



TECHNICAL MEMORANDUM

DATE March 5, 2025

Project No. CA0006255.2409

TO Tammie Ryall, Corporate Leader- Growth and Sustainability
Municipality of Lakeshore

CC Matt Alexander, MCIP, RPP Practice Lead Planning, Landscape Architecture and Urban Design

FROM Vibhuti Joshi, Cultural Heritage Specialist;
Kanika Kaushal, Senior Cultural Heritage Specialist;
Heidy Schopf, Cultural Heritage Team Lead

EMAIL Vibhuti.joshi@wsp.com
Kanika.Kaushal@wsp.com
Heidy.Schopf@wsp.com

**RE: HERITAGE PLANNING ADMINISTRATIVE PROCESS FOR DESIGNATED HERITAGE PROPERTY -
ST. JOACHIM CHURCH (2722 COUNTY ROAD 42), LAKESHORE, ON**

1 INTRODUCTION

WSP Canada Inc. (WSP) was retained by the Municipality of Lakeshore (the Client) to prepare a Cultural Heritage Memorandum (the memo) for the St. Joachim Church located at 2722 County Road 42, The Municipality of Lakeshore of Lakeshore, Ontario (the subject property). The subject property is currently under the ownership of a non-profit group of volunteers, previously acquired from the Roman Catholic Diocese of London. The subject property contains a Vernacular church with French Canadian Roman Catholic architectural influences that was built in 1881 and remodeled in 1891. The subject property is designated under Part IV of the *Ontario Heritage Act* through by-law 130-2007 APPENDIX A. At present, the church on the subject property is unoccupied but renovations have been proposed so that the church could be repurposed for a new use.

As shared by the Municipality of Lakeshore staff during virtual meeting held on November 25, 2024, alterations and maintenance updates are proposed to the subject property. To facilitate this redevelopment work, the client has requested WSP to advise of heritage administrative process to guide both the Client and the applicant on next steps.

This memorandum provides an overview of the Municipality of Lakeshore's heritage conservation process and is structured as follows:

- 1) **Section 1 (Introduction):** Provides context for the heritage planning process review;
- 2) **Section 2 (Planning Policy Framework):** Outlines the provincial and municipal planning framework, which informs decisions that affect land use planning matters, including key changes since the Official Plan was last reviewed;
- 3) **Section 3 (Recommended Heritage Planning Administrative):** To outline the administrative process for the subject property to manage and preserve the cultural heritage value of St. Joachim Church amidst proposed developments or alterations, in accordance with the *Ontario Heritage Act*. This section provides direction on the following

- Review of the existing designation by-law No. 130-2007 APPENDIX A);
- Requirements of a Heritage Permit Application (HPA);
- A subject property specific Terms of References to guide both the Client and the applicant regarding the contents of a Heritage Impact Assessment (HIA), which will form part of a future HPA. This HPA will be reviewed by the Municipality of Lakeshore Staff, Heritage Committee (if established) and subsequently approved by Council.

2 PLANNING POLICY FRAMEWORK

Heritage properties are subject to provincial and municipal planning and policy requirements, as well as guidance developed at the federal and international levels. These have varying levels of authority at the local level, though generally are all considered when making decisions about heritage properties.

2.1 Provincial Legislation and Policies

2.1.1 Planning Act

Development and land use on privately owned or municipally owned property in Ontario is subject to the *Planning Act*, R.S.O. 1990, c.P.13 (Government of Ontario 1990a). The *Planning Act* lays out the “ground rules” for land use planning in Ontario and includes direction for the provincial and local administration on planning matters in the province. The *Planning Act* also enables municipalities to develop Official Plans, which are to set goals, objectives, and policies to manage and direct local land use (Government of Ontario 1990b). Under the *Planning Act*, planning authorities are responsible for local planning decisions and creating local planning documents (i.e. Official Plans, Secondary Plans, and Heritage Conservation District Plans) that are consistent with the Provincial Planning Statement (PPS) and other applicable provincial legislation, such as the *Ontario Heritage Act*.

2.1.2 Provincial Planning Statement

The PPS (2024) prioritizes the long-term conservation of the Province’s cultural heritage resources, including built heritage resources, cultural heritage landscapes, and archaeological resources as they provide environmental, economic and social benefits. It is in the provincial interest to protect and utilize these resources effectively over a long term. Section 6.2 states:

- 4) A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
- 3) Managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;

Section 4.6 also details the conservation of cultural heritage and archaeology through the following five (5) policies:

- 1) Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- 5) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

- 6) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 7) Planning authorities are encouraged to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.
- 8) Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

2.1.3 Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O. 1990, c. O.18, gives municipalities and the provincial government powers to protect heritage properties and archaeological sites (Government of Ontario 1990b). For provincially owned and administered heritage properties, compliance with the Ministry of Citizenship and Multiculturalism (MCM) Standards and Guidelines for the Conservation of Provincial Heritage Properties (MCM S&Gs) is mandatory under Part III of the *Ontario Heritage Act* and holds the same authority for ministries and prescribed public bodies as a Management Board or Cabinet directive.

