

January 31, 2024

File 12-04

The City of Oshawa
50 Centre Street South
Oshawa, ON L1H 3ZY

**Re: Designation of the Memorial Park at 110 Simcoe Street South, Oshawa, Ontario
under Section 29, Part IV of the *Ontario Heritage Act***

I confirm that the Council of The Corporation of the City of Oshawa passed By-law 10-2024 on January 29, 2024 to designate the property municipally known as 110 Simcoe Street South, containing the Memorial Park, specifically:

PIN 16353-0167 (LT) LOTS 1 TO 12, BLOCK K, PLAN H50004 OSHAWA

as being of cultural heritage value or interest. Schedule "A" to By-law 10-2024 is a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.

Please find served upon you pursuant to subsection 29(8) of the *Ontario Heritage Act* a copy of By-law 10-2024, including Schedule "A" thereto.

Any person may, on or before the 1st day of March, 2024, send by registered mail or deliver to the City Clerk, notice of appeal setting out their objection to By-Law 10-2024, together with a statement of their reasons in support of their objection and the associated fee charged by the Ontario Land Tribunal. If a notice of appeal is received by the City Clerk, the Council of the City of Oshawa will, within 15 days of receipt, refer the notice of appeal to the Ontario Land Tribunal for a hearing and a decision.

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If you require further information or clarification, please contact me at the address shown or by telephone at (905) 436-3311, extension 2697 or by email to hwhilsmith@oshawa.ca.



Harrison Whilsmith, Planner A
Policy, Planning Services

Attachment

- c. Sam Yoon, City Solicitor
Ontario Heritage Trust
10 Adelaide Street West
Toronto, ON M5C 1J3

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**By-law 10-2024
of The Corporation of the City of Oshawa**

Being a by-law to designate the property municipally known as 110 Simcoe Street South, specifically PIN 16353-0167 (LT) Lots 1 TO 12, Block K, Plan H50004 Oshawa, as being of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.

Whereas Section 29, Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 (the "Heritage Act") authorizes the Council of a municipality to enact by-laws to designate a property to be of cultural heritage value or interest; and,

Whereas the Corporation of the City of Oshawa is the registered owner of the property municipally known as 110 Simcoe Street South in the City of Oshawa, legally described as PIN 16353-0167 (LT) Lots 1 to 12, Block K, Plan H50004 Oshawa (the "Subject Property"); and,

Whereas on October 30, 2023, pursuant to Report ED-23-196, City Council directed staff to initiate the process to designate the Subject Property under Part IV of the Heritage Act; and,

Whereas the Subject Property contains Memorial Park at 110 Simcoe Street South; and,

Whereas the statement of cultural heritage value or interest of the Subject Property has been described in Schedule "A" affixed to this bylaw; and,

Whereas on the basis of the cultural heritage value or interest outlined in Schedule "A" affixed hereto, Memorial Park meets the criteria for designation under Part IV of the Heritage Act, in accordance with Ontario Regulation 569/22 subsection 1(2), specifically criteria 1, 4, 6, 7, and 9; and,

Whereas on November 6, 2023, the City forwarded to the Ontario Heritage Trust and the registered owner of the Subject Property a Notice of Intention to Designate the Property; and,

Whereas Notice of Intention to Designate the Subject Property was posted on November 6, 2023 on the City of Oshawa website; and,

Whereas the last day for filing a Notice of Objection to the Notice of Intention to Designate the Subject Property was December 6, 2023; and,

Whereas the City did not receive any objections to the designation of the Subject Property within the aforementioned timeframe.

Therefore it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. The Subject Property, including its features which are described in Schedule "A" to this By-law, constituting the property municipally known as 110 Simcoe Street South, legally described as PIN 16353-0167 (LT) Lots 1 to 12, Block K, PLAN H50004 Oshawa is hereby designated as being of cultural heritage value or interest.
2. In accordance with the Heritage Act, an adequate description, a statement explaining the cultural heritage value or interest, and a description of the heritage attributes of the Subject Property are set out in Schedule "A" to this by-law.
3. Schedule "A" forms an integral part of this by-law.
4. A copy of this by-law shall be registered against the Subject Property in the Land Registry and Land Titles Offices for the Land Registry Division of Durham (No. 40).

