

# Heritage Designation Brief

## The Peterborough County Courthouse



*To be appreciated, the view should be seen at sunset, in the early spring before the leaves appear or in the late fall, for then it sweeps in an arc, from the far North around to the South. From the Court House steps one can look across the park, over the house-tops in the valley below, beyond the graceful spire of St. Peter's Cathedral, and out into the far distant hills where the setting sun flings abroad his colours of rose and orange and gold, and sends his fiery shaft to set ablaze the Court House windows and light it's old stone walls.*

Centennial History of the Courthouse, 1941

**Peterborough Architectural Conservation Advisory Committee**

**January 2021**

## Heritage Designation Status Sheet

Street Address:	470 Water Street
Roll Number:	040100042000000
Legal Description:	<p>LOTS 1, 2, 3, 4, 5, 6 &amp; 7 S OF MURRAY &amp; E OF WATER ST(PETERBOROUGH); LOTS 1, 2, 3, 4, 5, 6 &amp; PT LT 7 ALL N OF BROCK ST &amp; E OF WATER ST (PETERBOROUGH), AS IN A15091 EXCEPT PART 4 PL 45R2345; PETERBOROUGH</p> <p>PT LT 8 S OF MURRAY ST &amp; E OF WATER ST PL 1 TOWN OF PETERBOROUGH, PT DICKSON ST PL 1 TOWN OF PETERBOROUGH CLOSED BY BY- LAW R381873 PTS 2 &amp; 3 45R4167; S/T R404696 ASSIGNED BY PE335490 ASSIGNED BY PE335491 PETERBOROUGH CITY</p>
PACAC Application Review Date:	December 10, 2020
Heritage Type:	Heritage Designation
Designation Type:	Ontario Heritage Act – Part IV
Designation Brief Completion Date:	January 2021
Designation Brief Completed by:	Erik Hanson & Jennifer Guerin
Comments:	Contributions by +VG Architects

## STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

The subject property has been researched and evaluated in order to determine its cultural heritage significance under Ontario Regulation 9/06 of the *Ontario Heritage Act* R.S.O. 1990. A property is eligible for designation if it has physical, historical, associative or contextual value and meets **any one** of the nine criteria set out under Regulation 9/06 of the Act. Staff have determined that the Courthouse property has cultural heritage value or interest and merits designation under the *Ontario Heritage Act*.

### 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:

The Courthouse site is an excellent representative and early example of the administrative and judicial complexes constructed in the districts of Upper Canada, typically consisting of a courthouse and jail fronting on common greenspace. The Peterborough Courthouse is an early example of a Neo-classical and Regency style administration building built using local split face limestone with carved stone embellishments, including stone quoins and window surrounds tooled by local masons and added at the direction of the chief justice during construction. The Jail layout is representative of early Upper Canada jail construction, and in its reduced form as an interpretive park still presents a stark depiction of the harsh conditions of incarceration in 19<sup>th</sup> century Ontario, with cramped, narrow cells and imposing perimeter stone walls. The 1960's County Administration addition is an early example of modernism, the International Style, in Peterborough with an exterior structural system free of the walls, horizontal glazing, and transparent curtain wall entrances.

#### ii. displays a high degree of craftsmanship or artistic merit:

The structures on the property display a high degree of craftsmanship and artistic merit including the intact interior details of the two courtrooms, Courtroom 1 (c. 1917) and Courtroom 2 (c. 1840) of plaster, woodwork, and millwork. Similar craftsmanship can be found in the 1960's County Administration south wing and County Council Chamber ceiling.

#### iii. demonstrates a high degree of technical or scientific achievement:

There are no specific technical or scientific achievements associated with the subject property.

## **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:**

The subject property has direct associations with a number of themes, people, organizations, and activities which are important to the community. These include, but are not limited to: The establishment of Peterborough as the District Town for the District of Colborne in 1838 and the resulting Crown Grant for the construction of the Courthouse and Courthouse Square (later Victoria Park); the development of parkland in Peterborough and Upper Canada; 19<sup>th</sup> century community recreation and social interaction; the Courthouse as an early example of courthouse architecture in Ontario with two intact historic courtrooms; one of the earliest courthouses to be constructed in Ontario; the remnants of a typical Upper Canada jail design; associations with prominent Peterborough architects and design/builders whose designs are still reflected in the buildings and landscape today.

### **ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture:**

The subject property yields information about Peterborough's role within the region of Colborne District as the judicial seat; the architectural style that was favoured at the time and Peterborough's association with early Upper Canada architects; the prominent location of the Courthouse set well back from the street overlooking an expansive greenspace as a way to use landscape to evoke a sense of authority, permanence and justice within the community; how the property's use over time reflects the community's values, social norms and demographics. Its establishment in what was the historic centre of town is also significant for the influence it had on the early settlement in Peterborough.

### **iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community:**

The original design of the Courthouse demonstrates the work of design/builder Joseph Scobell, who was also involved in the construction of the Frontenac County Courthouse and Registry Office in Kingston, Ontario (now a National Historic Site). He also constructed St. John's Anglican Church to the south west of the Courthouse in 1834-35 to the design of John Howard, Architect. Other prominent architects involved in later additions and renovations to the buildings on the site and landscaping and construction in Victoria Park include John Belcher, known for his work on many of Peterborough's most prominent buildings, William Blackwell, one of Peterborough's prominent architects of the late nineteenth century and early 20<sup>th</sup> century, and Eberhard Zeidler, internationally renowned German-born modernist architect who trained at the Bauhaus.

**3. The property has contextual value because it:****i. is important in defining, maintaining or supporting the character of an area:**

The site is an integral component to one of the oldest areas of settlement in the city. It is important in defining the character of the area as the original administrative and social centre of Peterborough along with early schools and churches. As a judicial facility dating back to the early nineteenth century, it is a tangible part of the history of the development of Upper Canada. The Courthouse site maintains a prominent position overlooking Victoria Park and is in close proximity to other important buildings nearby including the former Carnegie Library, St. John's Anglican Church, and the former Central School.

**ii. is physically, functionally, visually or historically linked to its surroundings**

The property is physically, functionally, visually, and historically linked to its surroundings as a judicial complex constructed as a requirement for fulfilling its duty as the District Town of the Colborne District. The property contains a Courthouse, the Heritage Jail Park (constructed from the remnants of the 1864 jail complex) County offices in the South Wing, caretaker's residence, and expansive public park, now known as Victoria Park. The stone used to construct the Courthouse was quarried locally from Jackson Park. Local masons laid split faced limestone in the walling of the Courthouse and hand-carved the stone window surrounds and quoins. Victoria Park's layout is typical of Victorian-era landscape design connected to the Courthouse site.

**iii. is a landmark**

The Courthouse site is a landmark due to its age, construction materials, and prominent position on a hill overlooking Victoria Park. The view of Victoria Park and the city of Peterborough beyond is the reason that this site was originally chosen. The unobstructed view of the west elevation of the Courthouse and park from Water Street is unchanged since the time of its construction. As one of Peterborough's first institutional buildings, fronting on one of the town's first public green spaces, the property is significant to the local community.