For municipalities, Part IV and Part V of the *Ontario Heritage Act* empowers council to “designate” individual properties (Part IV) or properties within a Heritage Conservation District (HCD; Part V), as being of “cultural heritage value or interest” (CHVI). Evaluation for CHVI under the *Ontario Heritage Act* at the municipal level is guided by Ontario Regulation (O. Reg.) 9/06, which prescribes the criteria for determining CHVI. O. Reg. 9/06 includes nine criteria:

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

A property needs to meet two criterion of O. Reg. 9/06 to be considered for designation under Part IV of the *Ontario Heritage Act*. If found to meet two or more criterion, the property's CHVI is then described with a Statement of Cultural Heritage Value or Interest (SCHVI) that includes a brief property description, a succinct statement of the property's cultural heritage significance, and a list of its heritage attributes. In the *Ontario Heritage Act*, heritage attributes are defined slightly differently to the PPS 2024 and directly linked to real property. Therefore, the CHVI of a property applies to the entire land parcel, not just individual buildings or structures.

Once a municipal council decides to designate a property, it is recognized through a by-law and added to a "Register" maintained by the municipal clerk. A municipality may also "list" a property on the Register to indicate it as having potential cultural heritage value or interest. At present, the subject property is designated under Part IV of the *Ontario Heritage Act* through by-law 130-2007.

2.1.4 More Homes Built Faster Act (Bill 23)

Bill 23 was passed by the provincial government and received royal assent on November 28, 2022. Schedule 6 of Bill 23 amends the *Ontario Heritage Act*, which impacts processes and planning approvals related to listed and designated heritage properties. The amendments came into effect on January 1, 2023, and all municipalities are required to comply with the changes. A high-level summary of the changes to the *Ontario Heritage Act* made through Bill 23 are summarized below (ERO 2024):

- Designation
 - A Notice of Intention to Designate (NOID) may only be issued for properties that are on a municipal heritage register.
 - A property must meet two or more criteria of O. Reg. 9/06 to be designated under Part IV of the *Ontario Heritage Act*

Based on the review of the *Ontario Heritage Act*, the changes introduced through Bill 23 are mainly process/or procedural related; however, the following key recommendations should be considered for the subject property:

- The existing conditions of the property have been altered since the designating by-law was approved in 2007. Accordingly, by-law No. 130-2007 may require an update to ensure that the list of heritage attributes reflects the current condition of the property.

2.1.4.1 Alteration of Building Used for Religious Practices

Recent amendments to *Ontario Heritage Act* provided an alternative processing stream for applications related to buildings for religious purposes. This includes buildings where the primary purpose is for spiritual practice or worship, including Indigenous spiritual practice. Applications to alter a building or portion of a building used for religious or spiritual practices are approved without conditions if the following conditions are met within the prescribed timelines under the *Ontario Heritage Act*:

- The building or part of it is primarily used for religious practice
- The heritage attributes to be altered are connected to religious practices
- The alteration is required for religious practices

- Applicant provides an affidavit or sworn declaration to the council confirming the application meets the conditions in the Act.

These changes are proposed to ensure the continuity of religious practices or Indigenous religious or spiritual practices with limited interruptions should an alteration is required. Applications should be approved without conditions if they meet specific criteria related to religious use and practices.

The timelines have been shortened to 60 days instead of 90 days of processing time. However, these provisions do not apply to applications for additions to buildings used for religious practices.

2.2 Municipal Legislation and Policies

2.2.1 The Town of Lakeshore Official Plan (Approved November 22, 2010)

The Town of Lakeshore Official Plan (Official Plan) (Town of Lakeshore 2010) provides policy direction regarding protection and enhancement of the Town's identity and history through careful management of cultural heritage resources for the benefit of the community.

Section 4.2.3.1 Cultural Heritage Resources of the Town's Official Plan contains policies applicable to heritage conservation as listed below:

- a) Town will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the *Ontario Heritage Act* to do so.
- g) The Town will also maintain a list of properties worthy of designating under the *Ontario Heritage Act* and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
- h) The Town will encourage the preservation and enhancement of the unique cultural and heritage significance of the francophone community in Stoney Point/Point-AuxRoches.
- j) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

Similarly, Section 4.2.3.3 Heritage Properties or Districts and Section 4.2.3.5 Development Policies include the following policies for designating certain properties and managing cultural heritage resources at the time of development applications:

4.2.3.3 Heritage Properties or Districts

- a) The Town may utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the Town through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites.