5. The City Clerk is hereby authorized to serve a copy of this by-law on the Ontario Heritage Trust and the registered owner of the Subject Property, and to publish notice of the passing of this by-law.

By-law passed this twenty-ninth day of January, 2024.



Deputy Mayor



City Clerk

Schedule "A" to By-law Number 10-2024

Passed This Twenty-Ninth Day of January, 2024

Designation Statement and Description of Property

Location and Description of Property:

The property municipally known as 110 Simcoe Street South, site of Memorial Park, is located in downtown Oshawa and is bounded to the north by Metcalfe Street, to the east by Simcoe Street North, to the south by John Street West, and to the east by Centre Street South. The subject property is comprised of a flat open space with various built public features and landscaped elements, unveiled in 1924.

Legal Description:

The property at 110 Simcoe Street South to be designated under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18 is legally described as:

PIN 16353-0167 (LT) Lots 1 to 12, Block K, Plan H50004 Oshawa.

Statement of Cultural Heritage Value or Interest:

Memorial Park has physical value as a representative example of an urban public park built for the citizens of Oshawa. As its name indicates, Memorial Park contains several built features within the landscape which recognize and commemorate veterans and those who have been impacted by and/or have a connection to wartime events. This is primarily expressed in the 1924 War Memorial/Cenotaph and the surrounding designed landscape. The construction of the memorial was championed by Dr. T.E. Kaiser, with a cenotaph design by noted English-Canadian sculptor Alfred Howell and constructed by Mr. McIntosh Bros of Toronto. The memorial is constructed with stones collected from each battlefield with Canadian casualties during WWI (including Ypres, Vimy Ridge, St. Julien, Passchendaele, Arras, Rheims, Louvain and Mons), a piece of marble from Westminster Abbey, and a piece of the wartime residence of the Governor General of Canada.

Memorial Park contains a representative example of a bandstand, known as the McLaughlin Bandshell, which is a prominent feature within the park. The uniquely shaped, shell-like designed structure was built in 1942 of wood and steel and paid for as a gift by philanthropist and prominent Oshawa industrialist Colonel R.S. McLaughlin.

As a whole, Memorial Park has design and physical value as a designed cultural heritage landscape which displays design intent which is intended to facilitate the gathering of people and embodies and evokes commemoration and/or public celebration.

Memorial Park has historical value due to its direct association with the Pedlar family and Pedlar People Ltd which played an important role in Oshawa's industrial history. The Pedlar family owned and operated Pedlar People Ltd on the site from 1872 to 1921. At one point in time, Pedlar People Ltd was the largest manufacturer of sheet metal in the British Empire, particularly known for their roofing material. Pedlar People Ltd played an important role in World War II through its manufacturing of shells and cartridge casings that were finished at a separate facility in Ajax before being shipped overseas. They were a major industrial employer within the City of Oshawa until it closed in 1982.

Memorial Park is associated with Oshawa philanthropist and industrialist Colonel R.S. McLaughlin. Colonel R.S. McLaughlin donated the \$18,000 needed to construct the Bandshell, which is named in his honour.

Memorial Park is valued as a space to memorialize Oshawa residents who served in the Canadian Armed Forces during major conflicts. The War Memorial/Cenotaph includes the names of Oshawa residents who lost their lives during wartime. Additionally, there are commemorative murals depicting 130 years of the Ontario Regiment and a bronze statue presented by the Canadian Corp Association located throughout the park, which also reflect this historical association.

Memorial Park has associative value because it demonstrates the work of English born sculptor Alfred Howell, who designed the War Memorial/ Cenotaph in 1924. Alfred Howell is well known for his powerful and evocative war memorials, some of which are also located in Sault Ste. Marie and Guelph, Ontario, and Saint John, New Brunswick. He was a founding

member of the Sculptor's Society of Canada and has works that can be seen in the National Gallery in Ottawa.

The series of murals, commemorating 130 years of the Ontario Regiment, accurately and artistically depict details of Canadian military decorations, and were completed by John Hood in 1996. John Hood is an accomplished and award-winning Toronto artist who has been the recipient of several awards, including the Queen Elizabeth II Diamond Jubilee Medal for his body of mural work in Ontario.

