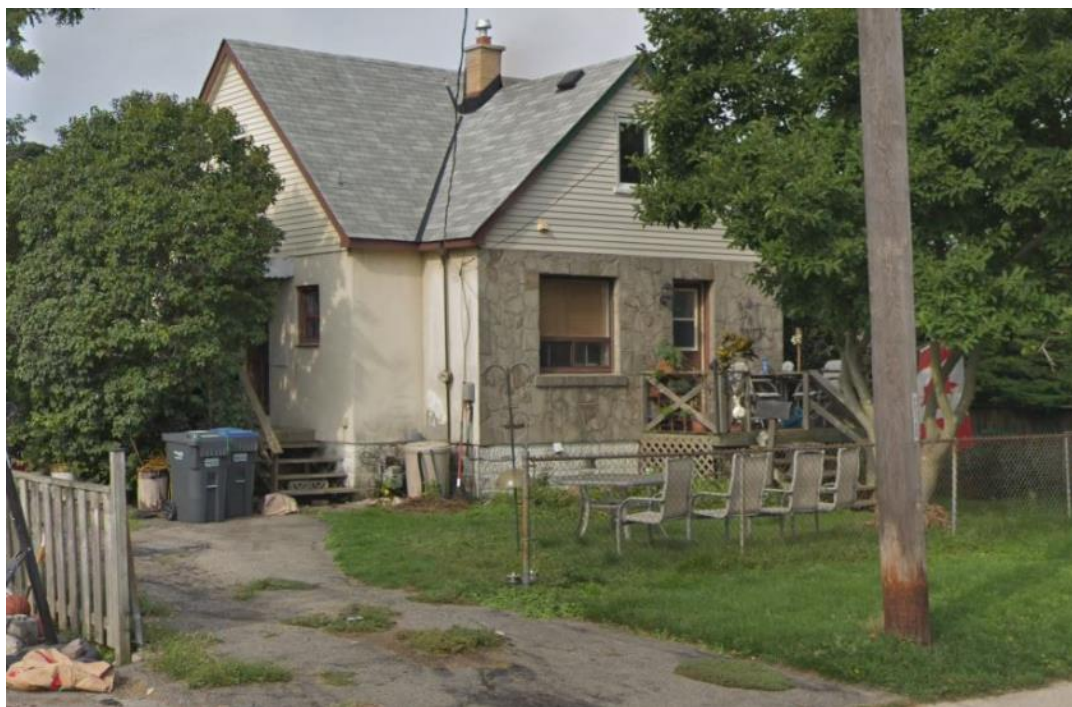


Figure 5 The east façade of 40 Peter Street South, 2018. *(Image from Google Maps.)*

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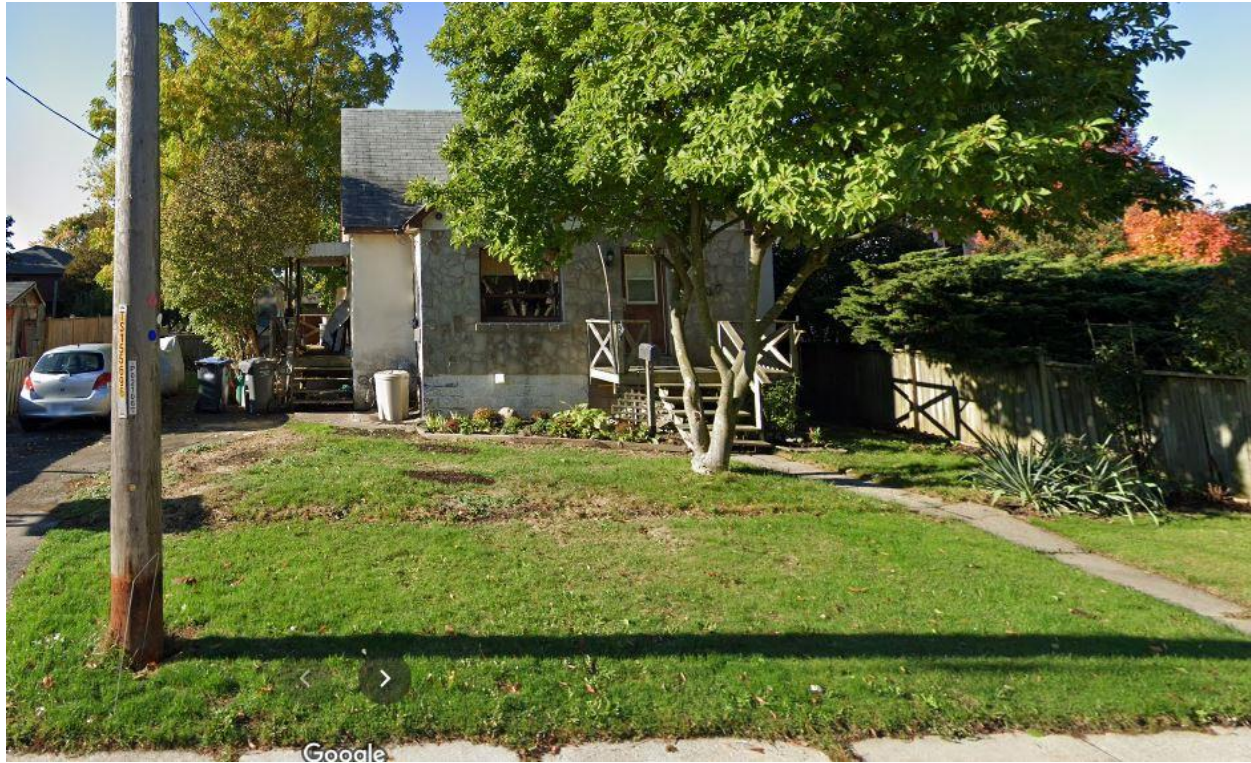


Figure 6 The front façade of 40 Peter Street South, 2020. (*Image from Google Maps.*)

SITE HISTORY

The following overview traces the property and structure which is now identified as part of lot 9, Plan 300, City of Mississauga.

Pre-Settlement to 1929

By the end of the 17th century much of what is now southern and south-western Ontario was occupied by the Ojibwa who pushed the Iroquois Confederacy south of the Lower Great Lakes during these years. The Credit River valley and a large tract of territory around it became the traditional hunting lands of the Mississauga, part of the larger Ojibwa cultural group early in the 18th century.¹ Here, at the mouth of the Credit River, the Mississauga met French traders and began exchanging furs for European manufactured goods. It is said that the name of the river derives from the willingness of the French to extend credit to their native partners, a gesture of good will by and no doubt an economic benefit for the French.

In the first years of the 19th century it was becoming clear that European settlement was only going to increase along lakes Ontario and Erie. In 1805 the Mississauga sold their lands around the Credit River, retaining a reserve on the river and a one-mile wide stretch of land on either side of the river for fishing and hunting.² The Mississauga Purchase in the southern half of

¹ Mississauga Heritage Web Site, Aboriginal Culture; <http://www.heritagemississauga.com/page/Aboriginal-Culture>.

² Kathleen A. Hicks, *Port Credit: Past to Present* (Mississauga Library System: Mississauga, ON, 2007), p. xiii.

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Toronto Township was surveyed by Samuel Wilmot.³ Further sales took place in 1818 and 1820, an indication of the unrelenting tide of newcomers seeking farmland and establishing communities. The following maps show the Mississauga lands, both the areas ceded and those for a time retained. The one-mile wide strip of land on either side of the Credit River was also ceded in the 1820 treaties but would remain largely unsettled for another quarter century. The maps also show the first survey boundaries established after the Mississauga People surrendered their treaty land along both sides of the Credit River.

1929 To The Present

Our property was originally part of lot 9, Broken Range, Credit Indian Reserve (CIR). Research to date has been hampered by Covid-19 restrictions and it has not proven possible to find the Abstract Books pertaining to this lot.⁴ Lot 9, Broken Range, CIR was in part configured into village lots for Port Credit in 1846 and became part of Plan 300 in 1929. Our property is part of lot 9 or 34 Peter Street South which ran south from Bay Street along Peter Street South. The first residence on this lot was constructed in the northern part of the lot between 1910 and 1927 and became the home of Herbert Whitall, Jr. and his wife Emma. In 1948 they subdivided the southern portion of their lot, now 40 Peter Street South and deeded this land to their son, Jack Edward Whitall and his wife Jean.⁵ The property was inherited by sons Gordon and Michael and, after the latter's death in 2019, the property was sold to the current owner in August 2020. The fire, which destroyed or damaged much of the existing residence occurred in December 2020.

³ D. B. Simpson, "Major Samuel Street Wilmot," *Association of Ontario Land Surveyors*, <https://www.aols.org/sites/default/files/Wilmot-S.S.pdf>, pp. 108-11.

⁴ After a thorough search for the appropriate Abstract Books at Teranet and consultation with Senior Archivist Kyle Neill at PAMA, we have come to the conclusion that these records are missing or lost.

⁵ "Old Port Credit Village Heritage Conservation District Plan 2018" (City of Mississauga, <https://www.mississauga.ca/publication/old-port-credit-village-heritage-conservation-district-plan/>.)