4.2.3.5 Development Policies

- a) New development and redevelopment will have regard for heritage resources and will, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or re-development within the Town.

- b) The Town will encourage the conservation and protection of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources through conditions of consent and subdivision approval and agreements.
- c) In areas considered to be of architectural or historical value, the Town will encourage the preservation of the architectural or historical buildings or sites to be included in proposals for redevelopment, intensification or infill.
- d) The Town may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration of a historical facility.
- e) The Town will, when appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the Zoning By-law to facilitate the retention of heritage resources.
- f) The Town will ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition applications for designated heritage properties.
- g) The Town will ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation will be the responsibility of the applicant in consultation with the Heritage Committee and the Ministry of Culture.
- h) The Town will ensure that development and site alteration on land adjacent to a designated heritage resource is evaluated and that it is demonstrated that the heritage attributes of the designated heritage resource will be conserved. (Official Plan) (Town of Lakeshore 2010).

3 HERITAGE ADMINISTRATIVE PLANNING PROCESS FOR ST. JOACHIM CHURCH

This section outlines the administrative process to manage and preserve the cultural heritage value of St. Joachim Church amidst proposed developments or alterations, in accordance with the *Ontario Heritage Act* and The Municipality of Lakeshore's municipal policies.

3.1 Review of Designation-Bylaw

Per Section 30.1 (1) of the *Ontario Heritage Act*, the council of a municipality may, through a by-law, amend a designating by-law drafted under Section 29 for various reasons be it updating the legal description of the property, correcting the statement of cultural heritage value, or the description of the property's heritage attributes, or to revise the by-law to make it consistent with the *Ontario Heritage Act* requirements.

The property owner may also initiate the process to amend the designation by-law. Planning staff shall put forward a staff report for the council, recommending updates to the legal description and the description of heritage attributes. Generally, the staff report shall include background information, historical summary, and a statement of cultural heritage value. Per the *Ontario Heritage Act*, council is the decision-making authority. If council consents to the recommendation report per Section 30.1 (1) of the *Ontario Heritage Act*, a notice will be served on the property owner. However, if owner initiates the amendment, it is expected that there will be no

objections received from the owner. In that case, once the 30-day objection period ends, council may either withdraw the amendment or pass the amended designation by-law. The municipal clerk will then register the amending by-law on the title of the affected property. Planning staff will determine all administrative costs and issue notices accordingly.

At present, the designating by-law for the St. Joachim Church is out of date since existing conditions of the property have changed. The purpose of amending the Schedule 'A', and Schedule 'B' of the heritage designation by-law 130-2007 (APPENDIX A) for the St. Joachim Church is to correct the legal description and the description of heritage attributes. For instance, one of the required updates is to remove references to the monument, known as the Sacred Heart of Jesus, formerly associated with the church. As shared by the Client, the monument has been relocated to a nearby cemetery, a different lot (2712 County Road) located to the west of the St. Joachim Church at 2722 County Road 42. (APPENDIX B) The purpose of this amendment would be to update the Statement of Cultural Heritage Value and heritage attributes per existing conditions. This will offer clarity regarding which elements of the St. Joachim Church warrant conservation as heritage attributes.

In addition, the municipality may consider designating the cemetery at 2712 County Road located to the west of the St. Joachim Church at 2722 County Road 42 since this property contains historical burials and the relocated 'Sacred Heart of Jesus' monument. While designation of this property is not required or triggered by the relocation of the monument, the protection of this property through Part IV designation would serve to protect a known heritage resource and landscape elements associated with the cemetery. Should planning staff pursue designation, then a heritage evaluation of 2712 County Road is required to establish whether the property meets the criteria of O. Reg. 9/06 of the *Ontario Heritage Act*, draft a statement of cultural heritage value, and generate a list of heritage attributes. Following this, staff may present a designation report to the Council to designate 2712 County Road under Part IV of the *Ontario Heritage Act*. The designation report should include an updated statement of cultural heritage value, with a description of heritage attributes. Per the *Ontario Heritage Act* (Section 29, Subsection 1), council may consent to the designation by issuing a new designation by-law 2712 County Road meets the prescribed in O. Reg. 9/06.

Since the Municipality of Lakeshore does not have a municipal heritage committee, council will be the decision-making authority. Once council consents to the designation of 2712 County Road, a notice of intention to designate the property shall be circulated to the property owner, Ontario Heritage Trust, and the public. This notice must be published in a local newspaper and may also be published on the municipal website.