## **Courthouses of Upper Canada**

Many factors influenced the way in which the history of British settlement, governance, politics, law & order in the colony of Upper Canada evolved. However, there were three major events that contributed to the British Government's institutionalization of law and order in the Colony of Upper Canada:

1. 1775 to 1783 - The American War of Independence and the resulting exodus/expulsion of the United Empire Loyalists to Upper Canada.
2. 1812 to 1814 - The stifling impact of the Napoleonic Wars, within the North American theatre where battles at the Upper Canada forts along the US border destroyed much of what settlement had been built and following this, post-war immigration from Europe.
3. 1837 - The MacKenzie Rebellion.

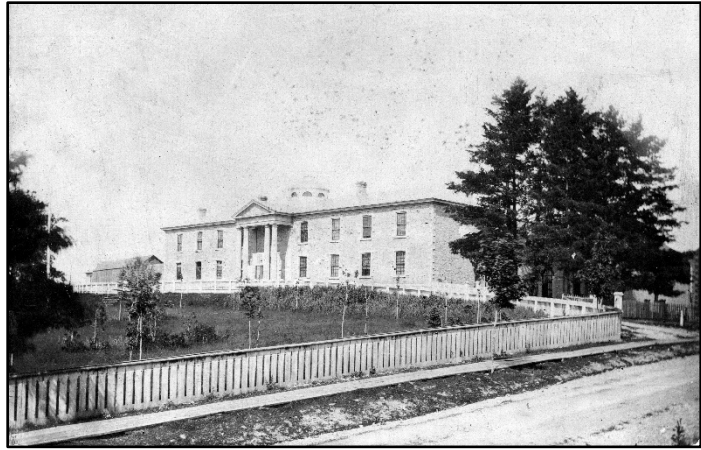
In 1838 the expression of law and order in the British North American Colony of Upper Canada was formally instituted in Peterborough. By order of the government, District Courthouses would be paid for by and built in the named district town. The architectural reflection of this institution is testimony to the British governance, control and influence over an emerging colony and geopolitical economy. This was the Regency period. Veneration of the classical style of architecture and formal gardens and civic spaces was in vogue.

On October 15, 1792 the first Legislative Assembly of Upper Canada concluded its inaugural session. During the four-week session, bills were passed that established English law as the basis for all legislation in the colony, established basic rights of redress and divided the original districts of Upper Canada into 12 counties each. The area that would become Peterborough was originally part of the Home District from which was created the Newcastle District in 1798 and finally the Colborne District in 1838 (the Colborne District would become Peterborough County in 1850 and in 1862 the County would be again divided to create Peterborough, Victoria and Haliburton Counties and the map as it stands today was complete). The act creating counties within the redrawn district structure also required the erection of a jail and courthouse in each district. With the creation of the Colborne District, Peterborough was named the district town and immediately the magistrates began preparing for the construction of the required buildings.

In June of 1838, a building committee chaired by Thomas A. Stewart was formed to oversee the selection of a design, administer funds, and manage construction of the new courthouse and jail.

Jordan Reed, the public land surveyor identified lots five, six and seven east of Water Street for the buildings, a site Richard Birdsall had noted as

'fine rising land' in his surveyor notebooks of 1825. A design competition was announced with a prize for first place of £20, second prize £15 and third prize £10. Lots one to four were set aside for what is now known as Victoria Park, marked in the survey 'Reserved for public use'.



1. Peterborough County Courthouse c. 1850

The competition was won by Joseph Scobell, an English design/builder who lived and worked in the Montreal and Kingston areas. Scobell was involved in the construction of other buildings in Peterborough, including St. John's Anglican Church (designed by Toronto Architect John Howard) in 1836, which backs onto Victoria Park to the South of the Courthouse.

The cornerstone for the Colborne District Courthouse was laid on August 25, 1838, by Sir George Arthur, Lieutenant-Governor of Upper Canada, and it was completed by 1840. The Jail was finished two years later in 1842. The final cost of the project was 7,190 Pounds. The Courthouse was constructed using limestone quarried from what is now Jackson Park and Hamilton Park, supplied by Thomas Harper and Barnabas Bletcher.



2. Sketch of Peterborough Courthouse from the Diary of Sir Sandford Fleming, 1846

## The Courthouse Site

The Courthouse site consists of several related built elements. Construction and renovation of the structures on the site spans the 19<sup>th</sup> and 20<sup>th</sup> centuries however the original form and function of the property remains essentially unchanged. The Courthouse site is composed of the following built elements:



- 1840 - The Courthouse – In continuous use as the Peterborough County Courthouse and until 2001 the registry office
- 1960 - The South Wing - housing County offices and County Council Chambers;
- 1861 - The Jail - now an interpretive park (c. 2016);
- 1930 - The Caretaker's House – a late Edwardian residence located northeast of the Courthouse, and;
- 1840 - Victoria Park- A broad sloping greenspace contemporaneous to the Courthouse, but developed as a formal park in the 1880s.



3. Map showing Courthouse property



Together these elements create a site which represents the development of Peterborough as the judicial centre of the District of Colborne in the early development of Upper Canada and later the County of Peterborough. Each component also reflects the various architectural trends and design theories dominant at the time of its construction or later renovation. The site exhibits a cohesive layout in its urban setting and has been accessible to the community as a public space since its development. It is a significant landmark and influenced the development of the surrounding residential neighbourhood. The buildings and site have evolved over time, but the additions and modifications are an important physical representation of the history of the community as it developed since the mid-19<sup>th</sup> century.

The property also has physical value through its natural elements, most specifically in Victoria Park (originally known as the Courthouse Square), including the mature trees, lawns and other aspects of the landscape which was formally developed by the Horticultural Society in the 1880s, in a style typical of landscape design of the period, and influenced by the Public Parks Act which was passed in Ontario in 1883. The Public Parks Act was

