



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**.

file Kent

REGU/RECEIVED

1-6 -09- 2003

Notice of By-law to Designate Property
Under The Ontario Heritage Act

On August 5, 2003 the Council of the Municipality of Chatham-Kent passed By-law No. 185-2003 to designate 81 Stanley Avenue (Chatham Courthouse), Community of Chatham as a property of cultural heritage value and interest.

SEP 19 2003

Jan 28/04
RC

FOR OFFICE USE ONLY

0631261

CERTIFICATE OF REGISTRATION
CERTIFICAT D'ENREGISTREMENT
KENT (24) CHATHAM

'04 FEB 3 PM 3 58

Elinor Mifflin

LAND REGISTRAR/REGISTRAR

New Property Identifiers

Additional:
See
Schedule ☐

Executions

Additional:
See
Schedule ☐

(1) Registry ☒ Land Titles ☐

(2) Page 1 of 10 pages

(3) Property
Identifier(s)

Block

Property

Additional:
See
Schedule ☐

00502

0060

(4) Nature of Document

BY-LAW

185-2003 passed Aug 5/03

(5) Consideration

ONE

----- 00/100 Dollars \$ \$1.00

(6) Description

In the Former City of Chatham, in the County of Kent now in the
Municipality of Chatham-Kent and being composed of Block of land
marked "Gaol" on the plan known as Old Survey, in the said former
City of Chatham, more particularly described in Schedule "A"
attached

(7) This
Document
Contains

(a) Redescription
New Easement
Plan/Sketch ☐

(b) Schedule for:

Description ☒

Additional
Parties ☐

Other ☒

(8) This Document provides as follows:

See By-Law Attached

RECEIVED

MAR - 1 2004

HERITAGE & LIBRARIES BRANCH

The Order of the Restructuring Commission made under The Municipal Act, R.S.O. 1990 c.M. 45 amalgamating the
Municipalities which comprised The County of Kent with the City of Chatham and creating the new Municipality of
Chatham-Kent was registered on the 2nd day of June, 1998 as Instrument Number 582106.

Continued on Schedule ☒

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

THE CORPORATION OF THE
MUNICIPALITY OF CHATHAM-KENT

Signature(s)

Elinor Mifflin - Clerk

Date of Signature
Y M D

2004 01 28

(11) Address
for Service

P.O. Box 640, 315 King Street West, CHATHAM, Ontario, N7M 5K8

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

(13) Address
for Service

(14) Municipal Address of Property

81 Stanley Avenue
Chatham, Ontario

(15) Document Prepared by:

The Corporation of the Municipality
of Chatham-Kent, 315 King Street W,
P.O. Box 640, CHATHAM, Ontario,
N7M 5K8
(519) 360-1998

Fees and Tax

Registration Fee

60

Total

✓/RA

1

BY-LAW NUMBER 185-2003
OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-
KENT

A By-law to designate the property known as 81 Stanley Avenue,
Community of Chatham as being of historical and architectural
value or interest.

FINALLY PASSED the 5th day of August, 2003.

WHEREAS the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18
as amended, provides that the Municipal Council may designate
a property within the boundaries of the Municipality to be of
cultural heritage value or interest;

AND WHEREAS Council of the Corporation of the Municipality of
Chatham-Kent has appointed a Local Architectural Conservation
Advisory Committee and the said committee has recommended
that the Municipality designate the hereinafter described property
pursuant to The Ontario Heritage Act;

AND WHEREAS given Council of the Corporation of the
Municipality of Chatham-Kent has given Notice of Intention to
Designate the hereinafter described property to be of cultural
heritage value and interest pursuant to the Ontario Heritage Act;

AND WHEREAS no Notice of Objection to the proposed
designation has been received by the Corporation of the
Municipality of Chatham-Kent;

AND WHEREAS the reasons for designation are set out in
Schedule "B" annexed hereto;

NOW THEREFORE the Municipal Council of the Corporation of
the Municipality of Chatham-Kent enacts as follows:

1. That the property more particularly described in the
attached Schedule "A" be and the same is hereby
designated to be of cultural heritage value and interest
pursuant to The Ontario Heritage Act.
2. That the Clerk be authorized to cause a copy of this by-
law to be registered against the property described in
Schedule "A" hereto in the proper land registry office.
3. That the Clerk be hereby authorized to cause a copy of
this by-law to be served on the owner of the aforesaid
property and on the Ontario Heritage Foundation and
cause notice of the passing of this by-law to be published
in a newspaper having general circulation in the
municipality.