If no objections received within 30 days, planning staff may prepare a designation by-law for Council approval.

Designation By-Law Amendment Process

- 1) **Notice of Proposed Amendment:** Planning staff are required to notify the property owner of the proposed amendment and inform them of their right to object by filing a notice of objection with the municipal clerk within 30 days of receiving the notice. If owner initiates the amendment, planning staff is still required to and inform them of their right to object.
- 2) **Objection Period:** If no objection is received within 30 days, the Council may proceed with passing the amending by-law. If an objection is submitted, the Council must consider it within 90 days of the objection period ending. The Council can then decide to withdraw the notice or pass the amending by-law.

- a. **Notification and Appeal:** A copy of the notice of the passing of the amendment and the amending by-law should be provided to the property owner, the Ontario Heritage Trust, and published in the local newspaper. The owner has 30 days from the notice date to appeal the decision to the Ontario Land Tribunal (OLT), which can dismiss the appeal, amend, or repeal the designation by-law.
- b. If no appeals are received by the end of the appeal period, the amending by-law comes into force. The municipal clerk will then register the amending by-law on the title of the affected property. Planning staff will determine all administrative costs and issue notices accordingly.

3.2 Heritage Permit Application

3.2.1 What is a Heritage Permit?

As a protected heritage property, the property owner is required to consult the Municipality of Lakeshore in advance of any alterations, construction, or demolition within the subject property per Section 33 of the *Ontario Heritage Act*. If the proposed work will affect the heritage attributes of the property, then approval from the municipality is required in the form of a heritage permit.

Once the heritage permit application is submitted, the council has the authority to approve, with terms or conditions or refuse the application. Since there is no municipal heritage committee at present, The Municipality of Lakeshore Staff would directly reach out to council for their approval/ refusal of the application.

Additionally, some alterations may also require a building permit from the municipality. Per the Municipality of Lakeshore's building permit process, property owner is responsible to contact building permit division to determine whether a building permit is required for their scope of work (Municipality of Lakeshore 2021). Building permits can be issued only after a heritage permit application is approved.

Presently, the Municipality of Lakeshore does not include have a heritage permit form or process posted on their website. It is recommended that a heritage permit form be posted on the municipal website to guide future applicants who are seeking approval to alter a designated heritage property.

3.2.2 When is a Heritage Permit Required?

According to the *Ontario Heritage Act* (Section 33, Subsection 1):

33 (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration. 2019, c. 9, Sched. 11, s. 11.

According to the *Ontario Heritage Act* (Section 34, Subsection 1):

34 (1) No owner of property designated under section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:

1. Demolish or remove, or permit the demolition or removal of, any of the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.

2. 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 the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be. 2019, c. 9, Sched. 11, s. 12.

In the case of the subject property, a heritage permit would be required for any proposed alteration to the St. Joachim Church, any changes to the exterior and interior of the church (as identified in the designating By-law 130-2007), and for an amendment of the heritage designating by-law 130-2007. A heritage permit may not be required for minor works that do not impact the St. Joachim church's heritage attributes (both exterior and interior) such as:

- i) Routine maintenance and minor repairs to exterior/interior features
- ii) Re-painting of architectural elements in the same color
- iii) Soft landscape work

The applicant can request for a pre-consultation meeting with the Municipality of Lakeshore staff to confirm if the proposed works would require a heritage permit. Due to recent changes to the *Ontario Heritage Act* removal or demolition of a heritage attribute and/or structure on a Part IV property shall require a notice of intention to demolish to be submitted. Planning staff should be contacted in this case.

3.2.3 What is the Heritage Permit Application Process?

As a first step, a pre-consultation meeting is recommended between the applicant and the planning staff to discuss the proposed development or alterations. During pre-consultation, the applicant shall be required to submit a completed application form (if applicable), along with all relevant information or materials as required by The Municipality of Lakeshore Staff and Council (e.g. drawings, photographs, and a Heritage Impact Assessment) to support the heritage permit application.

Generally, the heritage permit application should include:

- a) A site plan/ survey plan of the property including the relevant setbacks, structures, distances from adjacent properties, and location of proposed work in relation to existing structures and heritage attributes within the property.
- i) Architectural drawings to illustrate the proposed development or alterations, which may include elevations, floor plans, new materials, 3d drawings, and contextual streetscape drawings.
- j) Photographs of building exterior (all building elevations, streetscape, neighbouring properties), and heritage attributes.
- k) Visual samples/ reference photos of materials proposed e.g. Windows, roofing materials, cladding materials etc.
- l) A Heritage Impact Assessment.