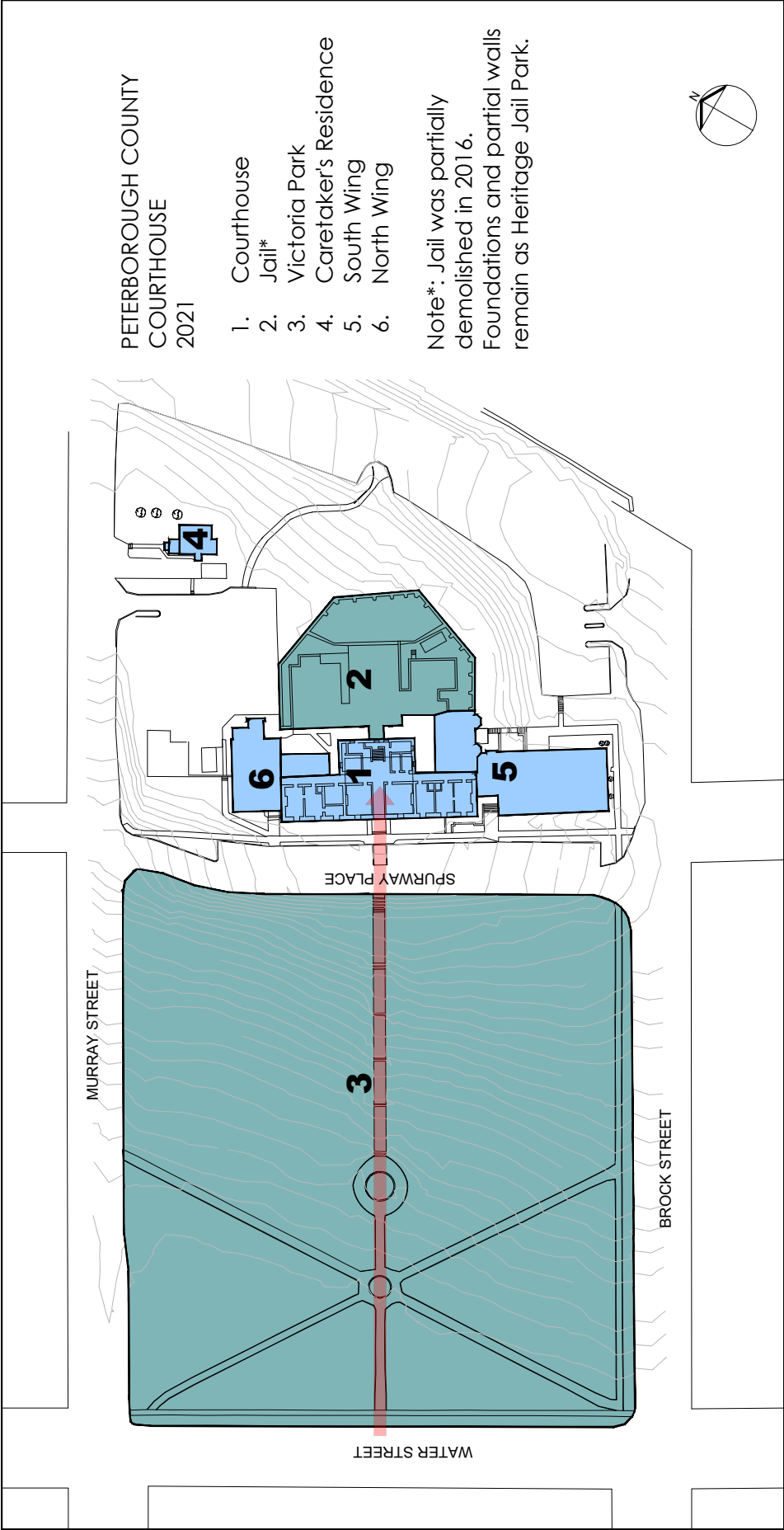
predicated on several factors including the widely believed philosophy of prominent Victorian-era landscape architect Frederick Law Olmsted, who emphasized the park's role as an important element in the growth of towns and cities. The widely held belief that parks and greenspace were necessary antidotes to the overcrowding conditions occurring in many new cities, and the desire for the beautification of public spaces to attract visitors and new residents to a place, made way for the legislation which provided for "the establishment of a park, or system of parks, avenues, boulevards, and drives as well as the maintenance of existing parks and avenues in any city or town". All public parks



4. 1839 "Court House with Church Peterborough"  
Pen and ink drawing by Edward C. Caddy



5. Courthouse c. 1873-74



were required to be open to the public, be free of charge and be controlled and managed by a municipality.

### **Statement of Significance**

The Courthouse site reflects the architectural style popular at the time Upper Canada was being settled and the architectural styles at the time of each subsequent renovation. The Courthouse is an excellent example of courthouse architecture, and one of the oldest courthouses in Ontario. The relationship between the Courthouse and jail structure is representative of courthouse and jail design between the 1850s-1870s in Upper Canada and can be seen in jurisdictions across Ontario including Perth and Lanark County, Picton, London, Owen Sound, and others.

Soon after Peterborough was chosen as the district town for Colborne District Jordan Reed, the public land surveyor at the time, recommended lots 5,6 and 7, a rise of land east of Water Street as a favourable site for the new Courthouse and Jail. There was much discussion regarding the site, and it was finally chosen for its central location overlooking the growing town. The vacant land facing Water Street would form “Courthouse Square” (later Victoria Park), allowing the Courthouse to occupy a commanding view. The land for the square was granted through a special act of Parliament. An excerpt from the 1858 Directory of the Town of Peterborough described the site:

“Near the centre of the town stands the Knoll, upon which is erected the courthouse. In front of the building is a reservation of 6 acres, which is appropriated as a public park for the use of the town.”

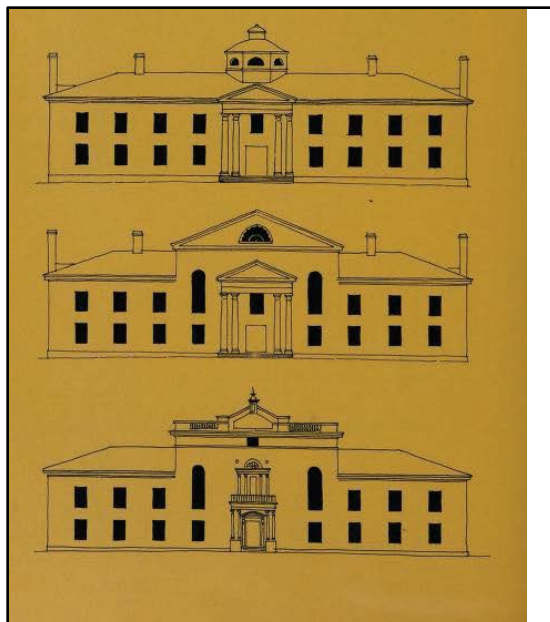
This idea of shared public green space within a city was a new concept being explored in the United Kingdom in response to the social conditions of the poor and working classes in industrialized urban centres and demonstrates the influence of early British settlers on the development of Peterborough. The park, one of Peterborough’s first green spaces for public use, proved itself useful in the town’s early years as a critical anchor and gathering place.

### **The Courthouse**

The Colborne District Courthouse was designed in a simplified Neoclassical style with a nine-bay front façade, monumental front portico, and a cupola. No central bay is distinguished except at the roof line. The original Courthouse was designed by Joseph Scobell, a Devonshire born builder, who, according to the Biographical Dictionary of Architects in Canada, immigrated to Canada in the late 1820s with a group of designer/builders from the same area who would all go on to establish themselves in Upper Canada. The group included Edward Horsey, who was responsible for the design and construction of the Frontenac County Courthouse in Kingston, with Scobell’s help, and John Power who also designed

and constructed many important institutional buildings, mostly in the Kingston area.

