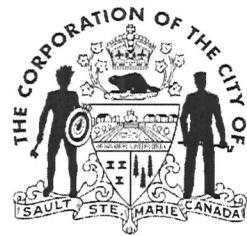


7061



Legal Department

File No. L.5.2.7.

2006 02 13

Ms. Donna Irving
City Clerk

Dear Donna:

**Re: Ontario Heritage Act - Designating By-law 2005-161
Designation of Property - Sault Ste. Marie Cenotaph**

Attached for filing in the vault is a duplicate registered copy of By-law 2005-161, which was registered in the Land Titles Office for Algoma on January 31, 2006 as instrument LT 262539. This by-law designates property known as the Sault Ste. Marie Cenotaph at 426 Queen Street East as being a property of heritage value or interest in the City of Sault Ste. Marie.

Also enclosed for your records is an updated list of the properties which have been designated under the Ontario Heritage Act.

Yours truly,

Nuala Kenny
Assistant City Solicitor

NK/dh

Enclosure

cc: Ms. Debbie Bourn, Manager of Recreation and Culture
Community Services Department





D

FOR OFFICE USE ONLY		(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/> (2) Page 1 of 12 pages
Number Numéro Certificate of RECEIPT Certificat de RÉCÉPISSE		(3) Property Identifier(s) Block 31542-0054 (LT) Property Additional: See Schedule <input type="checkbox"/>
51 J. Murphy LAND REGISTRAR REGISTRATEUR 06 01 31 ALGOMA No. 1		(4) Nature of Document Notice of Historic Designation Application to Register By-law 2005-161 pursuant to the Ontario Heritage Act s.71, Land Titles Act
New Property Identifiers Additional: See Schedule <input type="checkbox"/>		(5) Consideration One Dollars----00/100 Dollars \$ 1.00
Executions Additional: See Schedule <input type="checkbox"/>		(6) Description LT 1-5, PL 220 ST. MARY'S; LANE PL 220, ST. MARY'S CLOSED BY T-76943; LT 18 N/S QUEEN ST PL TOWN PLOT OF ST. MARY'S; SAULT STE. MARIE, DISTRICT OF ALGOMA
(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Additional Description <input type="checkbox"/> Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>		
(8) This Document provides as follows: TO THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ALGOMA: The Corporation of the City of Sault Ste. Marie has an unregistered estate, right, interest or equity in respect of the land in PIN 31542-0054 (LT) and hereby applies under section 71 of the Land Titles Act for entry of City of Sault Ste. Marie By-law 2005-161 designating the within property as being of cultural heritage value and interest pursuant to Section 29 of the Ontario Heritage Act on the Register for the said parcel.		
Continued on Schedule <input type="checkbox"/>		
(9) This Document relates to instrument number(s)		
(10) Party(ies) (Set out Status or Interest) Name(s) THE CORPORATION OF THE CITY OF SAULT STE. MARIE I have authority bind the Corporation		
Signature(s) PER LORIE BOTTO LORIE BOTTO CITY SOLICITOR Date of Signature Y M D 2006 01 04		
(11) Address for Service 99 Foster Drive, Sault Ste. Marie ON P6A 5X6		
(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 426 Queen ST E Sault Ste. Marie, Ontario		(15) Document Prepared by: THE CORPORATION OF THE CITY OF SAULT STE. MARIE 99 Foster Drive Sault Ste. Marie, ON P6A 5N1 Fees and Tax Registration Fee <i>60</i> Total <i>60</i>

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2005-161

HISTORIC SITES: (L.5.2.7.) A by-law to designate the Sault Ste. Marie Cenotaph situate at 426 Queen Street East as being of cultural heritage value and interest.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 337 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value and interest; and

WHEREAS the Council of the Corporation of the City of Sault Ste. Marie has caused to be served on the owners of the lands known as 426 Queen Street East and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality for each of three consecutive weeks; and

WHEREAS no objections to the proposed designations have been served on the Clerk of the municipality;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Ontario Heritage Act ENACTS as follows:

1. **PROPERTY DESIGNATED**

There is designated as being of cultural heritage value and interest the property known as the Sault Ste. Marie Cenotaph situate at 426 Queen Street East, of which is more particularly described on Schedule "A" attached to this by-law.