3.3 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) is required in support of *Planning Act* applications, as recommended by the Municipality of Lakeshore's Official Plan policies in section 4.2.3.5 Development Policies. Since the church is protected under the *Ontario Heritage Act* any future development planning applications for the subject property will require an HIA. These include, but are not limited to:

- Official Plan Amendment
- Zoning by-law Amendment
- Draft Plan of Subdivision
- Site Plan Control
- Consent and/or Minor Variance applications for properties adjacent to the church.

In line with the heritage permit application process, the need for a HIA and supporting materials is to be determined by the Municipality of Lakeshore's planners through the pre-consultation process. The purpose of a HIA is to evaluate impacts of the proposed development or alterations to the heritage attributes of the property and recommend conservation strategies and mitigation measures to eliminate or reduce the impacts.

3.3.1 Who should prepare a Heritage Impact Assessment?

The HIA must be prepared by a qualified person who is a professional member of the Canadian Association of Heritage Professionals (CAHP). All supporting reports and drawings must be stamped and/or signed and dated by a qualified professional, licensed in the Province of Ontario.

3.3.2 What does a Heritage Impact Assessment contain?

At present, the Municipality of Lakeshore does not have a term of reference (ToR) for preparing HIAs. Accordingly, the HIA should be prepared in accordance with the Ministry of Citizenship and Multiculturalism (MCM) Info Sheet #5 of the *Ontario Heritage Tool Kit* (MCM 2006). The HIA may be further informed by the MCM's *Heritage Property Evaluation: A Guide to Listing, Researching, and Evaluating Cultural Heritage Property in Ontario Communities* (2006), the *Standards & Guidelines for Conservation of Provincial Heritage Properties: Heritage Identification and Evaluation Process* (MCM 2014), and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Canada's Historic Places 2010).

The overall purpose of an HIA is to assess the impacts of a proposed development or alterations on the heritage attributes of a property and identify conservation strategies and mitigation measures to eliminate or reduce the impacts.

A suggested outline for an HIA includes:

- 1) Introduction
- 2) Methodology
- 3) Information Gathering
- 4) Background Research

- a) Indigenous History
 - b) Township Survey and Settlement
 - c) Property History
 - d) Review of Historical Maps, Aerial Imagery, and Archival Photography
- 5) Existing Conditions
- a) Property Context
 - b) Building Exterior
 - c) Building Interior
 - d) Landscape Elements
- 6) Heritage Evaluation
- a) O. Reg. 9/06 Evaluation
 - b) Statement of Cultural Heritage Value
 - i. Description of Property
 - ii. Statement of Cultural Heritage Value
 - iii. Heritage Attributes
- 7) Impact Assessment
- a) Description of Proposed Work
 - b) Assessment of Potential Impacts
- 8) Considered Alternatives and Mitigation Measures
- 9) Recommendations
- 10) References Cited

APPENDIX (to include supporting documentation)

WSP notes that if a property is designated under Part IV of the *Ontario Heritage Act* and has an approved statement of cultural heritage value contained in a by-law, then the suggested HIA outline may be scoped to focus on the known heritage value of the property. Historical background research and a new heritage evaluation may not be warranted.

4 ACTION PLAN AND NEXT STEPS

The following table provides an action plan of the heritage planning administrative process proposed for the St. Joachim Church and acts as responsibility matrix to guide the Municipality of Lakeshore and applicant regarding next steps.

Table 1: Action Plan for St. Joachim Church (2722 County Road 42)

Action	Description	Responsibility
Designation by-law update	Review and update by-law 130-2007 (APPENDIX A) to ensure that the heritage attributes are representative of the existing conditions of the subject property.	The Municipality of Lakeshore (Planning Staff)
Heritage Permit Application Form and Guidance	Post a heritage permit application form on the municipal website or provide the form to the applicant.	The Municipality of Lakeshore of Lakeshore (Planning Staff)
Pre-Application Meeting	The applicant may request a pre-application meeting to discuss the proposed alterations to the subject property and confirm whether a heritage permit is required. Planning staff must also identify whether other permits (e.g. building permit or demolition permit) are required.	The Municipality of Lakeshore (Planning Staff) Applicant
Heritage Permit Application	The applicant must prepare a heritage permit application in accordance with the requirements identified by the Municipality of Lakeshore. The application must include the following supporting material: a) Site Plan: A site plan/ survey plan of the property including the relevant setbacks, structures, distances from adjacent properties, and location of proposed work in relation to existing structures and heritage attributes within the property. b) Architectural Drawings: Architectural drawings to illustrate the proposed development or alterations, which may include elevations, floor plans, new materials, 3d drawings, and contextual streetscape drawings. c) Site Photographs: Photographs of building exterior (all building elevations, streetscape, neighbouring properties), and heritage attributes. d) Visual Samples: Visual samples/ reference photos of materials proposed e.g. Windows, roofing materials, cladding materials etc. e) Heritage Impact Assessment: A Heritage Impact Assessment prepared by a qualified heritage specialist with professional CAHP accreditation.	Applicant
Heritage Permit Approval	Once received, the heritage permit application must be reviewed by The Municipality of Lakeshore planning staff for review and acceptance. Once accepted by Planning Staff, the heritage permit must be approved by The Municipality of Lakeshore Council.	The Municipality of Lakeshore (Council)

5 CLOSURE

We trust that the information presented in this memo meets your current requirements. Should you have any questions, or concerns, please do not hesitate to contact the undersigned.