Scobell started his career in Montreal, Quebec and by 1834, he was living in Ontario and had begun work on St. John's Anglican Church in Peterborough. St. John's was built to the plans of prominent Toronto architect John G. Howard, one of the first professional architects of Upper Canada and was responsible for constructing several of the Province's early public buildings. Many of these were completed in the Regency style which was popular during his career in England. Howard has been credited for bringing the style to Canada in the 1830s.



6. Schematic drawing of the evolution of the Peterborough County Courthouse design.

The Courthouse building was constructed from local limestone and was one of the first permanent institutional buildings to be constructed in Peterborough. Joseph Scobell's design featured Classical Revival and Georgian elements defined by the symmetrical layout and restrained details, a central cupola and pedimented portico with Ionic columns. The design was meant to evoke order and emphasize the importance of the business conducted within. The window surrounds, and decorative quoins were all hand tooled by local masons; both details specifically requested by the building committee and not part of Scobell's original design. The result was an impressive, solid edifice on high ground overlooking the growing town. One hundred years after the opening of the Courthouse in 1941, Peck Kerr McElderry & Borbridge wrote a centennial history of the site and commented on the building's commanding presence:

"The Court House is a massive structure. The thick stone walls, the depth of the building, together with the long line of the face (façade), give an impression of solid endurance and creates a feeling that time will not affect it. That in another hundred years it will still be standing, crowning the hill and keeping watch over the City of Peterborough".

Since its construction, the Courthouse has been renovated three times, but it retains its original overall form and massing. In 1878-79, renovations to the main Courtroom were made to the designs of John Belcher, the prominent Peterborough architect and Town Engineer. Belcher designed many of Peterborough's most prominent public buildings including the Market Hall, the former Carnegie Library, The Peterborough Collegiate and Vocational School