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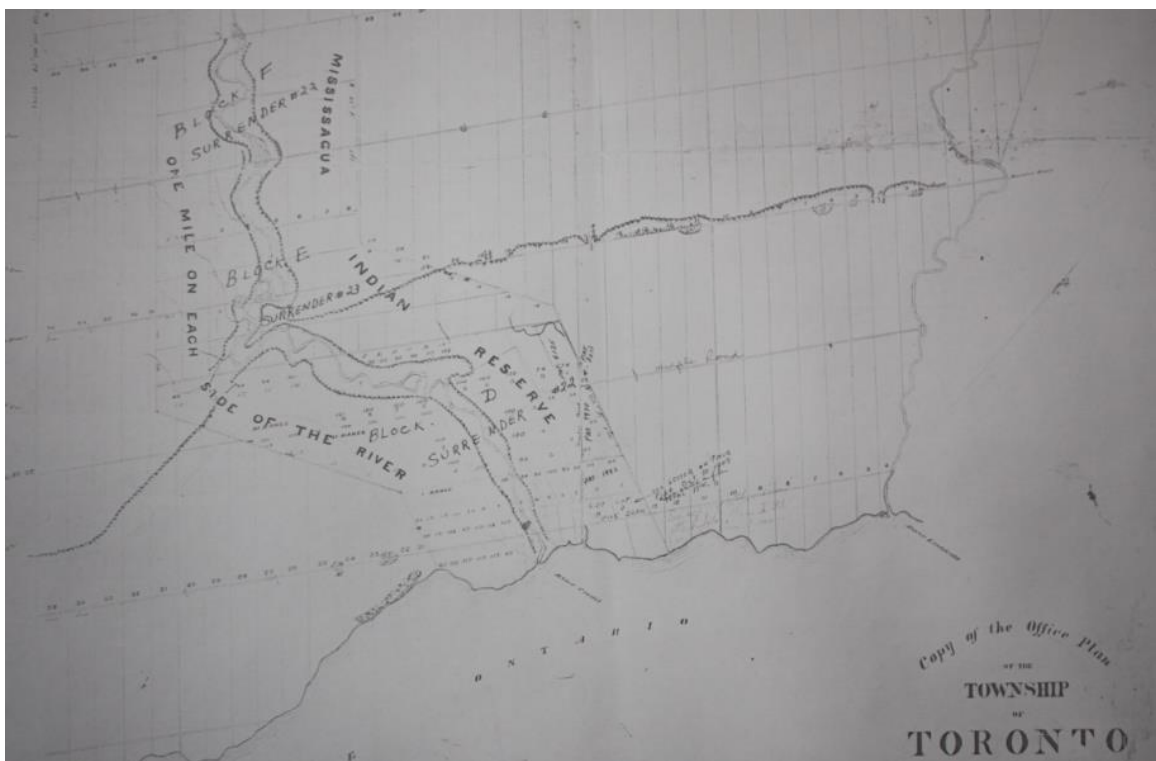


Figure 7 Lands along the Credit River surrendered by the Mississauga, 1818 and 1820, detail. (Library and Archives Canada [hereafter LAC], National Map Collection [hereafter NMC], 13121.)



Figure 8 Toronto Township Survey, 1818, prior to Credit Indian Reserve being surveyed. (Ontario Archives, item 10050669.)

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Figure 9 Credit Indian Reserve showing first surveys, 1846. (Ontario Archives, RG100-0-0-3657, item 10051351.)



Figure 10 Port Credit Survey, 1850. (Ontario Archives, RG100-0-0-3655, item 10051349.)

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Figure 11 1859 Tremaine Map of Port Credit.
(<http://maps.library.utoronto.ca/hqis/countymaps/peel/index.html>.)

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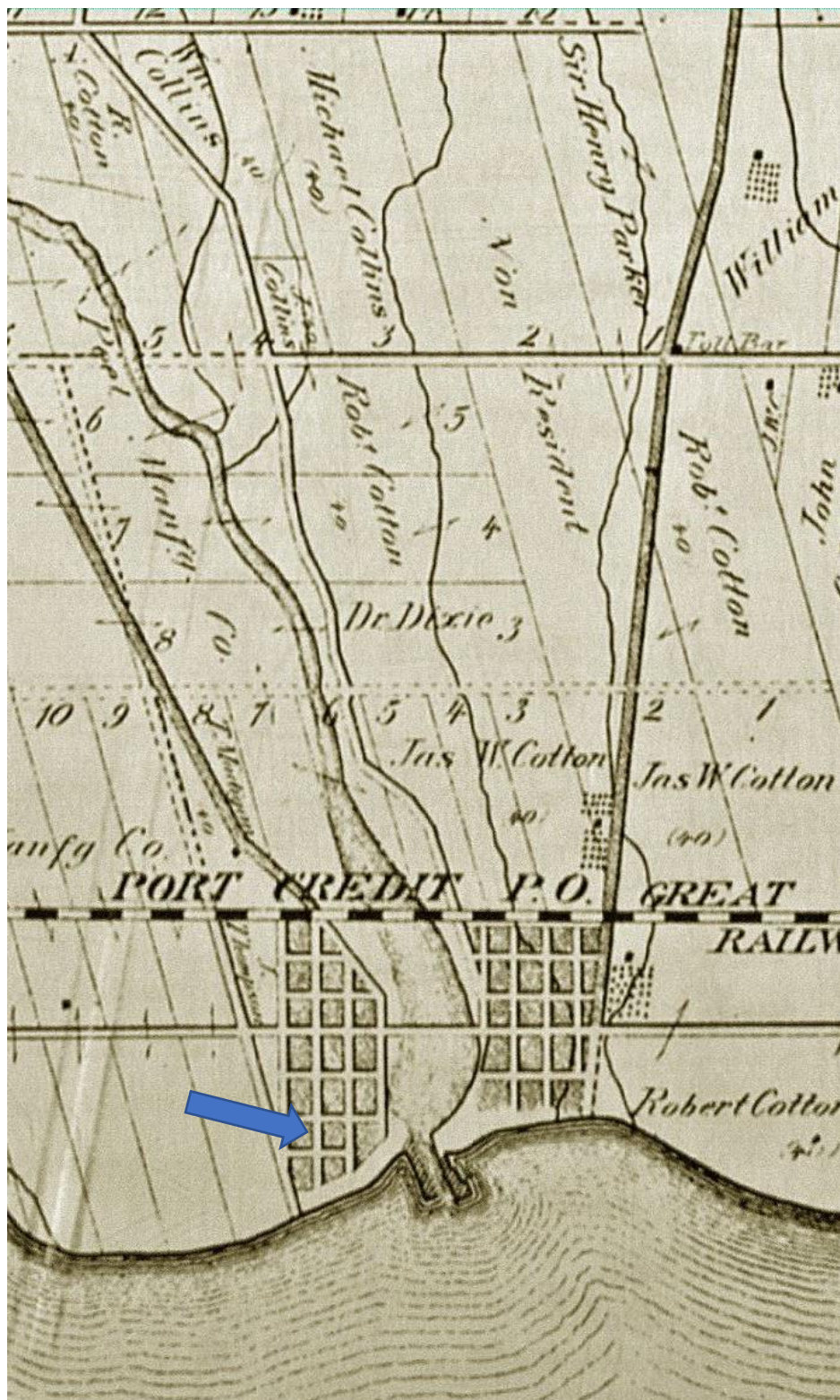


Figure 12 Map of Port Credit and Surrounding area, 1877. (*Historical Atlas of Peel County: Walker & Miles, Toronto, 1877*), pp. 24-25.)

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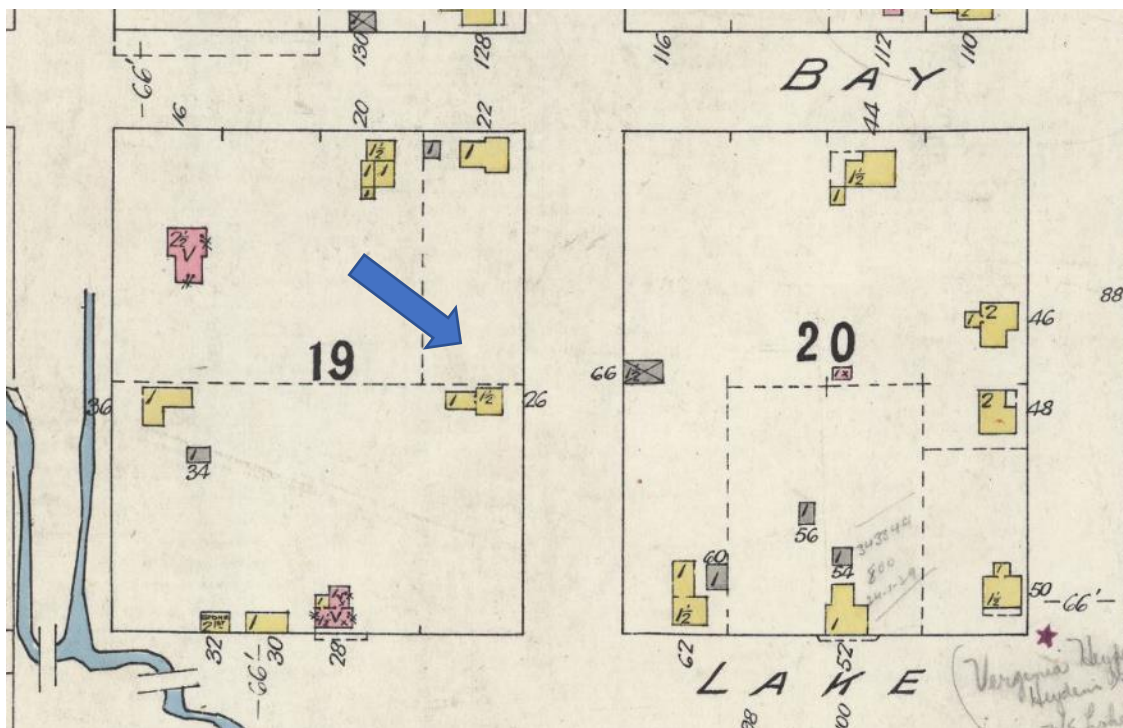


Figure 13 Detail of 1910 Insurance Plan of Port Credit showing the sparse development of the area. (Western University, Archives and Special Collections, Insurance Plans.)