WSP Canada Inc.



Vibhuti Joshi, BArch, MArch, CAHP-Intern
Cultural Heritage Specialist



Heidi Schopf, MES, CAHP
Cultural Heritage Team Lead

VJ/HS/mp

Attachments: Appendix A - Designation By-Law 134-2007
Appendix B - Notice of Decision to Consent: 2722 County Road 42- Monument at St. Joachim
Church, Sacred Heart of Jesus ("the monument")

[https://wsponlinecan.sharepoint.com/sites/ca-onarchandch/shared documents/cultural heritage/01_working_files/01_projects/2024/ca0006255.2409 municipality of lakeshore - heritage memos/1. st. joachim church heritage memo/revised draft as per municipality's comments/ca0006255.2409_tm_rev0_lakeshore_ch_stjoachimchurch_final_05mar2025.docx](https://wsponlinecan.sharepoint.com/sites/ca-onarchandch/shared%20documents/cultural%20heritage/01_working_files/01_projects/2024/ca0006255.2409%20municipality%20of%20lakeshore%20-%20heritage%20memos/1.%20st.%20joachim%20church%20heritage%20memo/revised%20draft%20as%20per%20municipality's%20comments/ca0006255.2409_tm_rev0_lakeshore_ch_stjoachimchurch_final_05mar2025.docx)

REFERENCES

Environmental Registry Ontario (ERO)

- 2024 *Proposed changes to the Ontario Heritage Act and O.Reg. 385/21 General with respect to certain alteration requests*. Available online: [Proposed changes to the Ontario Heritage Act and O.Reg. 385/21 General with respect to certain alteration requests | Environmental Registry of Ontario](#)
Last accessed December 2, 2024.

Government of Ontario

- 1990a *Ontario Heritage Act*. Available online: [Ontario Heritage Act, R.S.O. 1990, c. O.18 | ontario.ca](#).
Last accessed November 28, 2024.
- 1990b *O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest*. Available online: [O. Reg. 9/06: CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST \(ontario.ca\)](#). Last accessed November 28, 2024.
- 2006 *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement*. Ministry of Citizenship and Multiculturalism. Retrieved from: http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_Heritage_PPS_infoSheet.pdf.
Last accessed January 16, 2025.
- 2022a *O. Reg 569/22: Amending O. Reg. 9/06 (Criteria for Determining Cultural Heritage Value or Interest)*. Last amended December 31, 2022. Retrieved from: <https://www.ontario.ca/laws/regulation/R22569>
- 2024 *Provincial Planning Statement, 2024*. Available online: [Provincial Planning Statement, 2024](#). Last accessed November 28, 2024.

Ministry of Citizenship and Multiculturalism (MCM)

- 2010 *Standards and Guidelines for the Conservation of Provincial Heritage Properties*.
- 2012 *Eight Guiding Principles in the Conservation of Historic Properties*. Retrieved from: https://www.heritagetrust.on.ca/user_assets/documents/HIS-005-Eight-guiding-principles-in-the-conservation-of-historic-properties-ENG.pdf.
- 2014 *Standards and Guidelines for Conservation of Provincial Heritage Properties: Identification and Evaluation Process*.
- 2016 *Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes: A Checklist for the Non-Specialist*. Retrieved from: <https://forms.mgcs.gov.on.ca/dataset/021-0500/resource/992f3844-62a5-4091-9e08-ce406dc57850>
- 2017 *Information Bulletin 3: Heritage Impact Assessments for Provincial Heritage Properties*.

Municipality of Lakeshore

- 1989 *Current Official Plan of the Municipality of Lakeshore*. Retrieved from: [1408234-001 Lakeshore OP_Cov_OMB Approved.cdr](#), Last accessed November 28, 2024.

