

January 14, 2021

Town of Essex
33 Talbot Street South
Essex, ON N8M 1A8

Dear Mayor and Members of Council,

I am writing regarding the proposed sale of the recently declared-surplus Colchester Schoolhouse located at 195 Bagot Street, Colchester. As background, I grew up in Colchester and my family has been in the village since 1985. I am now located in a community outside of Toronto where I work as a heritage planner and consultant.

I am not opposed to the private proposal for the property but have concerns with the existing lack of property oversight in place and believe that Council should move to issue a Notice of Intention to Designate the property under Part IV of the *Ontario Heritage Act* as a means to ensure its protection long term and avoid unsympathetic alterations in the future. As such, I support the recommendations made by the Town's Heritage Committee on January 14, 2021.

As it stands, there are no protectionary policies or legislation in place to ensure that the Colchester Schoolhouse will be adequately conserved or properly maintained long term. Although it is understood that the potential purchaser/developer does not intend to demolish the building, under the property's current status there are many other changes that can be carried out to compromise the character and value of the building and wider property outside of demolition.

At the December 21, 2020 Council Meeting, in response to questions from Councillor Garon, Council members were advised from that the property's listed status on the Heritage Register afforded the Town oversight on any changes to the property such as roof replacement, cladding changes, or painting. Staff advised:

"As a listed property, the building itself as well as any exterior work such as repairs, or painting would need to go through the Heritage Committee. It's still considered a historically significant structure and could not... for example, a blue steeple could not be put up on this building whatsoever."

Unfortunately, this is incorrect. The property's current status as a listed property *only* affords the Town a temporary hold (60-day notification period) on *demolition*, it does not allow for oversight on any changes to the building, outside of demolition, nor does it in fact guarantee that the building will be preserved should no action be taken by Council during the 60-day abeyance period.¹ As it stands, there is no applicable law in place to regulate changes to the building or withhold any active building permits, outside of demolition of the entire building.

For example, if the sale were to occur, the Town could not stop a new owner from:

- Covering the red brick in vinyl siding.

¹ Section 27(3), Part IV, *Ontario Heritage Act* R.S.O. 1990, c. O.18

- Parging the brick with cement or removing sections of the exterior.
- Painting over the red brick a new colour.
- Removing the school bell.
- Adding stark, incompatible additions.

It is understood that the developer would require a Zoning By-law Amendment to successfully convert the property to a residential use (involving a public consultation process). But, those changes may or may not even trigger the design review process involved in site plan control if they fall below the exemption threshold outlined within the Official Plan, notably residential development involving less than 6 units or additions less than 20% of building GFA.

The designation of the property would enable the following:

- Long term protection of the property's heritage attributes.
- Detailed review of changes to the building through the Heritage Permit process.
- Ability for the Town to ensure that changes are in keeping with best practices for building conservation and are contextually sensitive to the area.
- Public commemoration of the subject property.
- Owner eligibility for the Town's Heritage Grant Program.

It is also worth mentioning that, under the Heritage Permit process, not all alterations would be regulated. Typically, minor alterations, or changes to non-heritage features (such as replacing modern roof materials) would be exempt.

There is no doubt that the property clearly meets the criteria for designation outlined in *Ontario Regulation 9/06*, so initiating the process would simply involve directing staff to issue a Notice, as per Section 29 of the *Ontario Heritage Act*. The area represents a unique historic precinct with a significant collection of public buildings and heritage resources significant to Colchester. Preserving the schoolhouse does not simply involve avoiding demolition, it also involves contextually sensitive planning. For example, the heritage value of the schoolhouse would significantly be compromised if a private owner was successful in infilling the lot with additional buildings that blocked key views to the structure or that were incompatible with the schoolhouse in terms of design.

To close, **I encourage Council to support the recommendations made by the Heritage Committee and issue a Notice of Intention to Designate pursuant to Section 29 of the *Ontario Heritage Act*.** This measure will provide the Town the ability to retain some input on future changes to the building and property, should it be sold into private ownership.

Sincerely,



Jeremy Parsons

Heritage Planner and Consultant