THIS By-law shall come into full force and effect upon the final
passing thereof.

READ A FIRST, SECOND AND THIRD TIME this 5th day of
August, 2003.

I hereby certify this to be a true copy of By-law
Number 185-2003 passed by Municipality of
Chatham-Kent Council at its' meeting
held on August 5th, 2003,
and the same is now in full force and effect.

Elinor Mifflin
ELINOR MIFFLIN Deputy Clerk

The Corporation of the Municipality
of Chatham-Kent

Diane Gagner
Mayor - Diane Gagner

Mike Phipps
Deputy Clerk - Elinor Mifflin
Mike Phipps

SCHEDULE 'A'

ALL AND SINGULAR these certain parcels or tracts of land and premises, situate, lying and being in the former City of Chatham, in the former County of Kent, now the Municipality of Chatham-Kent, in the Province of Ontario, and being composed of part of a block of land marked "Gaol" on the plan known as "Old Survey", in the said former City of Chatham, and parts of Lots 9, 10, 11 and 12, as shown on the said plan of "Old Survey" described as follows:

PREMISING that the bearings are derived from the centre line of Stanley Avenue (formerly Gaol Street) having a bearing of north sixty-nine degrees, forty minutes east (N 69° 40' E) according to a survey, dated August 4, 1855, of the former Town of Chatham, by Salter and Kirke, P.L.S. and relating all bearings herein thereto;

FIRSTLY

Part of the said block marked "Gaol", the boundaries of the said parcel being described as follows:

COMMENCING at the south-westerly corner of the said block marked "Gaol", being the point of intersection of the north-westerly limit of Stanley Avenue with the easterly limit of Seventh Street;

THENCE north nineteen degrees, thirty-seven minutes, fifty seconds west (N 19° 37' 50" W) along the easterly limit of Seventh Street, one hundred and seventy-five and fifty-three one-hundredths feet (175.53');

THENCE north fifty degrees, seventeen minutes, fifty seconds east (N 50° 17' 50" E) one hundred and forty and sixty-five one-hundredths feet (140.65') to the south-westerly limit of Eighth Street;

THENCE south fifty-eight degrees, twenty minutes, fifty seconds east (S 58° 20' 50" E) along the said south-westerly limit of Eighth Street, one hundred and seventy-nine and ninety-one one hundredth feet (179.91') to the said north-westerly limit of Stanley Avenue;

THENCE south thirty-two degrees, twenty-one minutes, twenty seconds west (S 32° 21' 20" W) along the said north-westerly limit of Stanley Avenue one hundred and thirty-two and sixty-three one-hundredths feet (132.63');

THENCE south sixty-nine degrees, forty minutes west (S 69° 40' W) and continuing along the said north-westerly limit of Stanley Avenue, one hundred and forty and nine one-hundredths feet (140.09') more or less to the point of commencement;

AND DESIGNATED AS PART 1 on Ontario Department of Public Works Plan of Survey Number 171-401L.

SECONDLY

Part of the said block marked "Gaol", described as follows:

COMMENCING at a point in the easterly limit of Seventh Street, distant one hundred and seventy-five and fifty-three one-hundredths feet (175.53') measured north nineteen degrees, thirty-seven minutes, fifty seconds west (N 19° 37' 50" W) along the said easterly limit of Seventh Street, from the south-westerly corner of the said block marked "Gaol";

THENCE north fifty degrees, seventeen minutes, fifty seconds east (N 50° 17' 50" E) one hundred and forty and sixty-five one-hundredths feet (140.65') to a point in the south-westerly limit of Eighth Street, distant one hundred and seventy-nine and ninety-one one-hundredths feet (179.91'); measured north fifty-eight degrees, twenty minutes, fifty seconds west (N 58° 20' 50" W) along the said south-westerly limit of Eighth Street, from the north-westerly limit of Stanley Avenue;

THENCE north fifty-eight degrees, twenty minutes, fifty seconds west (N 58° 20' 50" W) along the said south-westerly limit of Eighth Street, two hundred and eleven and fourteen one-hundredths feet (211.14') to its intersection with the easterly limit of Seventh Street;

THENCE south nineteen degrees, thirty-seven minutes, fifty seconds east (S 19° 37' 50" E) along the said easterly limit of Seventh Street, two hundred and thirteen and three one-hundredths feet (213.03') more or less to the point of commencement;

AND DESIGNATED AS PART 1 on Ontario Department of Public Works Plan of Survey Number 171-403L.