- 2008 *By-law to Designate part of the lands and buildings at 2722 County Road 42, in the village of St. Joachim to be of architectural and historical value under Part IV of the Ontario Heritage Act.* Available online: <https://www.heritagetrust.on.ca/oha/details/file?id=1030> Last accessed December 2, 2024.
- 2019 *Notice of Decision to Consent: 2722 County Road 42- Monument at St. Joachim Church, Sacred Heart of Jesus ("the monument").* Retrieved from: [Notice-of-Decision-to-Consent-to-Newspaper.pdf](#). Last accessed December 2, 2024.

Parks Canada

- 2003 *The Standards & Guidelines for the Conservation of Historic Places in Canada* Retrieved from: [81468-parks-s+g-eng-web2.pdf](#). Last accessed December 2, 2024.

APPENDIX A

Designation By-Law 134-2007



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act e-Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre électronique, tenu aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.



Town of Lakeshore

Corporate Services

419 Notre Dame
Belle River ON
N0R 1A0

1-877-249-3367
(519) 728-2700
Fax: (519) 728-9530

January 15, 2008

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario M5C 1J3

To Whom It May Concern:

Enclosed you will find a copy of by-law 84-2007 and 130-2007 being the by-laws to designate both the St. Joachim Church and Annunciation Church.

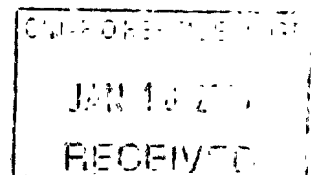
The owner of the two properties being the Diocese of London has been notified of the designation and a public notice has been placed in a newspaper, having general circulation in the Town of Lakeshore.

Should you require any further information with respect to the above, please feel free to contact the undersigned. I remain.

Yours truly,

Mary Masse, AMCT
Clerk

MM/jd



VISION STATEMENT

*A progressive Town of healthy,
Integrated communities*

MISSION STATEMENT

*To nurture a unified Town that sees
possibility, inspires innovation and
realizes potential*

CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW 130-2007

BEING A BY-LAW TO DESIGNATE PART OF THE LANDS AND BUILDINGS AT 2722 COUNTY ROAD 42, IN THE VILLAGE OF ST. JOACHIM TO BE OF ARCHITECTURAL AND HISTORICAL VALUE

WHEREAS The *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended authorizes the council of a municipality to enact by-laws to designate real property including all the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS The council of the Corporation of the Town of Lakeshore (the "Town") has caused to be served upon the owners of the lands and premises known municipally as 2722 County Road 42, in the Village of St. Joachim, Town of Lakeshore and upon the Ontario Heritage Trust notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having a general circulation in the municipality;

AND WHEREAS Notices of objection to the proposed designation were served upon the clerk of the municipality and a hearing was subsequently held by the Conservation Review Board;

AND WHEREAS Council for the Town reviewed the decision of the Conservation Review Board and has desires to the recommendations contained therein;

NOW THEREFORE the council of the Corporation of the Town of Lakeshore hereby enacts as follows:


1. The real property municipally known as part of 2722 County Road 42, in the Village of St. Joachim and Town of Lakeshore and more particularly described in Schedule "A", attached to and forming part of this by-law, including all of the buildings, structures and monuments located thereon, is hereby designated as being of architectural and historical value or interest.

2. The reasons for the aforementioned designation are set out in Schedule "B";


3. The Town solicitor is hereby authorized and directed to cause a copy of this By-law to be registered against the real property described in Schedule "A" in the proper land registry office.

4. The Town clerk is hereby authorized to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Trust and to cause notice of this By-law to be published in a newspaper having general circulation in the Town.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 11TH DAY OF DECEMBER, 2007.



Tom Bain, Mayor



Mary Masse, Clerk

Schedule "A"
To By-law 130-2007

Legal Description:

Part of Lot 'A',
Registered Plan 248,
Designated as Part 2 on reference plan 12R-23312
Town of Lakeshore,
County of Essex

Being part of PIN 75049-0178

Schedule "B"
To By-law 130-2007

Reasons for Designation

1. Design or Physical Value

St. Joachim Church, first built in 1881 and remodeled in 1891, is a simple but attractive architectural composition. Its white oak timber framework, erected by the parishioners of the Ruscom River area with direction from Elzéar Jacques of Tecumseh, and the outer brick walls (also built by local help) are interesting for their demonstration of local skill in felling, squaring and raising timber and laying brick. The construction method is neither early nor rare for Ontario, but it is representative of a vernacular building tradition from an early time in the development of the farms around the Ruscom River. Overlying the vernacular structure are architectural features reflective of the knowledge Father Ambroise Lorion, a Roman Catholic priest from Quebec, brought to St. Joachim River Ruscom in the westernmost region of Southern Ontario. Father Lorion's choice of the round Roman arch on the exterior and in the interior and his preference for a bell-tower with open belfry make St. Joachim Church an expression of French Canadian Roman Catholic tastes and traditions in architecture during the nineteenth century in the Town of Lakeshore and Essex County.