2. **HERITAGE DESIGNATION REPORT**

The Heritage Designation Report of the Sault Ste. Marie Municipal Heritage Committee dated January 5, 2005 and recommending that the Sault Ste. Marie Cenotaph be designated as a site of significant cultural heritage value and interest pursuant to Part IV of the Ontario Heritage Act is attached as Schedule "B" to this by-law.

3. **SCHEDULES "A" AND "B"**

Schedules "A" and "B" hereto form part of this by-law.

4. **EFFECTIVE DATE**

This by-law takes effect on the date of its final passing.

READ THREE TIMES and PASSED in Open Council this 17th day of October, 2005.


MAYOR – JOHN ROWSWELL


DEPUTY CLERK - MALCOLM WHITE

I, Donna P. Irving, City Clerk of The Corporation of the City of Sault Ste. Marie, certify the foregoing to be a true and correct copy of the original document of which it purports to be a copy.

DATED at Sault Ste. Marie, Ontario, this
30 day of DECEMBER, 2005

SCHEDULE "A" TO BY-LAW 2005-161

Sault Ste. Marie Cenotaph situate at 426 Queen Street East

Upon land situate in the City of Sault Ste. Marie, in the District of Algoma, and more particularly described as:

In the City of Sault Ste. Marie, in the District of Algoma and Province of Ontario and being composed of the whole of the lane 12 feet in width between the south limits of Lots 1, 2, and 3 and the north limit of Lot 4 in the Dawson Subdivision according to the plan of such subdivision registered in the Registry Office for the Registry Division of Algoma as Plan Number 220. (Lane closed by By-law 3495 registered January 28, 1966 as Instrument No. T-76943).

As previously described in instrument no. T-83730.

TOGETHER WITH:

In the City of Sault Ste. Marie, in the District of Algoma containing a total area of 2.149 acres, more or less, and being composed of parts of Lots 15, 16 and 17 on the south side of Albert Street and part of Lot 15 and all of Lots 16 and 17 on the north side of Queen Street, formerly in the Town Plot of St. Mary's, now in the City of Sault Ste. Marie being the remainder of Parcel 4725 1/2, Algoma West Section.

SCHEDULE "B"

Sault Ste. Marie

Municipal Heritage Committee

A Report And Recommendation To The
Corporation Of The City Of Sault Ste. Marie That The

SAULT STE MARIE CENOTAPH

Be Designated As A Significant Site Of Cultural Heritage Value and Interest
Under Part VI Of The Ontario Heritage Act



Report Prepared By Roger Kinghorn
January 5, 2005

Heritage Designation Report on the Sault Ste. Marie Cenotaph

LOCATION

The Cenotaph is located on the north side of Queen Street in front of the Courthouse (426 Queen Street East), Sault Ste. Marie, Ontario

X: 704,608.842

Y: 5,154,368.881

REASON FOR DESIGNATION

The cenotaph, designed by Alfred Howell, is an excellent example of the memorials erected across the country to honour those who died in World War 1. This memorial is of particular significance because it bears an inscription composed specifically for it by Rudyard Kipling. The site consists of the main statue and two bronze side panels on the upper level, and the Merrifield plaque (Plaque recognizing Victoria Cross winner Wm. Merrifield) five steps below and directly in front. The site holds a position of historical and architectural significance and is a focal point of the main street of Sault Ste. Marie.