and The Commerce Building. The renovations came after a call by the Grand Jury to improve air circulation and lighting for the Courtroom. Belcher's design called for the removal of the cupola which lit the Courtroom and raised the ceiling height considerably. The east wall of the Courtroom was pushed out toward the jail and the more spacious court room was lit by four skylights and large fan windows in the front and rear of the raised section. Extending the back wall expanded the Courtroom and allowed for the creation of a seating area in addition to the gallery overlooking the court.

The renovations included extensive wood detailing in oak, new seating for the juries arranged in a semi-circle and a new Judge's dais and screen, featuring dentil details and hand carved scales of justice. The prisoner's box was relocated to the centre of the room slightly raised and featuring carved rosettes. The Daily Evening Review in its April 15, 1879 edition enthused that the renovations to the room by Belcher were so well executed that: "...the dismay experienced by a prisoner at being sentenced to jail, will be relieved – if it can be relieved at all – by having the job done amidst such pleasant surroundings". It was acclaimed on a number of occasions to be one of the finest court rooms in the province.



7. Courthouse c. 1884

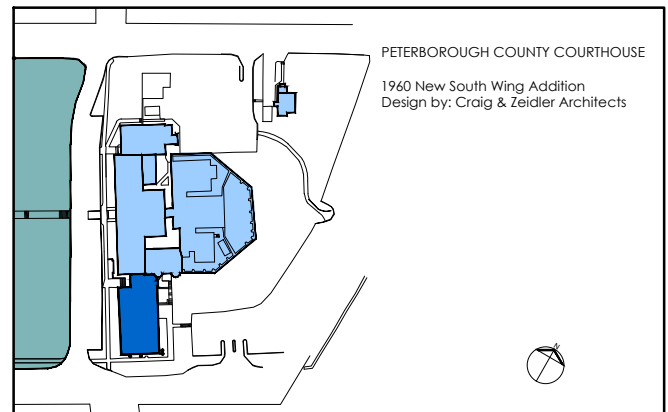
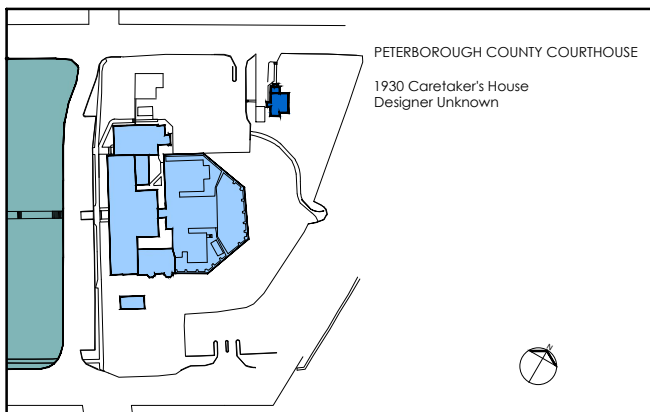
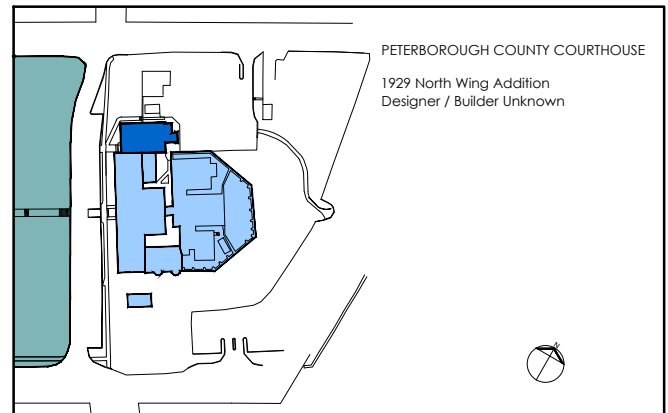
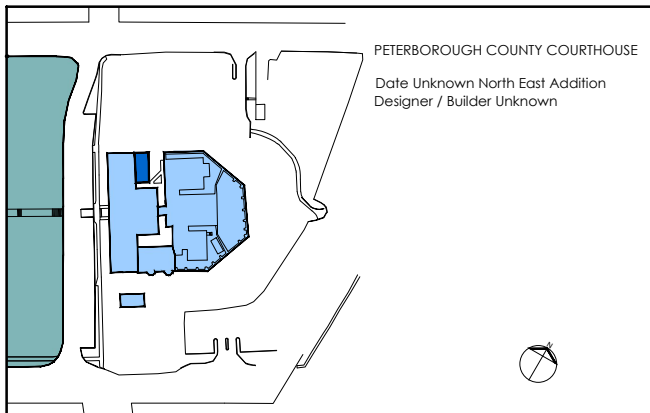
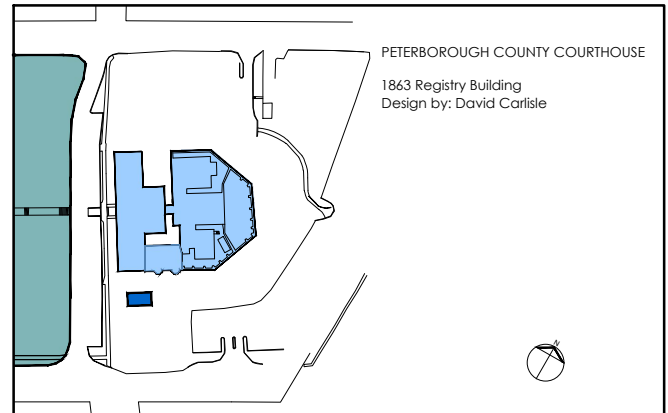
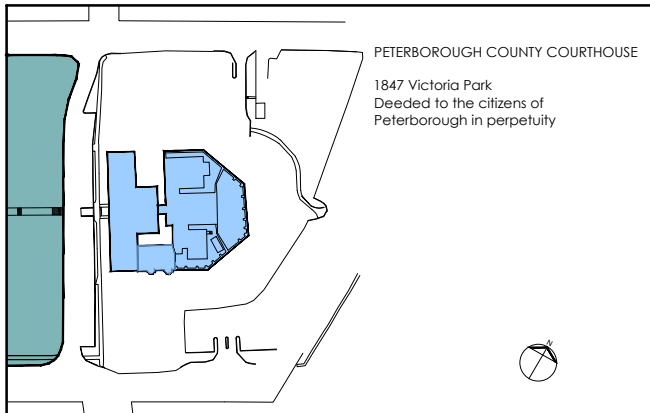
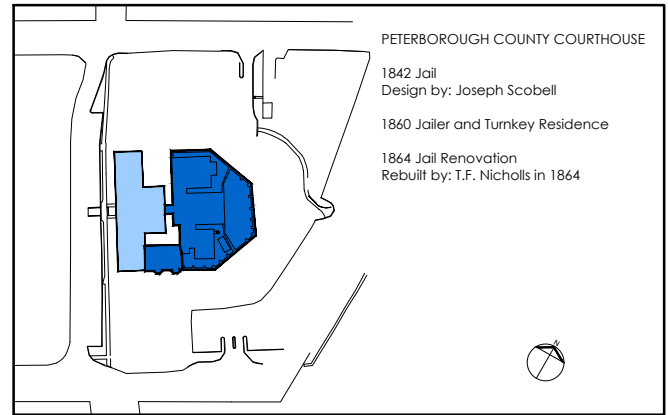
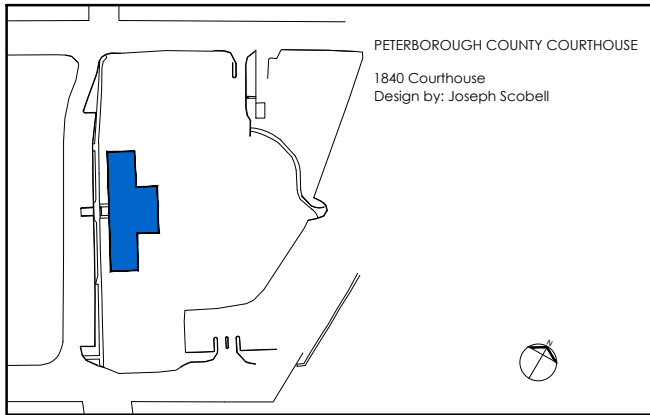
In December of 1916 the Quaker Oats factory explosion and ensuing fire destroyed dozens of the surrounding buildings and the Courthouse suffered extensive damage. The roof over the central section collapsed, heavily damaging the interior of the building. According to the June 19, 1917 Evening Examiner, Architect William Blackwell, one of Peterborough's leading architects of the time, won the contract to design