2. Historical or Associative Value

St. Joachim Church predates the laying out of village lots in St. Joachim, are not only important to the history of the Roman Catholic faith in the local area but also are central to the history of the village of St. Joachim. As the community was generally French Canadian and Roman Catholic, St. Joachim Church, its rectory (built in 1882 and remodeled about 1929) and the parish compound that developed to the west of the church and rectory served as the unrivalled institution in St. Joachim. Contrast the situation in St. Joachim to ethnically diverse or predominantly Protestant villages and small towns of nineteenth century Ontario where there were usually a number of churches – Anglican, Baptist, Methodist, Presbyterian, Roman Catholic, etc. That the religious monument erected in 1919 in front of the church served as the village war memorial is further proof of the paramount importance of the church property to the village and surrounding countryside.

3. Contextual Value

In his 1944 doctoral thesis on the geography of Essex County, Neil F. Morrison discusses the primacy of the church in the rural French Canadian landscape:

"In general, it may be said that the rural French-Canadian cultural structure rests upon four pillars – church, home, farm and language. The lofty spire of the Roman Catholic Church rises above the smaller French communities of Essex County and dominates the rural landscape just as it does in the Province of Quebec."

In the area encompassed by the Town of Lakeshore where there were at one time five French Catholic churches, St. Joachim Church best exemplifies the landmark status of the church in the French Canadian countryside. Sited nearly dead centre on Essex County Road 31 (French Line), the church is viewed in the almost treeless plain of northern Essex County from a considerable distance to the south. In addition to the church's visual significance in the surrounding countryside, the church is the dominant historic building in the village. The placement of the rectory and monument in a treed lawn west of the church contribute to the sense that the property functions as the village green.

Heritage Attributes

The church building and monument to the Sacred Heart of Jesus shall not be altered. More specifically the silhouette of the front façade of the church and all the surviving historic features including: the brick walls and limestone accents, the buttresses emphasising the three bay division, the round-arched openings characteristic of Roman Catholic churches, the slope of the roof, the spire and the characteristically French Canadian five-tiered bell-tower with open metal-clad belfry. Contributing to the historic character of the east and west elevations are the church's round-arched windows, the casement windows of the sacristy, the buttresses, brick and limestone wall materials and roof slope. In addition the chimney with decorative cap rising above the sanctuary's roof, the 1891 cornerstone and the date of 1929 inscribed in the parged foundation shall also not be altered.

In the interior of the church the five columns that separate the wider nave from the narrower isles, the barrel vault over the nave and the flat roofed side isles decorated with stylized crosses, the moulded cornice beams dividing the vaulted ceiling from the flat roofed side aisles, the gallery balustrade, the round-arched windows emitting natural light, the raised platform of the sanctuary, the tableau painted on a sanctuary wall by decorator Roland Jobin, the panelled wainscoting that skirts the sanctuary and the panelled embrasures around the doorways into the sacristy and the sacristy's casement windows shall also not be altered.

The monument to the Sacred Heart of Jesus associated with the church was erected in 1919 and serves as the village war memorial. Important features of the monument that shall not be altered are the figure of Christ, the limestone column, the embossed cross, the date and letters and the plaque inscribe with the names of servicemen.

APPENDIX B

Notice of Decision to Consent: 2722
County Road 42- Monument at St.
Joachim Church, Sacred Heart of
Jesus (“the monument”)



Notice of Decision to Consent

2722 County Road 42 – Monument at St. Joachim Church

Sacred Heart of Jesus (“the monument”)

Roman Catholic Diocese of London

Heritage Permit Application for Removal of a Structure pursuant to subsection 34(2) of The Ontario Heritage Act, R.S.O.1990, c.18

TAKE NOTICE that Lakeshore Town Council, on September 24, 2019, passed a resolution to permit the removal and relocation of the structure, known as the Sacred Heart of Jesus (the monument), located at 2722 County Road 42, to the nearby cemetery to the west, subject to the terms and conditions noted below:

The owner provide a detailed dismantling, storage and reconstruction plan to the satisfaction of the Manager of Development Services and Manager of Building Services.

The subject site is designated under Part IV of the Ontario Heritage Act and the monument is a heritage attribute of the property. Any inquiries may be directed to Kim Darroch, M.PL., MCIP, RPP, Manager of Development Services for the Planning Division, at 519-728-2700, ext. 245 or kdarroch@lakeshore.ca

Kristen Newman, Director of Legislative and Legal Services - Clerk
Town of Lakeshore
419 Notre Dame Street, Belle River, ON N0R 1A0

Key Map