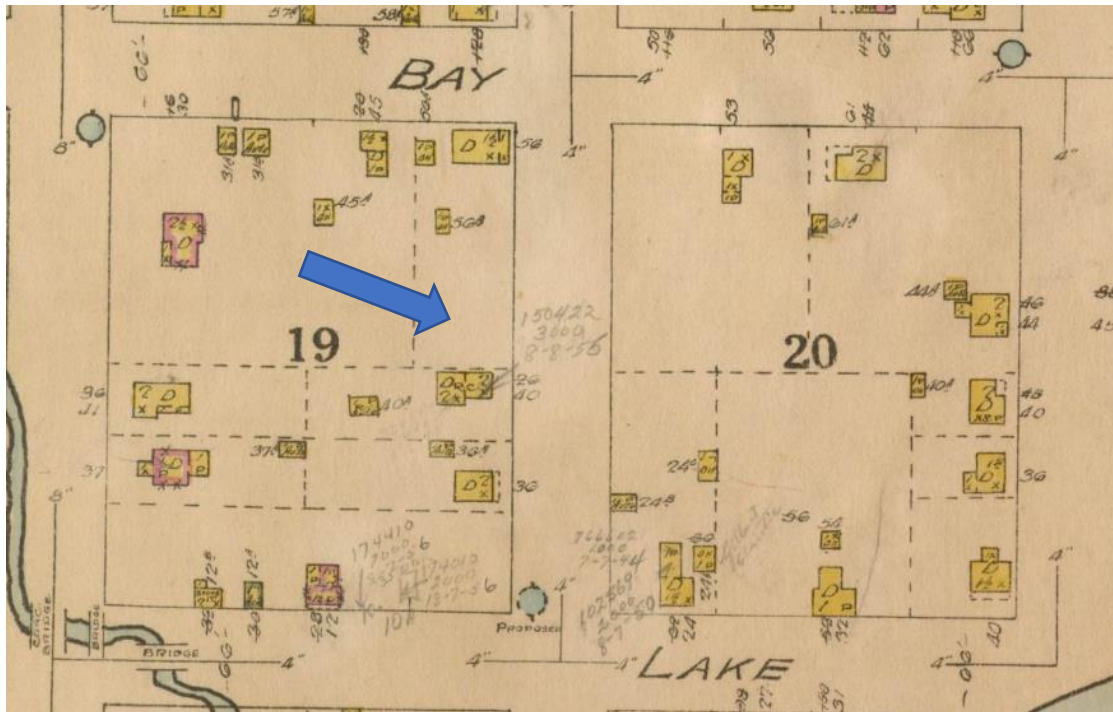


Figure 14 Detail of 1928 Insurance Plan of Port Credit showing 34 Peter Street South before it was sub-divided. (Fisher Rare Book Library, University of Toronto.)

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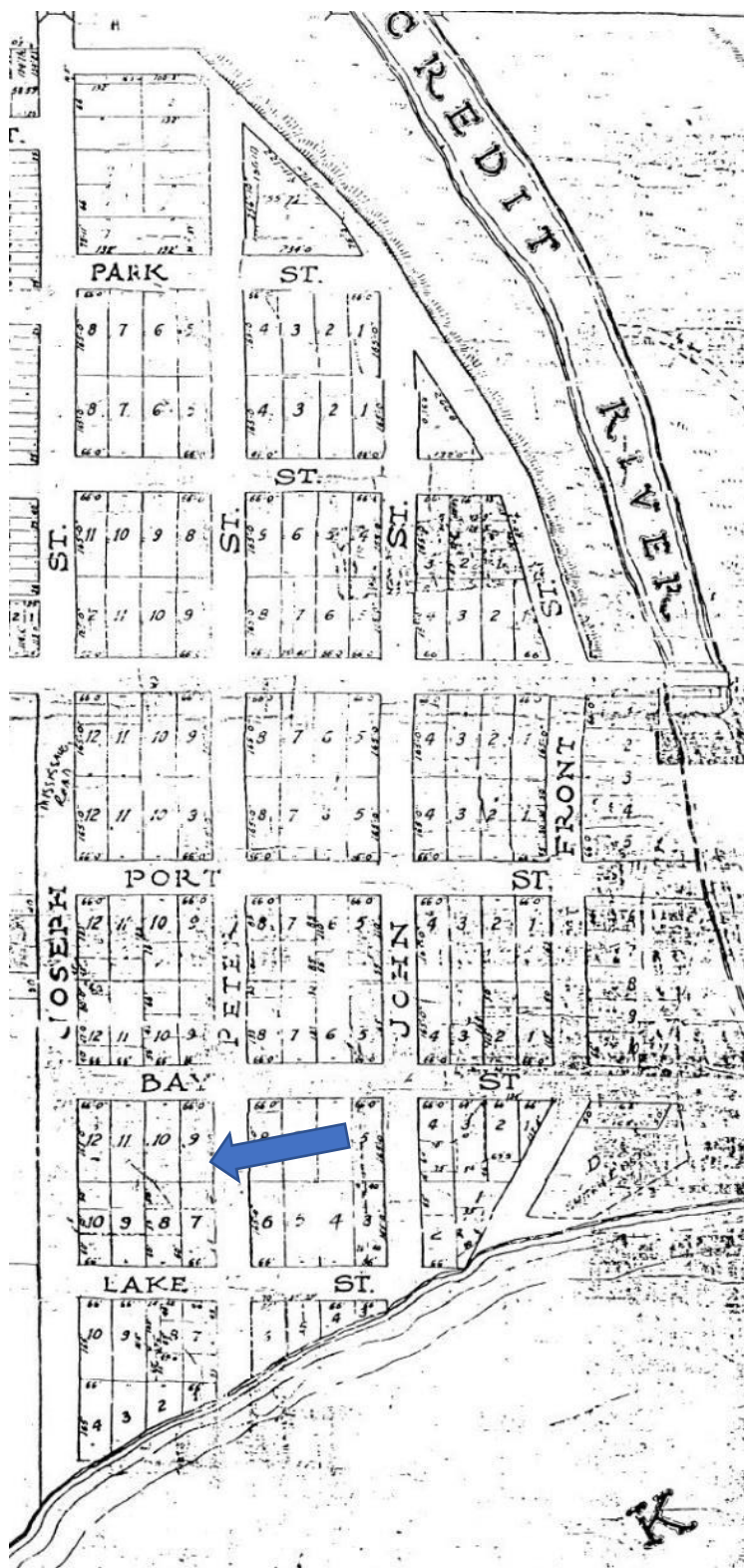


Figure 15 Detail of the 1929 survey plan for Port Credit. (Courtesy of PAMA.)

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Figure 16 Aerial View of part of Port Credit, 1946. (*Canada, Ministry of Natural Resources, National Aerial Photo Library, item 1946 A9669_072.*)



Figure 17 Aerial View of part of Port Credit, 1956, showing the lot and house at 40 Peter Street South. (*Canada, Ministry of Natural Resources, National Aerial Photo Library, item 1956 A15473_008.*)

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ANALYSIS OF THE EXISTING PROPERTY:

40 Peter Street South

The residence at 40 Peter Street South, Port Credit was badly damaged by fire on December 29th 2020. Burned out windows are now boarded up and a chain link fence surrounds the property. Behind the boards much of the window detailing has been consumed by fire and the interior has had to be stripped to the studs in some areas. The current owner has described the results of the fire in the following terms:

Structural damage has been mitigated with temporary shoring to allow contents inventory and safe entry. There is extensive smoke penetration into the insulation, wood, and masonry walls. The engineer's assessment is that it must be taken down to the deck of the main floor. The foundation is intact but must be waterproofed.

The main-floor deck has structural problems that pre-date the fire. Some of the joists have insufficient overlap with the supporting masonry walls with only ½" of support in some places. Compounding the poorly installed deck a 2013 renovation has left insufficient support around the newly installed staircase.⁶



Figure 18 40 Peter Street South in the immediate aftermath of the December 2020 fire.
(Photo from client.)

The following images provide more evidence of the fire damage sustained in December 2020.

⁶ Received from the owner by email, 15 July 2021.