SCHEDULE 'B'

REASONS FOR DESIGNATION

The reasons for designation are contained in the attached Heritage Chatham-Kent Committee, Property Designation Report, dated May 21, 2003.

Property Designation Report

Heritage Chatham-Kent (Municipal Heritage Committee, formerly LACAC)

Date of Submission: May 21, 2003

Subject: The Property known as 81 Stanley Avenue, Chatham, Ontario.

Section 1: Purpose and General Description

The purpose of the proposed designation would be limited to the portion of the property utilized as the Kent County Courthouse and The Chatham-Kent Jail and more specifically, the original 1849 buildings and would be limited to those elements and structures as described in the "Reasons for Designation". (see *Section 2 of this document*).

Part A: Historical Significance

The Kent County Courthouse and Jail is one of only four remaining buildings in Chatham that predates 1860.

In 1847, with the passing of the Provisional District Act which separated Kent from Essex and Lambton counties, a District Council was elected and the District of Kent was formed. As the new district could not be considered official until it had a place to house its lawbreakers, the council members formed a building committee to take on the task. Plans submitted by the prominent 19th century Canadian Architect William Thomas of Toronto were approved. With no money in the treasury to pay for them, building supervisor George Young, the District Councilor from Harwich Township, and four other council members put up \$20.00 each towards purchasing them. On August 17, 1848 a ground breaking ceremony was held on the site at 81 Stanley Street, between Seventh and Eighth Streets. Edwin Larwell, the building committee chairman, presided over the ceremony and with great fanfare, the land was officially dedicated for the Jail and County offices. The building contract was awarded to the construction company Brown & Baxter.

During the construction of the structure, *"a young Scotsman by the name of Alexander Mackenzie, came to town looking for work. The talented stone worker was given the task of working on the rear wall of the courthouse. He then went on to work on the courthouses in Sarnia and Windsor. Of course, much later, he became Canada's second Prime Minister"*. (Lisa and Jim Gilbert, Chatham Daily News, March 29, 2003).

Under the provisions of the Municipal Act of 1849, the district system was abolished and the County of Kent was created. The first Council of the County of Kent officially received the courthouse from the contractor on February 27, 1851; however, the District Council's first meeting was held in the partially completed building on August 26, 1850.

The original plans showed the exterior of the building to be made of brick; however, the building committee decided on white limestone instead. The stones were bought at the Anderson Quarries in Malden by George Young, cut to their specific sizes, and then transported by ship via the Thames River. Landing on the river bank, the stones were hauled to the site using horses and oxen.

The original structure consisted of the large courtroom, offices for the Sheriff, County Clerk, Registrar, and Treasurer behind the courtroom on the second and third floors. The Judge's chambers and the Jury Room are located at the front of the building on the second and third floors. On the east side of the structure were three separate enclosed areas. Two of these were used as exercise yards, the male prisoners in one and the female and young offenders in the other. The third was for deliveries made through a large door built into its wall facing Eighth Street. On the west side sat the execution yard used only once throughout its 152 years in existence.

In the 1950's a newer, modern County building and Courthouse was built directly behind the structure to add more courtrooms and offices. This left only the Superior Courtroom and jail in the original building. With an increase in the need for more jail space, the second floor office space was converted to accommodate more jail cells. The third floor remained unaltered except for the construction of an enclosed catwalk that connected to the new courthouse. The rooms on this upper level are now in use for Crown witnesses and a Law Library. The Superior Courtroom, a large area with a high ceiling, has had significant changes made over the years. The cupola was eventually sealed off as it lost most of its initial usefulness. A stained glass window was set in the opening with artificial lighting to illuminate the room. Though most of the furniture and interior was replaced in this immense hall, the judge's chair, first occupied by Mr. Justice Sullivan on May 29, 1851, still remains today. The front entranceway, renovated in 1978 to house the electric panel box, contains the original staircases leading to the second and third floors. (*Chatham Daily News, June 20, 1978*). These grand staircases wind their way up, virtually untouched throughout time. Little has changed to the exterior of the building. The original windows deteriorated over time and were replaced with energy efficient tinted glass. Other minor changes for security and safety reasons have not affected the appearance of the building.