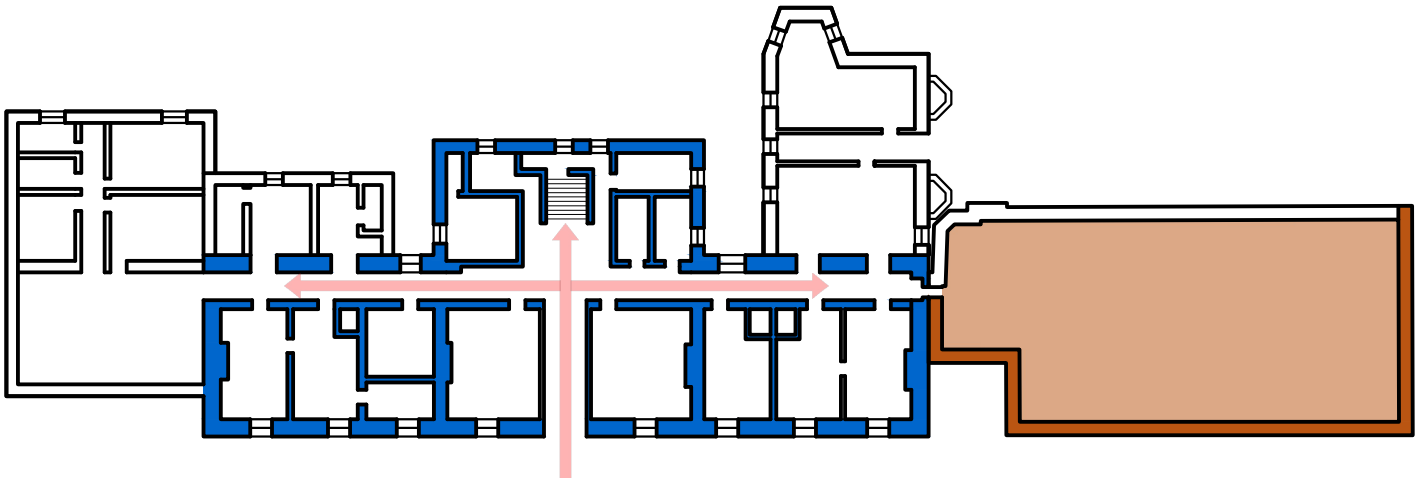


8. Courthouse c. 1917

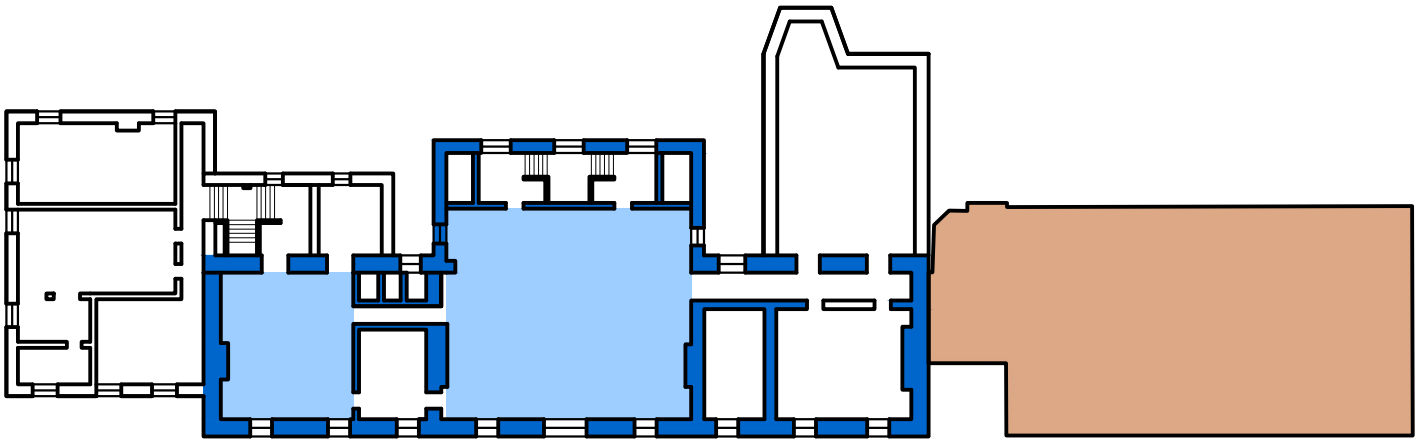
and reconstruct the damaged areas of the Courthouse. The renovations included the replacement of the gable roof with a flat one featuring an ornate boxed cornice with decorative dentils, a false pediment and a parapet and balustrade encircling the roof. The front pediment was also badly damaged and replaced with a blinded Palladian window in the west façade above a reduced scaled main entry portico, with paired columns and a flat roof with balustrade.







PETERBOROUGH COUNTY COURTHOUSE  
Ground Level



PETERBOROUGH COUNTY COURTHOUSE  
Upper Level

In 1929 a two storey addition of matching limestone with random coursing and dressed stone quoins was added to the north end of the original Courthouse by builder James Finnie. An entrance door on the west facade has a stone surround and small pediment. In 1939 a further two storey addition to the north was added.

### The South Wing

In 1863 a registry office was constructed to the south of the Courthouse. Designed by builder David Carlisle it was completely fireproof and entirely separate from the Courthouse and included cast iron fittings and masonry barrel vaults. In 1959 the registry office was demolished and the Peterborough firm of Craig and Zeidler was commissioned to construct a new wing which would house the registry office, County offices and new County Council Chambers. Eberhard Zeidler, one of the country's most celebrated modern architects began his career in Peterborough which is noted for its collection of his earliest works in Canada.



9. Original Registry Office, 1953

The south wing is an excellent example of Modernist design which rejected extraneous ornamentation in building design in favour of the belief that the building's function should dictate its form. Eberhard Zeidler also recognized however that the new wing would need to harmonize with the Courthouse so the addition uses a rubblestone cladding on the more visible west and south elevations to tie the two buildings together visually while at the same time clearly displaying its modernism through corner and ribbon windows, an expressed concrete frame, limestone banding and a copper clad box cornice. The design of the building is carried through to the details of the Council Chamber woodwork where corner beads mimic the wall piers and window bands. As a result, the south wing of the Courthouse has a clean, uncluttered appearance with an emphasis on horizontal lines that complement the restrained classicism of the Courthouse itself. The building has a glass and metal entry and retains many original design features including the Council Chambers and main



10. South Wing, 2020

stairwell. Most remaining office space has been renovated with contemporary office interior systems furnishings and technology.

### The Jail

The County jail was an important institution in Upper Canada. Completed in 1842 to the designs of Joseph Scobell again using stone from quarries in Jackson Park, the Gaol for the District of Colborne was closely associated with the social history of Peterborough and its design reflects the societal attitudes toward crime and punishment in Canada in the 19<sup>th</sup> and 20<sup>th</sup> centuries. The landscape of the Courthouse site as a whole would have projected a sense of law and order to the young settlement, presiding as it did over a growing social hub that included Central School, St. Paul's Presbyterian Church, St. John's Anglican Church, George Street Methodist just beyond and in the distance, the spire of St. Peter in Chains Roman Catholic Church, rising slightly higher than the Courthouse itself.

In 1861 a two storey addition was built off the east elevation of the south wing of the Courthouse as a residence for the Jailor and Turnkey. The residence used the same limestone as the Courthouse with random coursing but is devoid of any decorative features. An entrance on the south of this addition is flanked on each side by one storey bay windows with a small verandah above. The second storey windows are flat openings with two paned double hung sash windows matching the main building.

At the urging of prison reformers, in 1779 British Parliament passed the Penitentiary Act which sought to replace capital punishment and transportation to the colonies with long periods of incarceration. To do this, the Act introduced the concept of a state prison system for the first time. It also sought to make incarceration a time of

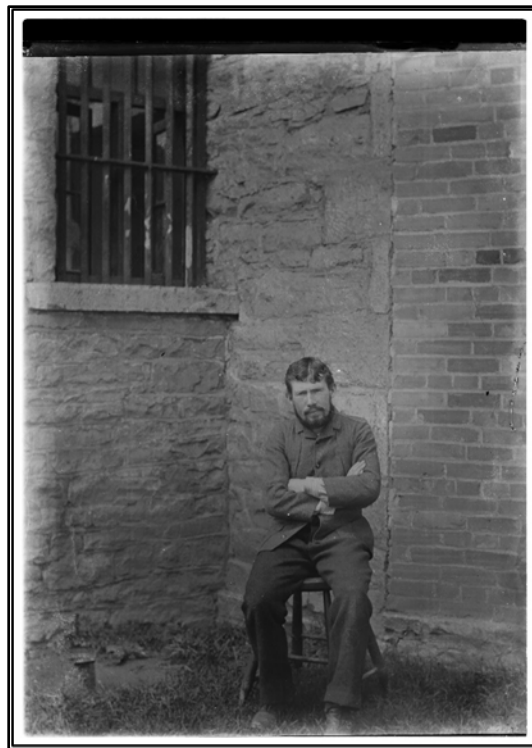


11. Mid 20<sup>th</sup> Century Aerial View of Courthouse and jail

personal reform: “not only of deterring others from the Commission of the like Crimes, but also reforming the Individuals, and inuring them to Habits of Industry”. The criminal code of Upper Canada was also redrafted between 1831 and 1833 at which time the list of capital offences was reduced from over 300 to twelve. Revisions to the code also allowed sentences for more serious crimes to be carried out in provincial jails. These changes gave rise to the concept of the penitentiary - large centralized institutions with paid staff and which could accommodate labour programs both as revenue generators, and as mechanisms of reform. In 1835, Kingston Penitentiary was constructed as the central jail for

Upper Canada and was designed based on an emerging theory of criminal reform known as the Auburn Correctional Philosophy, or “Auburn Plan”, which was gaining favour at the time.