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Figure 19 40 Peter Street South, Port Credit immediately after the fire. *(Photo from client.)*



Figure 20 The basement of 40 Peter Street South showing added bracing for the main floor. *(Photo from client.)*

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Figure 21 Interior of the main floor, 40 Peter Street South after the fire. *(Photo from client.)*



Figure 22 Interior fire damage, 40 Peter Street South. *(Photo from client.)*

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Figure 23 Interior fire damage, 40 Peter Street South. *(Photo from client.)*



Figure 24 Second floor fire damage, 40 Peter Street South. *(Photo from client.)*

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Figure 25 Interior fire damage, 40 Peter Street South. *(Photo from client.)*

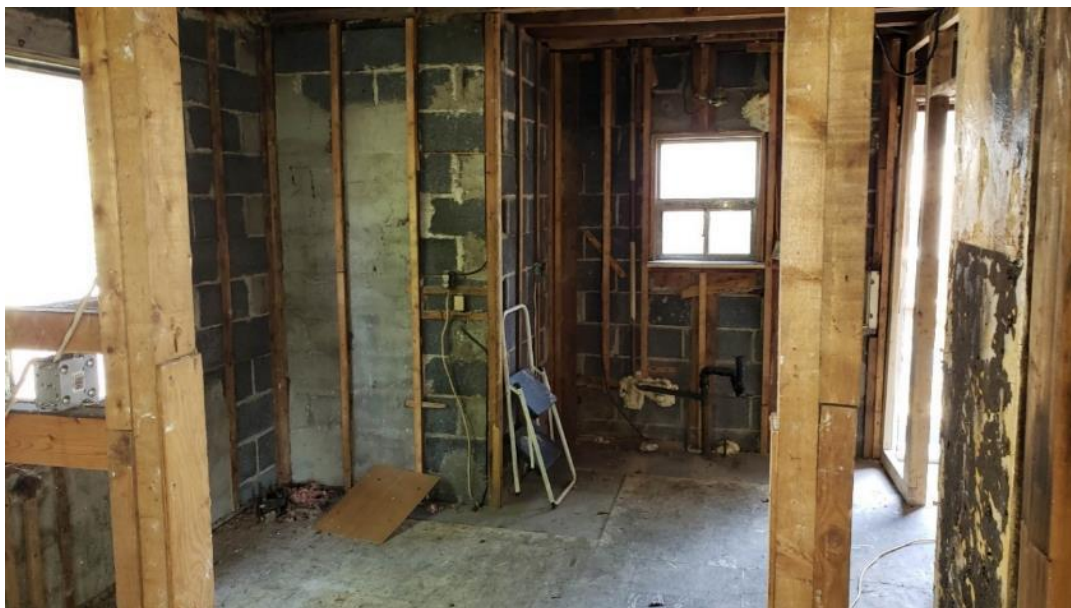


Figure 26 Basement fire damage, 40 Peter Street South. *(Photo from client.)*

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Figure 27 Debris removed after fire, 40 Peter Street South. *(Photo from client.)*

Ancillary Building

There is one small outbuilding, a storage shed, at the rear boundary of the property. It is a small rectangular structure, approximately ten by ten feet in size, with a wooden floor and canvas sides and roof. It was not damaged by the fire.



Figure 28 Rear shed, 40 Peter Street South. *(Photo from client.)*

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Figure 29 The location of the shed in the northwest corner of the lot, 40 Peter Street South. (Photo from client.)

Landscape

The landscape of this small lot is grassed front and rear, with an asphalt driveway on its southern side. It remains cluttered with debris from the fire. A single magnolia tree graces the front of the property. Wooden and chain link fences mark its southern, western and northern borders.

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Figure 30 The fencing, driveway and south façade of 40 Peter Street South after the fire. (Photo from client.)



Figure 31 The fenced backyard of 40 Peter Street South. (Photo from client.)

Streetscape

The Old Port Credit Village Heritage Conservation District is described as Follows:

Old Port Credit is characterized by its treed and shady streets with a mixture of relatively modest dwellings dating from various periods. The site retains the original grid pattern and much of the original building stock. Located just to the west of the harbour, the site is associated with the development and use of Port Credit harbour from the 1830's and has managed to avoid wholesale replacement from development

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by virtue of the concentration of small lots, the desirability of its distinct neighborhood, and the changing fortunes of the harbour. The street grid is considerably more dense than virtually any other part of the City and is the result of the early date of its survey and settlement. At the time of writing this report there were forty heritage listed properties within this area and seven designated properties. This area is proposed as a Heritage Conservation District.⁷

The Old Port Credit Village Heritage Conservation District was enacted by bylaw 0078-2018. The streetscape surrounding 40 Peter Street South, Port Credit is highlighted by modest domestic residences ranging from one to two stories in height. Mature trees grace the fronts of some of these properties, including the property under review. The streetscape here is anchored by the small lots that are typical of the district.



Figure 32 Looking north from 40 Peter Street South, 2020. *(Photo from Google Maps.)*

⁷ City of Mississauga Property Information, 40 Peter Street South, Port Credit Web Site.

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Figure 33 Looking south from 40 Peter Street South, 2020. *(Photo from Google Maps.)*



Figure 34 34 Peter Street South, 2020. *(Photo from Google Maps.)*

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Figure 35 42 Peter Street South, 2020. *(Photo from Google Maps.)*



Figure 36 44 Peter Street South, 2020. *(Photo from Google Maps.)*

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Figure 37 39 Peter Street South, 2020. (Photo from Google Maps.)

Existing Property Survey

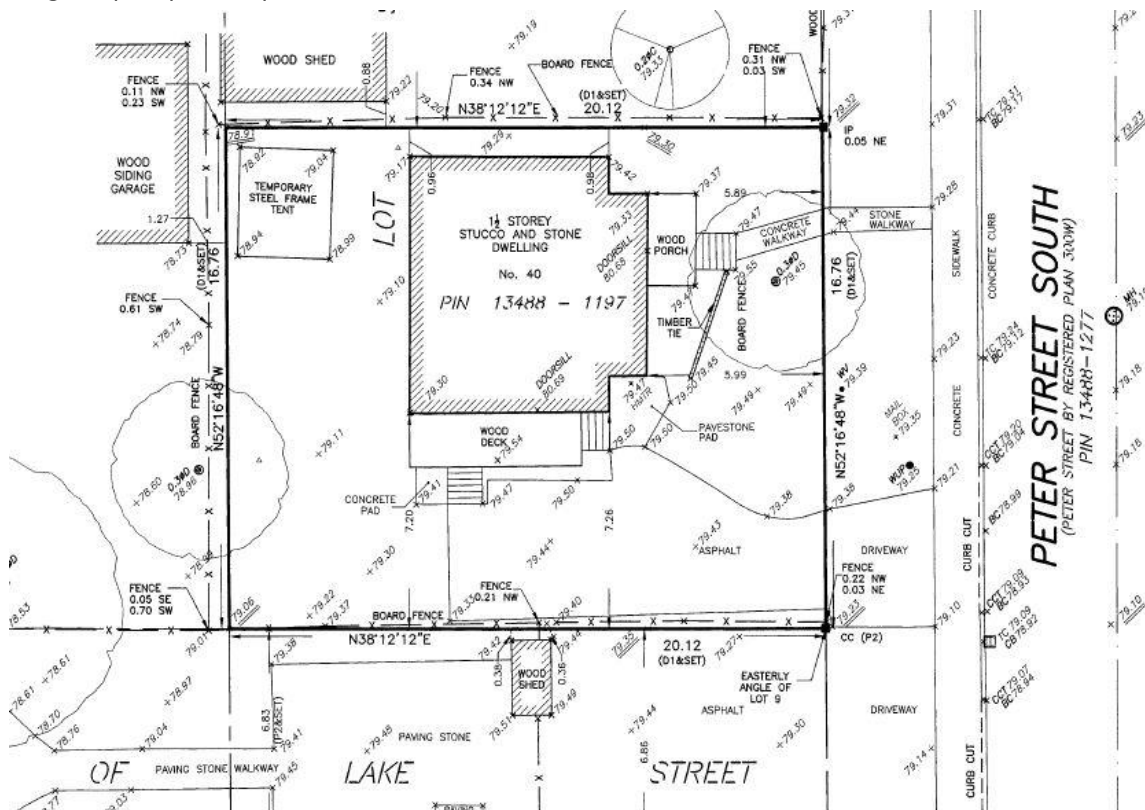


Figure 38 Survey of 40 Peter Street South, July 2021 showing the footprint of the existing structure. (Image from client.)

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PROPOSED DEVELOPMENT

The owner wishes to demolish the existing structure at 40 Peter Street South, Port Credit and replace it with a two-storey residence. The proposed house will sit on the south portion of lot 9, Plan PC-1. It is designed in a simple form, in keeping with surrounding homes. A raised verandah, accessed by a central stairway, graces the front façade, with wood columns supporting a modestly sloping roof. The hip roof on all sides is accented by a small dormer as typical in the area. The front door is centered in the middle of the house. The windows, four on the first level and four on the second, are single or double paned and vertical in shape. The rear façade has a single door and stairs to a rear deck, a large four paned window and the upper level has four vertically designed windows. On the south façade a door leads to the basement. The exterior is clad in vertically laid wood in a board and batten style. The design of the new development reflects elements evident in surrounding residences.