Memorial Park has contextual value because it is important in defining the character of the area. The large park represents a green space in the City of Oshawa's urban core. The park has been used as a public place of gathering for almost 100 years and is home to several cultural and social events and performances including Oshawa's Remembrance Day ceremonies, Metis Festivals, Summer Concert Series, and many others.

Memorial Park is prominently situated in between Simcoe and Center Streets, both of which are major streets in Oshawa. The park's large, open and accessible footprint in the predominantly commercial core of downtown Oshawa, combined with frontage on major streets and its use as a park for over 100 years, is memorable and easily discernible for the public and establish the park as a landmark.

On the basis of the cultural heritage value or interest outlined above, the property at 110 Simcoe Street South meets the criteria for designation under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18, in accordance with Ontario Regulation 569/22 subsection 1(2), specifically criteria 1, 4, 6, 7, and 9.

Heritage Attributes:

The following heritage attributes of Memorial Park reflect the property's design and physical value as described in the Statement of Cultural Heritage Value or Interest:

- The entire 2.93-acre rectangular property known as Memorial Park;
- The McLaughlin Bandshell including elaborate details and the six-arch band roof which together form a shell-like design;
- The four full-size murals commemorating 130 years of service of Oshawa's Ontario Regiment by acclaimed Canadian painter John Hood;
- The War Memorial/Cenotaph with its curved stone monument topped by a bronze statue, with embedded stones of various colours and significant fragments from all over the world and bronze tablets inscribed with names of fallen soldiers;
- The raised stone garden surrounding the War Memorial/Cenotaph with inscribed stone which reads "The Garden of Unforgotten";
- The organized design of low stone walls surrounding the War Memorial/Cenotaph and found throughout the landscape;
- The unobstructed view of the War Memorial/Cenotaph from Simcoe Street South;
- The designed circulation patterns and pathways which create defined spaces of various shapes and sizes; and,
- The park-like setting, meandering pathways, and mature tree canopy.

The following heritage attributes of Memorial Park reflect the property's historical value as described in the Statement of Cultural Heritage Value or Interest:

- The location within Oshawa's urban core;
- The McLaughlin Bandshell including elaborate details and the six-arch band roof which together form a shell-like design;
- The four full-size murals commemorating 130 years of service of Oshawa's Ontario Regiment by acclaimed Canadian painter John Hood;
- The War Memorial/Cenotaph with its curved stone monument topped by a bronze statue,

with embedded stones of various colours and significant fragments from all over the world and bronze tablets inscribed with names of fallen soldiers;

- The raised stone garden surrounding the War Memorial/Cenotaph with inscribed stone which reads "The Garden of Unforgotten";
- The stone monument with bronze sculpture of a WWI soldier, acquired from the Canadian Corps; and,
- The monolithic stone monument commemorating St. Georges Memorial Church.

The following heritage attributes of Memorial Park reflect the property's associative value as described in the Statement of Cultural Heritage Value or Interest:

- The four full-size murals commemorating 130 years of service of Oshawa's Ontario Regiment by acclaimed Canadian painter John Hood; and,
- The War Memorial/Cenotaph with its curved stone monument topped by a bronze statue, with embedded stones of various colours and significant fragments from all over the world and bronze tablets inscribed with names of fallen soldiers.

The following heritage attributes of Memorial Park reflect the property's contextual value as described in the Statement of Cultural Heritage Value or Interest:

- The entire 2.93-acre rectangular property known as Memorial Park;
- The McLaughlin Bandshell including elaborate details and the six-arch band roof which together form a shell-like design;
- The four full-size murals commemorating 130 years of service of Oshawa's Ontario Regiment by acclaimed Canadian painter John Hood;
- The War Memorial/Cenotaph with its curved stone monument topped by a bronze statue, with embedded stones of various colours and significant fragments from all over the world and bronze tablets inscribed with names of fallen soldiers;
- The raised stone garden surrounding the War Memorial/Cenotaph with inscribed stone which reads "The Garden of Unforgotten";
- The organized design of low stone walls surrounding the War Memorial/Cenotaph and found throughout the landscape;
- The unobstructed view of the War Memorial/Cenotaph from Simcoe Street South;
- The designed circulation patterns and pathways which create defined spaces of various shapes and sizes; and,
- The park-like setting, meandering pathways, and mature tree canopy.

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