In keeping with these changing philosophies of rehabilitation, in 1862 the Peterborough County Grand Jury ordered the County to erect a more suitable jail structure to enable the sheriff and jailer to classify the inmates in accordance with this new philosophy for prison construction and management. The Auburn Plan, developed at the Auburn Penitentiary in Auburn, New York, theorized that reform could be achieved through a combination of principles including silence, isolation, religious training and hard labour which would in turn develop personal discipline and a respect for hard work and authority. Inmates were classified for segregation based on their age and the gravity of their offences to improve their chances of successful reform and to prevent further negative influences from other prisoners. This philosophy was



12. Unidentified Prisoner, c. 1900-1910

adopted in Peterborough, where in 1863 the Weekly Review published a statement of the Grand Jury’s concerns that “[criminals]...too frequently come forth from gaol far more depraved than when committed to prison,” It was believed that the principles of the Auburn Plan, when enforced on rational inmates, would make them aware of the cost of their criminal behaviour and lead them to want to reform. Although criticized for its severity, the Auburn Plan would remain the standard of correctional institution operations both in the United States and Canada from the mid-nineteenth century until about 1930.

In September of 1863 plans were unveiled for a new jail, to the design of T. F. Nicholl the County engineer, working with the provincial government’s prison architect, H. H. Horsey, who designed several county jails in Upper Canada. The new jail was to be larger and connected directly to the Courthouse, according to plans approved by the Board of Inspectors of Prisons in Quebec City.

Construction began in June of 1864 and the new jail was completed the following year. The walls were raised, and the main entrance to the jail was from a single entrance from the Courthouse. Following the Kingston Penitentiary concept of an administrative pavilion fronting a cellblock of back to back, narrow cells, Peterborough’s jail was comprised of a rectangular two-storey structure with a truncated hip roof and carried over the Regency style features of the Courthouse.



A high, five-sided stone wall enclosed the exercise yard to the east of the main block. The new design also included residences for the sheriff and jail keeper. The newspapers of the day reported that the jail was considered a 'top jail' in terms of convenience, appearance, or substantiality, surpassing even those in Toronto and Lindsay.

While the Penitentiary Act and subsequent prison reforms sought to curtail the use of capital punishment, there were five recorded hangings at the Peterborough jail between 1873 and 1933:

William Brenton aka James Fox on December 26, 1873 for the deaths of Jane Payne and her son;

Robert Henderson on June 23, 1910 for the murder of a Norwood woman;

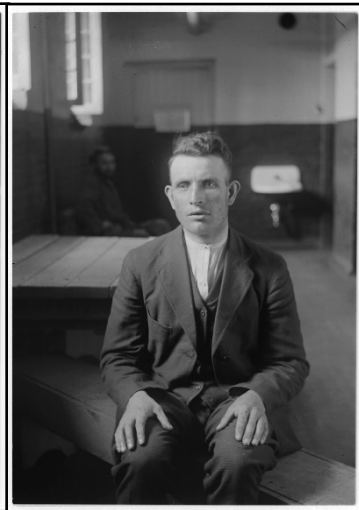
Michael Bahry and Thomas Konyk on January 14, 1920 for the shooting of Philip Yanoff during a robbery near Havelock;

Edward Franklin Jackson on November 29, 1933 for shooting Eugene Lee in a property dispute.

Four of the hanging victims were buried in graves within the jail walls but the fifth, 17 year old Robert Henderson (reputed to be the youngest hanging victim in Canada at the time), whom church clergy insisted had repented in the moments before his death, was allowed to be buried in Little Lake Cemetery where the Peterborough Times on June 24th reported that his grave was, "literally covered out of sight by boquets [sic] and other floral emblems." In 1995 the remains of the four hanging victims were recovered during an archaeological excavation in the prison yard.



13. Michael Bahry



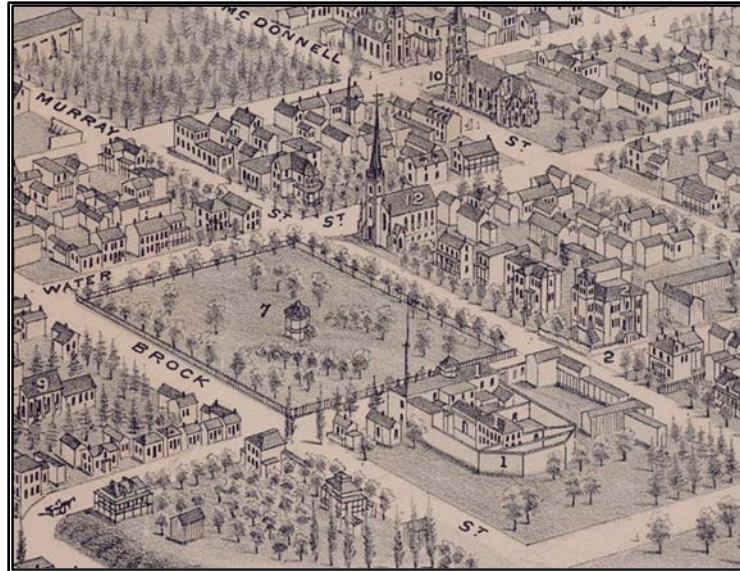
14. Tom Konek

The jail remained in operation until prisoner riots in 2001 caused structural damage to the jail and it was permanently closed. In 2016 the jail was partially demolished to create a Heritage Jail Park. Interventions were made which preserve parts of the original structure.

## Victoria Park

On November 5<sup>th</sup>, 1847 the Crown granted the three acres of land that fronted the new Courthouse to the “Council of the District of Colborne their successors and assigns forever in trust solely for a public square subject nevertheless to the conditions of enclosing the plantings the same in the said Town of Peterborough together with all the Woods and Waters thereon”.

The Crown’s stipulation that the land remain a public space in perpetuity spoke to the recognition of a need for a formal gathering space in the young town. The 1875 map of Peterborough depicts the park and is significantly the only area of the map labelled as a public park (within a couple of years the old burial ground on George Street would also be improved as a public parks). In fact, it was notable



enough that the lithographer of the map included a scene of the park and Courthouse in the lower left corner of the map.

15. Detail of 1875 Bird's Eye View Map showing Courthouse property and surrounding neighbourhood.

The recognition of the importance of Victoria Park as a public green space also reflected a growing awareness of the need to protect and formally develop parkland as industrialization and the concomitant densification of growing urban settlements like Peterborough sought to use all available land for development.

Urban parks of the nineteenth century were havens for relief from the overcrowding, poverty, and squalor facing the poor and working class. As park design advanced, they became the physical manifestation of the belief that nature not only had the ability to bring good health to those living in crowded cities,



16. Detail from 1875 Bird's Eye View Map depicting Courthouse and Registry Building

but also had the ability to inspire citizens to abide by social norms and develop a sense of morality when experiencing 'nature' as a secure and rationally managed space. Victorian gardens and landscape design tended to be highly organized and well maintained, which was thought to encourage good behaviour by its citizens, while in the park itself and beyond in one's own personal life.

Victoria Park maintains many of the original characteristics of a typical Victorian park; a geometric plan of tree lined paths radiating from a central feature – typically a fountain or bandstand. The main walkway from the Courthouse into the park was once lined with ornamental vases as it led toward a central fountain and well laid out flower beds which flanked the entrance walkway from Water Street.