Placement of Proposed House and Landscaping

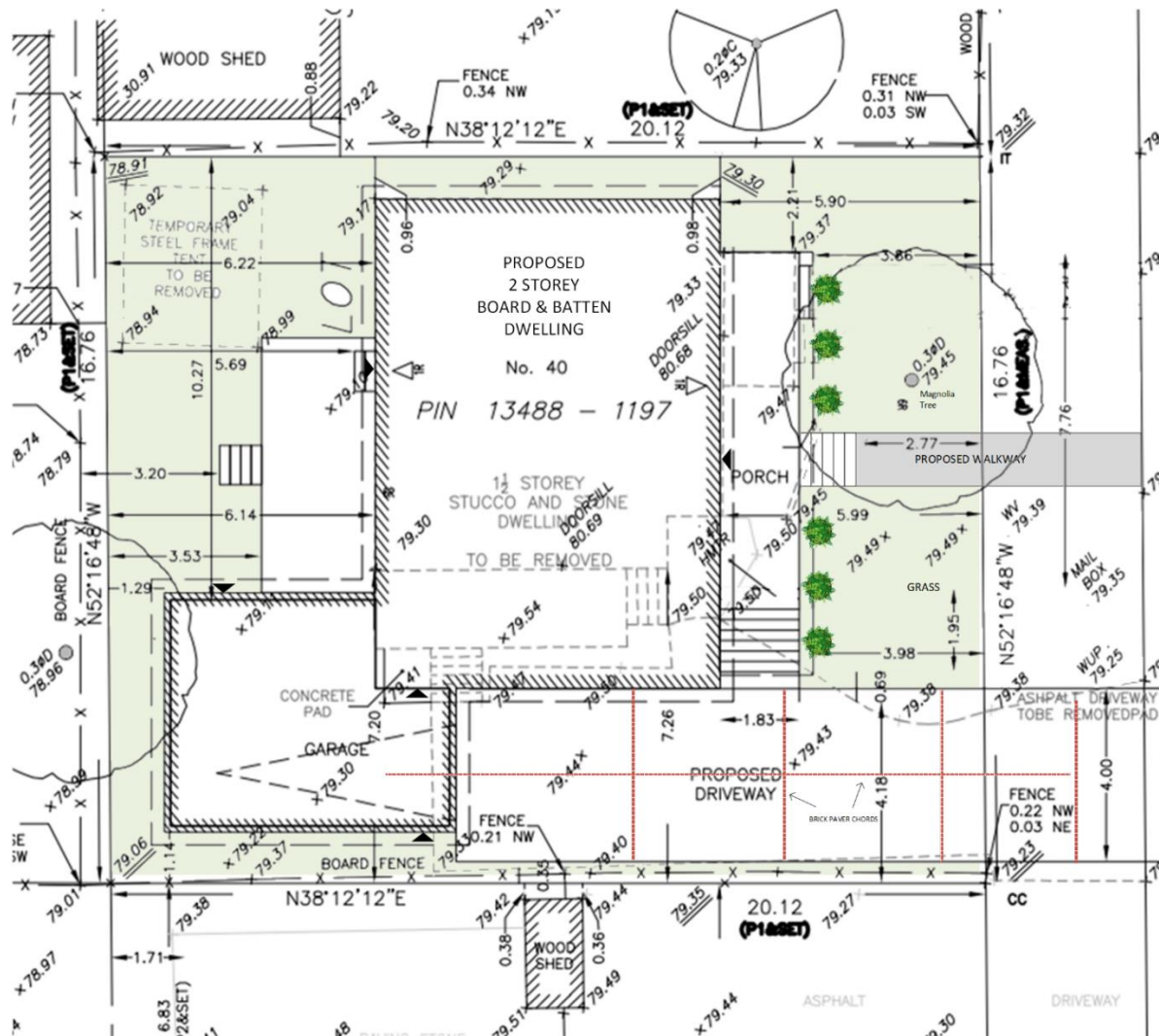


Figure 39 Survey of 40 Peter Street South, August 2021 showing the footprint of the proposed development. (Image from client.)

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Elevations

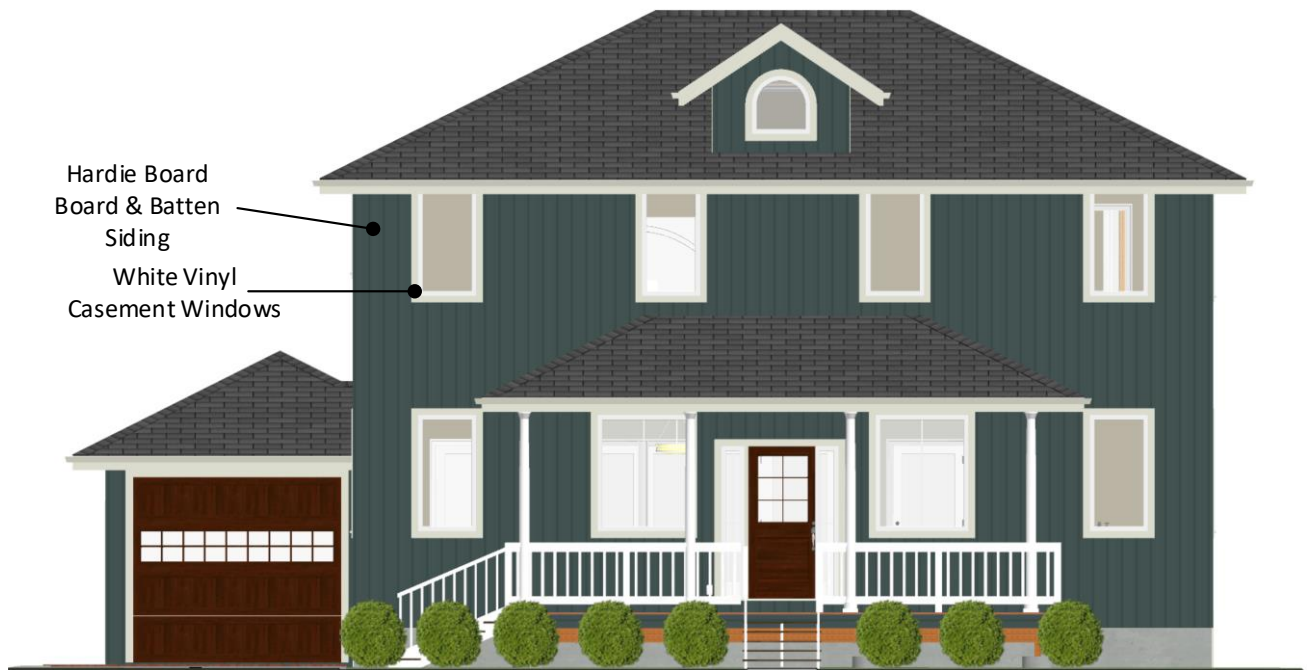


Figure 40 Proposed 40 Peter Street South, front view. *(Image from client.)*



Figure 41 Proposed 40 Peter Street South, rear view. *(Image from client.)*

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Figure 42 Proposed South Elevation, 40 Peter Street South. *(Image from client.)*



Figure 43 Proposed North Elevation, 40 Peter Street South. *(Image from client.)*



Figure 44 Current streetscape with new development *in situ*. *(Image from client.)*
 Immediate neighbor at 42 Peter Street has submitted plans to add a second storey to their home.

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EVALUATION OF EXISTING RESIDENCE AS ELEMENTS IN THE OLD PORT CREDIT VILLAGE HERITAGE CONSERVATION DISTRICT PLAN 2018

Existing Property Evaluation

40 Peter Street South, Port Credit has been identified as a contributing element to the Old Port Credit Village Heritage Conservation District. Contributing properties are identified as

real properties whose age, history, or building is significant and/or complementary to the District. Contributing properties may include both older buildings that are of historic interest, as well as more recent buildings that are of a scale, type and built form that contributes to the District character according to Section 3.3. Contributing properties are listed in this Plan, shown on the accompanying map, and described and illustrated in the HCD Property Inventory,

The existing structure was: “*of a scale, type and built form that contributes to the District character,*” but was severely damaged by a fire in December 2020. A subsequent engineering report determined that much of what remains is unstable and should be demolished.

As noted above, the owner of 40 Peter Street South has provided the following description of the property’s current state:

A fire occurred in the home on Dec 29th, 2020. Structural damage has been mitigated with temporary shoring to allow contents inventory and safe entry. There is extensive smoke penetration into the insulation, wood, and masonry walls. The engineer’s assessment is that it must be taken down to the deck of the main floor. The foundation is intact but must be waterproofed.

The main-floor deck has structural problems that pre-date the fire. Some of the joists have insufficient overlap with the supporting masonry walls with only ½” of support in some places. Compounding the poorly installed deck a 2013 renovation has left insufficient support around the newly installed staircase.⁸

The demolition of structures within the Old Port Credit Village Heritage Conservation District is strongly discouraged and is permitted only in the following circumstances:

Building demolition is not prohibited by the Ontario Heritage Act, but it will be actively discouraged within the Old Port Credit Village Heritage Conservation District. Property owners are encouraged to work with existing contributing properties, altering and adding to them in a sympathetic manner, rather than demolishing and building anew.

Demolition of a structure contributing to the heritage values of the Old Port Credit Village Heritage Conservation District will only be approved under the following conditions:

10.1.1 The demolition of buildings on contributing properties (as classified in Section

4.1) shall not be permitted. Exceptions may only be considered in extraordinary

⁸ Information from client, email, 15 July 2021.

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circumstances such as natural disasters (e.g. fire, flood, tornado, earthquake, etc.), or where there is a greater public interest served (e.g. health and safety concern), as determined by Council, through the demolition of the building or structure.

10.1.2 Other extraordinary circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the City of Mississauga's Chief Building Official has determined, based on an independent structural assessment that the building is beyond repair and has been determined to be unsafe. The structural assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures.

10.1.3 The property owner shall demonstrate that all other options have been investigated including: preservation; rehabilitation; restoration; retro-fitting; reuse; mothballing; etc. and that they are not viable options from a structural engineering and/or health and safety perspective.