The property also contains a small one and a half storey house located at the front of the building used as the offices for the Ministry of Corrections.

Part B: Architectural Significance

The architect was William Thomas, a prominent Ontario architect from Toronto. Born in Suffolk England in 1799, he apprenticed as a carpenter and joiner and then established an architectural practice in England. Thomas immigrated to Canada in 1843. He soon gained widespread recognition for his public and ecclesiastical buildings and his numerous commercial and residential buildings as well. He received important commissions in other Upper Canada communities including Hamilton, Guelph, London, and Niagara-on-the-Lake.

The well proportioned white limestone and brick structure is designed in the Neo-Classical style common to many contemporary public buildings. The distinguishing features are; (a) the balustraded Roman-Doric balcony above the entranceway, (b) the bracketed cornice, (c) the prominent pediment, (d) the crowning cupola with Tuscan pilasters, (e) the quoins decorating the outside corners of the structure, and on the front of the building, (f) the voussoirs that mark the arches on the first floor windows, (g) the entablature style lintels above the second floor windows, and (h) the limestone label work above the third floor windows. The tall windows of the courtroom (i) are semi-circular with flat and moulded trim and keystones.

The floor plan employed is a T-style plan. The public stair to the second floor courtroom was originally in the entrance corridor. Additionally, the staircases led to the judge's chambers and the third floor jury rooms. The administrative offices were originally arranged on either side of the long central corridor, beyond which lay the jail.

Part C: Contextual Significance

The Kent County Courthouse and Chatham-Kent Jail was instrumental in forming and cementing the future of Chatham-Kent. With its inception, Kent County, and ultimately, Chatham-Kent, came into existence. The building and property became the cornerstone of the community and surrounding landscape; visually, socially and economically. The structure today serves as an important visual object that has acquired for the community a special and sentimental value as well as its usefulness in teaching local history and the promotion of tourism. The structure remains in its original site and the general character of the structure and site to be designated has remained virtually unchanged.

Of additional note is the fountain that sits on the southwest corner of the site. Early photographs indicate that this fountain has been located in this spot since the early 1900's.

Section 2: Reasons For Designation

Exterior (see also Section 1, Part B Architectural Significance and Appendix B: Images for details on the external elements of interest)

- The exterior of the structure in its entirety; includes (but not limited to) the various facades and their trims, windows and their trims, doors and their trims, columns, the cupola, pediments, the balcony, the semi circular enclosures (the exercise and hanging enclosures)
 - (a) the balustraded Roman-Doric balcony above the entranceway
 - (b) the bracketed cornice
 - (c) the prominent pediment
 - (d) the crowning cupola with Tuscan pilasters
 - (e) the quoins decorating the outside corners of the structure and on the front of the building
 - (f) the voussoirs that mark the arches on the first floor windows
 - (g) the entablature style lintels above the second floor windows
 - (h) the limestone label work above the third floor windows
 - (i) the tall semi-circular windows of the courtroom; with flat and molded trim and keystones.
 - (j) white limestone brick façade
 - (k) all window placements and sizes.
 - (l) the guard house located between the two exercise yards on the north east side of the jail.
- The water fountain located on the southwest side of the building.

Interior

- The grand staircases located in the front entranceway corridor in their entirety.
- All cove moldings throughout the building.
- All original interior doors and hardware, and mouldings.
- The stained glass window insert in the Superior courtroom ceiling.
- All woodwork intact in its original position on the interior of the Superior courtroom, excluding wainscoting on the northeast and southwest walls of this courtroom; that is the side walls.
- The judges chair.
- All original Superior Courtroom furnishings.

Section 3: Recommendations

1. That the elements listed in *Section 2: Reasons for Designation* be designated for their architectural and historical significance.

Appendix A: References and Resources

Appendix B: Images