17. Victoria Park and Bandstand c. 1890

Victoria Park had a fountain as its central feature, built by prison labour with materials paid for by James Stevenson and George A. Cox. The fountain was part of the landscape design initiated in Victoria Park by the Peterborough Horticultural Society beginning in 1885. The original fountain was a multi-tiered structure, with round basins over a base of cut stone on a cast iron column and featured botanical motifs on the base and tiers of the fountain and a statue on top. The current fountain in Victoria Park is a replacement of the 1885 fountain. Designed after the removal of the original fountain in 1949, the new fountain is constructed on the cast iron column from the original fountain and features two tiers of round basins and a large cement pool as its base. The current fountain features a "fishing boy" statue on top. In 1887, John Belcher was contracted to design a bandstand in the park for Queen Victoria's Golden Jubilee and the Courthouse Square, or Court House Green, was renamed Victoria Park in honour of Her Majesty following the celebration. The bandstand survived in the park until 1944 when it was destroyed during a wartime tank demonstration.

Public parks were intended to be accessible, both physically and financially, and made cities more beautiful and livable for all classes of society. From the start Victoria Park has been and remains a source of public pride. The park was the site of many of the town's important gatherings serving as the site of the district agricultural fair from 1843 to 1861. In 1860 a



18. Victoria Park, 1887

speech by the visiting Prince of Wales was reportedly attended by 15,000 people (far more than could have assembled at the Market Square, the town's only other public gathering place). The park also served as the local cricket grounds and as a field for other sports.

### The Caretaker's Residence

Early in the twentieth century, another structure, a caretaker's house was added to the site, just to the north east of the Courthouse and jail. The house, a separate building, was conveniently close yet distant enough from the complex that the caretaker could live independently and safely house his family.

Constructed around 1930, the house continues to be owned by the County and occupied by a caretaker. The house is a good and highly intact example of a late Edwardian vernacular home that features the typical restrained classical detailing with some Arts and Crafts features.

*"The short statement of reason for designation, including a description of the heritage attributes along with all other components of the Heritage Designation Brief constitute the "Reasons for the Designation" required under the Ontario Heritage Act. The Heritage Designation Brief is available for viewing in the City Clerk's office during regular business hours*

## **SHORT STATEMENT OF REASONS FOR DESIGNATION**

The Courthouse property has cultural heritage value or interest as a prominent judicial complex within the city of Peterborough. It is a property which includes the original Courthouse designed by Joseph Scobell, 1879 renovations by John Belcher, 1917 repairs and renovations by William Blackwell, Registry and County Offices addition by Craig & Zeidler in 1960, the Heritage Jail Park, Victoria Park (originally Courthouse Square), and the residence of the caretaker. The Courthouse has been in continuous operation since its completion in 1840, first as the District then County Courthouse and it continues to serve the community in this capacity as the Ontario Court of Justice and Ontario Family Court. It has specific physical and design value as a fine and very early example of a judicial complex from the earliest days of the Province of Upper Canada.

Historically, it has direct associations with and yields significant information regarding the evolution of the judicial system in Ontario from its inception. It also yields information about the importance of location and the relationship between buildings and greenspace which was typical of early courthouse design in Ontario. Contextually the Courthouse property defines the area as a landmark – in its siting, design, and as an important early judicial building and as one of the earliest public buildings constructed in the town, overlooking one of the town's first public parks. The setting is in the historic centre of Peterborough, giving the building a dignified and prominent place in the community. In many ways, the property has influenced community values over the course of its 180-year history.



## **SUMMARY OF HERITAGE ATTRIBUTES TO BE DESIGNATED**

The Reasons for Designation include the following heritage attributes and apply to all built and natural features within the boundaries of the property including, built elements, materials, landscaping, trees, views, and contextual relationship with the surrounding neighbourhood.

### **Exterior Elements:**

#### **Courthouse:**

- Peterborough's first Courthouse.
- Symmetrical plan layout of central block and flanking wings with tripartite design reflected on the West façade
- Lesser additions to Courthouse – south jail keeper's residence and north addition
- Original 1840 two-storey, three bay random bedded split faced limestone and brick construction with carved stone quoins and window and door surrounds along with interventions made in 1879 and 1917
- Principle façade with an unobstructed view of Victoria Park and the city beyond
- Symmetrical composition of main block
- 1917 roof including:
  - Balustrade
  - Metal cornice with dentil details
  - Central ornamented pediment
- Front portico and upper balustrade
- Corinthian pilasters supporting the front portico
- Entablature with dentils and cornice
- Blind Palladian window feature with associated pilasters and entablature c. 1917 on West façade
- Medallions flanking Palladian window feature
- Main entrance:
  - Double doors and transom
  - Decorative stone door surrounds
  - Decorative segmental pediment
- Fenestration including arched windows flanking main entrance and small central six-pane window below cornice
- Relationship to Victoria Park

#### **Heritage Jail Park:**

- The existing plan of the 1864 jail as expressed in the remaining partial walls with coping, doorways, window openings, gates and of exercise yards.

### South Wing

- Registry Office County Administration Wing
- Random-coursed limestone-clad construction of the West and South façades
- Expressed concrete structural frame
- Corner and ribbon windows
- Limestone banding
- Copper-clad boxed cornice
- Two storey entrance with glass curtain wall

### Caretaker's House

- Historical association with the Courthouse and jail

### Victoria Park

- Dramatic rise to the east with sloping lawns
- Formal garden beds along entrance from Water Street and the circular garden
- Axial Central walkway and stair leading to the Courthouse
- The physical relationship to the County Courthouse
- Radiating walkways from central fountain
- Central fountain (1951)
- Unobstructed views from Water Street east across Victoria Park to the Courthouse
- Unobstructed views of the north, south and west elevations of the Courthouse from Brock Street, Murray Street, Sheridan Street and College Street
- The sloping lawn up toward the Courthouse including the monumental staircase
- Victoria Park's central East West axis
- Strong urban relationship with the Courthouse

### **Interior Elements:**

#### Courthouse

- wooden trim, including door and window surrounds, transoms and mouldings and other decorative woodwork associated with the 1840, 1879 and 1917 periods of construction
- Staircases including handrails, newels, balusters, treads and risers associated with the 1840, 1879 and 1917 periods of construction.
- Interior spatial organization of central entrance axis, into the Courthouse, leading to the central stair and intersected by the ground floor north south axis corridor
- Wooden doors with rounded glass panels and decorative arched transoms

- Ceiling details in plaster and wood including flat fields, coffering and crown moulding directly associated with the 1840 and 1917 periods of construction

#### South Wing – County Administration Wing

- Main staircase of South Wing
- Terrazzo floor in geometric black and white pattern
- Exposed walls of original Courthouse building
- Ceiling with lighting in semi-spherical recesses

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