The heritage values supporting the inclusion of 40 Peter Street South as a contributing element in the Old Port Credit Village Heritage Conservation District are outlined in the district plan as follows:

1.0 ADDRESS 40 Peter Street South

2.0 LOT

2.1 Land use designation Residential Low Density 1

2.2 Period of construction 1928 - 1952

2.3 Zoning R15-1

2.4 Lot size (m²) 337

2.5 Building front yard setback (m) 6.31

2.6 Building side yard setback (m) 0.23 / 6.79

3.0 LANDSCAPE / SETTING / CONTEXT

3.1 Trees and shrubs Mature tree

3.2 Soft landscaping Grass lawn

3.3 Driveways / parking Asphalt driveway

3.4 Landscape / property features Front and side wood porch steps

3.5 Fencing Chain-link

4.0 ARCHITECTURE

4.1 Building type Single detached

4.2 Building size (m²) 114

4.3 Wall assembly Frame / buff brick under stucco, fieldstone, and horizontal siding

4.4 Roof shape / pitch / material Gable / medium / asphalt shingle

4.5 Storeys 1.5

4.6 Alterations Cladding detached

4.7 Architectural style Arts and Crafts

5.0 HERITAGE

5.1 Current status/designation Designated under Part V

5.2 HCD plan classification Contributing

5.3 Heritage notes n/a

5.4 Heritage attributes • Medium pitch hip gable roof

* Low-rise form

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Some of these values remain but others have been adversely affected by fire, smoke and water damage resulting from the December 2020 fire. The residential property was severely damaged by the December 2020 fire and is now uninhabitable. Fire, smoke and water have damaged the framing, spray-foam insulation and masonry blocks. Rocmar Engineering noted that the first floor deck will “require replacement complete”. It has been temporarily stabilized to permit the owner to enter and conduct an inventory of contents.

Proposed Development

The Old Port Credit Village Heritage Conservation District plan provides the following directives for new construction within the district:

New buildings

- a) To make new buildings in keeping with the height and size that exist typically among those existing in the District and to make all new buildings respect the low height and small-scale characteristic in the District, save for properties which are not already characterized by low height and small scale.*
- b) To give the main body of a new building visual prominence and its garage less importance.*

The proposed development of 40 Peter Street South has been designed to be compatible with surrounding properties. It will retain the existing six-meter frontage common to it and nearby structures. It is a two-storey residence clad in vertically laid board and batten siding and has a moderate sloping roofline. These features and a wide verandah along the front façade reflect the sizing, mass and finish of surrounding properties. The linear asphalt driveway has been updated to include brick paver chords to reduce run-off water. The garage is set back from the front face of the house more than the required three metres. A detached garage is not possible due to the size of the small lot.

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Zoning Evaluation

Table 4.6.1 - R15 Permitted Uses and Zone Regulations

Line	ZONES	R15	
1.0			
PERMITTED USES			
2.0	RESIDENTIAL		
2.1	Detached Dwelling	✓ ⁽¹⁾	conforms
ZONE REGULATIONS			
3.0	MINIMUM LOT AREA	460 m ²	337.2 m ² – existing condition
4.0	MINIMUM LOT FRONTAGE	12.0 m	16.76
5.0	MAXIMUM LOT COVERAGE	40%	37.5%
6.0	MINIMUM FRONT YARD	6.0 m ⁽²⁾	Does not apply – see R15-1 below
7.0	MINIMUM EXTERIOR SIDE YARD	4.5 m ⁽²⁾	Does not apply -no exterior side yard
8.0	MINIMUM INTERIOR SIDE YARD		N/A
8.1	Detached dwelling with an attached garage	1.2 m ⁽²⁾	See R15-1 4.6.2.1.5 below
8.2	Detached dwelling without an attached garage	3.0 m on one side of the lot and 1.2 m on the other side	N/A
9.0	MINIMUM REAR YARD	7.5 m ⁽²⁾	1.2 m behind attached garage
10.0	MAXIMUM HEIGHT		Does not apply – see 15-1
11.0	MAXIMUM DWELLING UNIT DEPTH (0193-2016 /OMB Order 2017 May 30)	20.0 m	7.92 m
12.0	ATTACHED GARAGE , PARKING AND DRIVEWAY (0193-2016 /OMB Order 2017 May 30)		
12.1	Attached garage	Permitted ⁽³⁾	Yes
12.2	Minimum parking spaces	✓ ^{(4) (5)}	3
12.3	Maximum driveway width	Lesser of 8.5 m or 50% of lot frontage ⁽⁴⁾	3.78
13.0	ACCESSORY BUILDINGS AND STRUCTURES (0193-2016 /OMB Order 2017 May 30)	✓ ⁽⁶⁾	

4.6.2.1	Exception: R15-1	Map # 08	By-law: 0308-2011 , 0181-	
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			2018 /LPAT Order 2019 February 15	
In a R15-1 zone the permitted uses and applicable regulations shall be as specified for a R15 zone except that the following uses /regulations shall apply:				
Regulations				
4.6.2.1.1	The regulations of Line 5.0 contained in Table 4.6.1 of this By-law shall not apply			
4.6.2.1.2	Maximum gross floor area - infill residential	169 m ² plus 0.20 times the lot area to a maximum of 305 m ²		
4.6.2.1.3	Minimum landscaped area	40% of the lot area	45% of front lot is landscaped 30% of entire lot is landscaped	
4.6.2.1.4	Minimum front yard	5.0 m	5.89 m	
4.6.2.1.5	Minimum interior and exterior side yards	3.0 m on one side of the lot and 1.2 m on the other side	1.2 m on the side of the garage 0.96 m on the north side is existing. Neighbor's house is 24 m from the property line.	
4.6.2.1.6	Maximum height - highest ridge: sloped roof	9.0 m and 2 storeys	8.61 m	
4.6.2.1.7	Maximum height of eaves: from average grade to lower edge of the eaves	6.8 m	6.8 m	
4.6.2.1.8	Flat roofs and mansard roofs shall not be permitted			
4.6.2.1.9	Maximum encroachment of a covered porch into a required front, exterior and interior side yard	1.8 m but not closer than 0.2 m to a lot line	1.8 m	
4.6.2.1.10	Minimum setback of a garage face behind the front wall of a detached dwelling	3.0 m	4.2 m	
4.6.2.1.11	Maximum gross floor area of a detached garage	30 m ²	N/A	
4.6.2.1.12	"Front Wall" means the exterior wall containing the door which is designed as the primary access point into the detached dwelling			
4.6.2.1.13	The provisions of By-law Number 0272-2004 made pursuant to the Ontario Heritage Act shall not apply so as to require any reconstruction, alteration and/or enlargement of any building or structure to replicate the exterior faces or the exterior wall features of the building or structure			

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EVALUATION OF PROPOSED DEMOLITION AND NEW CONSTRUCTION UNDER PART V OF THE ONTARIO HERITAGE ACT.

Part V of the Ontario Heritage Act deals with Heritage Conservation Districts and states that no property owner may take any of the following actions without a permit from the municipality:

1. *Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
2. *Erect any building or structure on the property or permit the erection of such a building or structure.*
3. *Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).*
4. *Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).⁹*

While strongly discouraging demolition and new development in a heritage conservation district, the Ontario Heritage Act, Part V does provide municipalities with the power to grant permits for such activities in unspecified circumstances. Substantial fire damage is a justification for issuing such a permit.

HERITAGE EVALUATION OF 40 PETER STREET SOUTH, PORT CREDIT UNDER THE PROVINCIAL POLICY STATEMENT

The government of Ontario has provided a series of booklets to explain the concept of cultural heritage properties. *Heritage Property Evaluation* is a guide for determining the cultural heritage values of a property and the means by which a municipality may protect those values.¹⁰ The guide provides the following description of the evaluation process:

Non-designated properties listed on the municipal register of cultural heritage properties and newly identified properties may be candidates for heritage conservation and protection. Section 29 of the Ontario Heritage Act enables municipalities to pass bylaws for the protection (designation) of individual real properties that have cultural heritage value or interest to the municipality. Heritage designation is a protection mechanism with long-term implications for the alteration and demolition of a cultural heritage property.

Individual properties being considered for protection under section 29 must undergo a more rigorous evaluation than is required for listing. The evaluation criteria set out in Regulation 9/06 essentially form a test against which properties must be assessed. The better the characteristics of the property when the criteria are applied

⁹The Ontario Heritage Act: http://www.mtc.gov.on.ca/en/heritage/heritage_act.shtml

¹⁰ Government of Ontario, *Heritage Property Evaluation: A Guide to Listing, Researching and Evaluating Cultural Heritage Property in Ontario Communities* (Queen's Printer, 2006.)

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to it, the greater the property's cultural heritage value or interest, and the stronger the argument for its long-term protection.

To ensure a thorough, objective and consistent evaluation across the province, and to assist municipalities with the process, the Ontario Heritage Act provides that:

29(1) The council of a municipality may, by bylaw, designate a property within the municipality to be of cultural heritage value or interest if,

(a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria

Regulation 9/06 prescribes the criteria for determining property of cultural heritage value or interest in a municipality. The regulation requires that, to be designated, a property must meet "one or more" of the criteria grouped into the categories of Design/Physical Value, Historical/Associative Value and Contextual Value.¹¹

The *Provincial Policy Statement (2014)* provides the following guidance on the conservation of cultural heritage properties:

2.6 Cultural Heritage and Archaeology

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

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

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

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

*2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.*¹²

The *Policy* defines Conserved in these terms:

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.

¹¹ Government of Ontario, *Heritage Property Evaluation: A Guide to Listing, Researching and Evaluating Cultural Heritage Property in Ontario Communities* (Queen's Printer, 2006), p 20.

¹² *Ibid.*

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The evaluation criteria are provided in Ontario Regulation 9/06 of the Ontario Heritage Act (2006) as Criteria For Determining Cultural Heritage Value of Interest.¹³ The criteria are:

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).¹⁴*

Criteria 1: Design Value or Physical Value

40 Peter Street South before the fire was a good representative of the modest, mostly one or one and a half storey residences that populate this part of the Old Port Credit Village Cultural Heritage District. It does not display a high degree of craftsmanship or artistic merit, nor does it demonstrate a high degree of technical or scientific achievement. The fire has severely degraded both the physical and the design values of the property.

¹³ <https://www.ontario.ca/laws/regulation/060009>.

¹⁴ Emphases added.

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Criteria 2: Historical Value Associative Value

In 1948 Herbert Whitall Jr. and his wife Emma who owned 34 Peter Street South created a separate lot by subdividing the southern portion of their property and deeding it to a son and daughter-in-law. Herbert Whitall built the existing residence for his son Jack and wife Jean here in the early 1950s. Herbert's son, Jack Whitall, is described as a labourer and then as a rigger in the 1949 and 1965 Voters' Lists.¹⁵ Jack in turn willed the property to his two sons, Gordon and Michael. The latter sold the property to the current owner in August 2020.

40 Peter Street South does not have direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. It does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture. It does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Criteria 3: Contextual Value

As a result of the fire, 40 Peter Street South is no longer important in defining, maintaining or supporting the character of an area. It is no longer physically, functionally, visually or historically linked to its surroundings, and it is not a landmark in the area.

As a result of the extensive damage caused by fire in 2020, 40 Peter Street South, Port Credit no longer exhibits significant built heritage resources that should be conserved under the terms of the Provincial Policy Statement (2014). If demolition is permitted, care should be taken during the new development to identify any archaeological findings and the Ontario Ministry of Tourism, Culture and Sport (MTCS) should be notified immediately (416.314.7143). If human remains are encountered during construction, the proponent should immediately contact both MTCS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).

SUMMARY STATEMENT, PROPOSED MITIGATION MEASURES AND RECOMMENDATION

40 Peter Street South, Port Credit has been identified as a contributing element of the Old Port Credit Village Heritage Conservation District. The small lot size, the linear driveway, the structure's six meter setback from the road and the design, fabric and massing of the house were the essential elements leading to its designation under Part V of the Ontario Heritage Act. However, the house has been so badly affected by fire, smoke and water damage that neither mitigation measures nor restoration are feasible. Post-fire photos of the structure, inside and out, indicate that little if any of its fabric remains untouched by the fire. There does not appear to be any feasible way to retain or restore the existing structure.

¹⁵ www.ancestry.ca; https://www.ancestry.ca/search/?name=jack_whitall&event=peel-ontario-canada_1654327.

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The owner wishes to demolish the fire-damaged residence and replace it with a new two storey structure designed to be compatible with surrounding structures in the neighbourhood. The engineering report notes that the house must be replaced above the first-floor deck and the deck also needs to be replaced due to pre-existing structural issues. The owner has developed a proposal that retains the original setback and also reflects neighbouring architectural elements including a wide front verandah, horizontal wood siding and a moderately sloping roofline.

The conclusions of this study are two-fold. The damage sustained in the December 2020 fire has rendered the existing house uninhabitable and has destroyed most of its heritage attributes. The proposed development is compatible with surrounding residences and reflects elements of their architectural styles. It is recommended, based upon the information provided in this assessment, that the owner be permitted to proceed with his plans to demolish the damaged residence and to replace it with the sympathetic structure presented above.

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CHAIN OF OWNERSHIP

- property was originally part of lot 9, Broken Range, CIR
- in 1929 Plan 300 and Plan RC-1 were registered, creating lot 9 or 34 Peter Street South which ran south from Bay Street, half-way along the west side of Peter Street South
- 25 August 1948, subdivision of 40 Peter Street South lot from lot 9; property is deeded from Herbert Whittall Jr. and Jean Whittall to Jack Edward and Jean Whittall, memorial PC2894
- 2 Nov. 2010, 40 Peter Street South is transferred from Jean Whittall to Gordon Edward Whittall and Michael James George Whittall, memorial PR1915817
- 4 August 2020, Michael Whittall sells 40 Peter Street South to current owner, memorial PR2684013

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QUALIFICATIONS OF AUTHOR

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Principal

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Education

- PhD. in history, University of Western Ontario, London, ON

Career Highlights

- Principal, Heritage Resources Consulting, 1995 to the present
- Historian, Parks Canada, 1976 to 1995
- Manuscript editor, *Dictionary of Canadian Biography*, University of Toronto, 1973 to 1976

Summary

Dr. Burns has over four decades of experience in historical research and analysis. As a Parks Canada Project Historian he prepared a narrative and structural history of Inverarden, a Cornwall, Ontario domestic property built in 1816, and a structural and social history of Fort Wellington National Historic Site at Prescott, Ontario. As a member (history) of the Federal Heritage Buildings Review Office (FHBRO) from 1990 to 1995 he participated in the review of some 500 federal properties including CFB Esquimalt and the Kingston Penitentiary. As a consultant since 1995 he has completed a wide range of heritage assessment and research projects in co-operation with Heritage Research Associates, Inc., Ottawa and has prepared FHBRO cultural heritage assessment reports on numerous federal properties including CFB Goose Bay and its buildings, hangars, munitions bunkers and former nuclear weapons storage facilities. His examination of the temporary storage of nuclear weapons at Goose Bay during the Korean War crisis led to the publication of "Bombs in the Bush," *The Beaver*, Jan. 2005.

Heritage Assessment Projects

Heritage Assessments prepared for the Federal Heritage Buildings Review Office

- CFB Goose Bay, Heritage Assessment of 124 buildings, 2000. Building functional types included barracks, hangars, storage bunkers for conventional and nuclear weapons, guard towers, warehouses, and offices.
- CFB Goose Bay, Heritage Assessment of 16 buildings, 2001. Building functional types consisted of hangars for medium and heavy bombers.
- CFB Gagetown, Heritage Assessment of 77 buildings, 2002. Building Functional types included office/admin buildings, barracks, drill halls, garages, gate/guard houses, lecture/training buildings, mess halls, quarters, shops and recreational buildings.
- Bedford Institute of Oceanography, Heritage Assessment of the Van Steenburgh and Polaris Buildings, 2003.
- Hudson's Bay Company Post (abandoned), Ukkusiksalik National Park, Nunavut, 2005.
- Nanaimo Foundry, Nanaimo, BC, 2005.

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- Heritage Assessments of the following lighthouses, lightstations and range light towers in the Great Lakes and Atlantic regions, 2006-2008:
- Shoal Island Lighthouse, Manitoulin Island, Heritage Assessment 2006.
- Badgeley Island Rear Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Byng Inlet Rear Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Brebeuf Island Rear Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Pigeon Island Rear Range Light Tower, Lake Ontario, Heritage Assessment 2006.
- Pointe Au Baril Rear Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Rondeau East Pier Light Tower, Lake Erie, Heritage Assessment 2006.
- Stokes Bay Rear Range Light Tower, Lake Huron, Heritage Assessment 2006.
- Owen Sound Front Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Brebeuf Island Front Range Light Tower, Georgian Bay, Heritage Assessment 2006.
- Chantry Island Lighthouse Dwelling, Lake Huron, Heritage Assessment 2006.
- Gros Cap Reef Lighthouse, St. Mary's River, Heritage Assessment 2006.
- Janet Head Lighthouse, Manitoulin Island, Heritage Assessment 2006.
- Red Rock Lighthouse, Georgian Bay, Heritage Assessment 2006.
- Snug Harbour Lighthouse, Georgian Bay, Heritage Assessment 2006.
- Byng Inlet Front Range Light Tower, Georgian Bay, Heritage Assessment 2007.
- Kagawong Lighthouse, Manitoulin Island, Heritage Assessment 2007.
- Manitouwaning Lighthouse, Manitoulin Island, Heritage Assessment 2007.
- Shaganash Light Tower, Lake Superior, Heritage Assessment 2007.
- Saugeen River Front Range Light Tower, Lake Huron, Heritage Assessment 2007.
- Saugeen River Rear Range Light Tower, Lake Huron, Heritage Assessment 2007.
- Shoal Light Tower, Lake Rosseau, ON., Heritage Assessment 2007.
- Wilson Channel Front Range Light Tower, near Sault Ste. Marie, Heritage Assessment 2007.
- Wilson Channel Rear Range Light Tower, near Sault Ste. Marie, Heritage Assessment 2007.
- Canso Front Range Light, Heritage Assessment, 2008.
- Canso Rear Range Light, Heritage Assessment, 2008.
- Cape Croker Light Tower, Heritage Assessment, 2008.
- Jones Island Front Range Light, Heritage Assessment, 2008.
- Jones Island Rear Range Light, Heritage Assessment, 2008.
- Margaree Harbour Front Range Light, Heritage Assessment, 2008.
- Margaree Harbour Rear Range Light, Heritage Assessment, 2008.
- Thunder Bay Main Lightstation, Heritage Assessment, 2008.
- West Sister Rock Lighttower, Heritage Assessment, 2008.

Heritage Assessments prepared for the federal Heritage Lighthouse Preservation program

- Great Duck Island, Georgian Bay, ON, 2010.
- Janet Head Lighthouse, Manitoulin Island, Heritage Assessment, 2010.
- Kagawong Lighthouse, Manitoulin Island, Heritage Assessment, 2010.
- Killarney East Lighthouse, Georgian Bay, Heritage Assessment, 2010.
- Killarney Northwest Lighthouse, Georgian Bay, Heritage Assessment, 2010.
- Manitouwaning Lighthouse, Manitoulin Island, Heritage Assessment, 2010.
- Victoria Beach Lighthouse, NS, Heritage Assessment, 2011.
- Schafner Point Lighthouse, NS, Heritage Assessment, 2011.
- Port Bickerton Lighthouse, NS, Heritage Assessment, 2011.

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- McNab Point Lighthouse, Heritage Assessment, 2011.
- Saugeen River Front Range Light, Heritage Assessment, 2011.
- Saugeen River Rear Range Light, Heritage Assessment, 2011.
- Pointe au Baril Front Range Light, Heritage Assessment, 2014.
- Pointe au Baril Rear Range Light, Heritage Assessment, 2014.
- Snug Harbour Front Range Light, Heritage Assessment, 2014.
- Snug Harbour Rear Range Light, Heritage Assessment, 2014.

Heritage Assessments prepared for the private sector

- Madill barn, 6250 Hurontario Street, Mississauga, ON, Heritage Assessment, 2009.
- Stone residence, 7129 Tremaine Road, Milton, ON, Heritage Assessment, 2009.
- Smye estate, 394 Lakeshore Road West, Mississauga, ON, Heritage Assessment, 2009.
- Dudgeon cottage, 305 Lakeshore Road West, Oakville, ON, Heritage Assessment, 2010.
- five domestic structures, Bronte Road, Bronte, ON, Heritage Assessment, 2010.
- Lorne Park Estates cottage, 1948 Roper Avenue, Mississauga, ON, Heritage Assessment, 2012.
- Farm house, 11687 Chinguacousy Road, Brampton, ON, Heritage Assessment, 2012.
- Farm house, 3650 Eglinton Ave., Mississauga, ON, Heritage Assessment, 2013.
- Downtown Campbellford Properties, Heritage Assessment, 2013.
- residence, 1422 Mississauga Road, Heritage Impact Statement, 2015.
- residence, 2560 Mindemoya Road, Mississauga, Heritage Impact Statement, 2018.
- residence/offices, 70 Queen Street South, Mississauga, Heritage Impact Assessment, 2018.
- residence, 869 Sangster Avenue, Lorne Park Estates, Mississauga, Heritage Impact Assessment, 2018.
- residence, 795 First Street, Mississauga, Heritage Impact Statement, 2019.
- residence, 972 Bexhill Road, Mississauga, Heritage Impact Assessment, 2019.
- residence, 1341 Stavebank Road, Mississauga, Heritage Impact Assessment, 2020.
- residence, 10 Mississauga Road North, Mississauga, Heritage Impact Assessment, 2020.
- residence, 2935 & 2955 Mississauga Road, Mississauga, Heritage Impact Assessment, 2021.
- residence, 347 Queen Street South, Mississauga, Heritage Impact Assessment, 2021.
- residence, 2230 Mississauga Road, Mississauga, Heritage Impact Assessment, 2021.
- residence, 40 Peter Street South, Mississauga, Heritage Impact Assessment, 2021.

Heritage Assessments and Plaque Texts prepared for the Ontario Heritage Trust

- J. L. Kraft, Fort Erie, ON, 2003.
- Reid Mill, Streetsville, ON, 2004.
- George Weston, Toronto, ON., 2005.
- Pauline McGibbon, Sarnia, ON, 2006.
- W. P. Bull, Brampton, ON, 2007.
- Founding of Englehart, ON, 2008.
- George Drew, Guelph, ON, 2008.
- Founding of Latchford, ON, 2009.
- Ball's Bridge, Goderich, ON, 2011.
- Canadian Tire Corporation, 2012.
- Ontario Paper Mill, 2013.
- Louise de Keriline Lawrence, 2016.

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Publications and Other Major Projects

- "God's chosen people: the origins of Toronto society, 1793-1818", *Canadian Historical Association: Historical Papers*, 1973, Toronto, 1974. Republished in J. Bumsted (ed.), *Canadian History Before Confederation: Essays and Interpretations*, 2nd ed. (Georgetown, Ont.: Irwin-Dorsey Ltd., 1979).
- "James Grant Chewett", "William Botsford Jarvis", "George Herkimer Markland" and "Thomas Gibbs Ridout" published in the *Dictionary of Canadian Biography*, vol. IX, Toronto, 1976.
- "The post fur trade career of a North West Company partner: a biography of John McDonald of Garth", *Research Bulletin No. 60*, Parks Canada, 1977. Reprinted in *Glengarry Life*, Glengarry Historical Society, 1981.
- "Inverarden: retirement home of North West Company fur trader John McDonald of Garth". *History and Archaeology No. 25*, Parks Canada, 1979. First printed as *Manuscript Report Series No. 245*, 1978.
- "Fort Wellington: a Narrative and Structural History, 1812-38", *Manuscript Report Series No. 296*, Parks Canada, 1979.
- A review of J.M.S. Careless (ed.), *The Pre-Confederation Premiers: Ontario Government Leaders, 1841-1867* (Toronto: University of Toronto Press, 1980) in *Ontario History*, LXXIII, No.1, March 1981.
- A review of Mary Larratt Smith (ed.), *Young Mr. Smith in Upper Canada* (Toronto: University of Toronto Press, 1980) in *Ontario History*, LXXIV, No. 2, June 1982.
- "William Jarvis", "Robert Isaac Dey Gray" published in the *Dictionary of Canadian Biography*, Vol. V, Toronto, 1983.
- "Bulk packaging in British North America, 1758-1867: a guide to the identification and reproduction of barrels", *Research Bulletin No. 208*, Parks Canada, December 1983.
- "Cornwall, Ontario" in *The Canadian Encyclopedia* (Edmonton: Hurtig Publishers, 1985).
- "Samuel Peters Jarvis [with Douglas Leighton]" and "Samuel Smith Ridout" in the *Dictionary of Canadian Biography*, Vol. VIII, Toronto, 1985.
- "The Burns and Gamble Families of Yonge Street and York Township [with Stanley J. Burns]", *O.G.S. Seminar '85* (Toronto: Ontario Genealogical Society, 1985).
- "Starting From Scratch: the Simcoe Years in Upper Canada", *Horizon Canada*, No. 22, July 1985.
- "Upper Canada In the Making, 1796-1812", *Horizon Canada*, No. 23, August 1985.
- A review of Bruce G. Wilson, *The Enterprises of Robert Hamilton: A Study of Wealth and Influence in Early Upper Canada, 1776-1812* (Ottawa: Carleton University Press, 1983) in the *Canadian Historical Review*, LXVI, No. 3, Sept. 1985.
- Lila Lazare (comp.) with an intro. by Robert J. Burns, "Artifacts, consumer goods and services advertised in Kingston newspapers, 1840-50: a resource tool for material history research", *Manuscript Report Series No. 397*, Parks Canada, 1980.
- "W.A. Munn and the discovery of a Viking occupation site in northern Newfoundland", Historic Sites and Monuments Board agenda paper, 1982.
- Research and writing of "The Loyalists," a booklet to accompany the Loyalist Bicentennial travelling exhibit prepared by Parks Canada, 1983.
- "Paperboard and Paper Packaging in Canada 1880-1930: An Interim Report" *Microfiche Report Series No. 210* (1985).
- "Packaging Food and Other Consumer Goods in Canada, 1867-1927: A guide to Federal Specifications For Bulk and Unit Containers, Their Labels and Contents" *Microfiche Report*

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Series No. 217 (1985).

- "Paperboard Packaged Consumer Goods: Early Patterns of Product Availability" (1986).
- "Thomas Ridout" in the *Dictionary of Canadian Biography*, Vol. VI, Toronto, 1987.
- "Paperboard and Paper Packaging in Canada, 1880-1930", 2 Vols. *Microfiche Report Series No. 393* (1989).
- Curator, along with Marianne McLean and Susan Porteus, of "Rebellions in the Canadas, 1837-1838," an exhibition of documents and images sponsored by the National Archives of Canada, 1987.
- "Marketing Food in a Consumer Society: Early Unit Packaging Technology and Label Design" in *Consuming Passions: Eating and Drinking Traditions in Ontario* (Meaford, Ont.: Oliver Graphics, 1990).
- "Robert Isaac Dey Gray" reprinted in *Provincial Justice: Upper Canadian Legal portraits from the Dictionary of Canadian Biography*, ed. Robert L. Fraser (Toronto: University of Toronto Press, 1992).
- "John Warren Cowan" and "Thomas McCormack" published in the *Dictionary of Canadian Biography*, Vol. XIII, 1994.
- *Guardians of the Wild: A History of the Warden Service of Canada's National Parks* (University of Calgary Press, 2000).
- "“Queer Doings’: Attitudes toward homosexuality in nineteenth century Ontario,” *The Beaver*, Apr. May. 2003.
- "Bombs in the Bush: The Strategic Air Command in Goose Bay, 1953," *The Beaver*, Dec. 2004/Jan. 2005.
- preparation of a history of the Royal Canadian Mounted Police under contract for the Force, 2004-2007.
- press releases regarding heritage plaque unveilings for Parks Canada, Ottawa, ON, 2010.
- a review and analysis of heritage bulk containers in the Parks Canada Artifact Collection, Ottawa, ON, 2011.
- *Port Stanley: The First Hundred Years, 1804-1904*, with Craig Cole (Heritage Port: Port Stanley, ON, 2014).

Related Professional Associations

- Member of Federal Heritage Building Review Board (retired).
- Chair, Heritage Central Elgin.
- President of the Sparta (Ontario) and District Historical Society.
- Member, St. Thomas-Elgin Branch of the Architectural Conservancy of Ontario.
- Member (Past), Board of Directors, Elgin County Archives Association.
- Member, Board of Directors, Sparta Community Association.
- Former member, Board of Directors, and Publications Committee Chair, Ontario Historical Society.
- Past president, Stormont, Dundas and Glengarry Historical Society.
- Past chair, Local Architectural Conservation Advisory Committee, Cornwall, ON.
- Former chair, Heritage sub-committee, "Central Elgin - Growing Together Committee," Municipality of Central Elgin.