HISTORICAL VALUE

The Cenotaph was unveiled by the Governor General, Lord Byng, and Lady Byng in September 1924 and has been visited by other Royal and Vice-regal couples since then. It was constructed to honour those who died in World War 1. The young men of Sault Ste. Marie were quick to volunteer. The first left the Sault on August 20, 1914 and within six months were in the trenches around Armentieres and later at Neuve Chapelle. Many were lost at Ypres, in 1915. Sergeant S. Hamilton who later became a prominent Sault Lawyer and M.P. was the first Canadian soldier to be wounded in action. (*Municipal Handbook, 1965*)

The inscription on the front of the Memorial reads:

TO THE GLORY OF GOD: THE
HONOUR OF THE ARMIES OF THE
DOMINION, AND IN PROUD MEMORY
OF OUR DEAD WHO FELL IN THE GREAT
WAR 1914 – 1918 AND WHOSE NAMES
ARE HERE RECORDED, THIS MONUMENT
WAS ERECTED BY THE PEOPLE OF SAULT STE. MARIE

The significance of the Cenotaph expanded with the adding of the names of those who died in World War II and the Korean War.

FROM LITTLE TOWNS IN A FAR LAND WE COME
TO SAVE OUR HONOUR AND A WORLD AFLAME
BY LITTLE TOWNS IN A FAR LAND WE SLEEP
AND TRUST THOSE THINGS WE WON TO YOU TO KEEP

Rudyard Kipling

The significance of the above inscription contributed by Rudyard Kipling cannot be understated. An editorial in the Evening Telegram of Toronto, May 28, 1924 speaks of the daring idea and persuasive skill of J. W. Curran, the Editor and Founder of the Sault Star. Curran wrote to, and persuaded, Kipling to meet an almost-unheard-of request. "...A monument called the Sault Ste. Marie symbol of remembrance must forever wear a glory that money cannot buy. The brief writings of Rudyard Kipling have clothed the memorial at Sault Ste. Marie with an eloquence that will defy forgetfulness and conquer time..." (*Evening Telegram*). The University and timelessness of the message are increased by the fact that nowhere does it say Kipling, who had lost a son in war, wrote the lines especially for the memorial in Sault Ste. Marie (*Bostellaar in Sault Star*)

ARCHITECTURAL VALUE

The Cenotaph is the third of four memorials designed by a Toronto Artist, Alfred Howell. His other memorials are in St. John, N.B. Oshawa, and Guelph (*MacDonald 477*). While his works may appear more symbolic than earlier designers, they were also more romantic and less static than those of his predecessors (*Shipley 130*). The central part of the memorial is a bronze group signifying "the Triumph of Right over the God of War". War is represented by a crouching male figure under the shield of Right which is represented by a draped female figure holding a sword in her right hand and a spray of maple leaves in her left representing the triumph of Canada or peace over war (*Shipley 130*). His central piece is flanked on either side by panels depicting the answer to the call and soldiers helping their wounded. Shipley sees these panels as expressing an attitude to war.

The one panel shows the men reluctantly going to war and the other as grimly returning bearing their dead (*Shipley 20-21*).

The names of the dead are on the east and west sides of the base. The inscription by Rudyard Kipling is in the south face of the base. The names of the dead in World War II and the Korean War were added later.

In response to some deterioration of the statue and the fact that the site was basically weedy gravel, a restoration committee was set up in the 1990's. Perry Short, a local architect and veteran of WWII, designed the restoration and landscape architect, Kathy Smith, did the landscaping. Short, like Howell was trained in Britain and moved to Canada. He had designed several buildings in Sault Ste. Marie and was the Architect behind the restoration and historical designation of the Ermatinger Old Stone House.

While the statue, memorials, and plaque were not altered the surroundings were enhanced in a manner sympathetic to the original intent of a feeling of peace at the site. The guns located at the site were moved to the Legion. Low granite walls matched to the original granite, paving, lighting, and the centering of flags behind the cenotaph were added. The addition of the wide steps made the site a more accessible part of the streetscape. Mr short is quoted as saying that the site "...will become a little more formal, a little more dignified...quite an attractive spot." Chair of the Restoration Committee, Murray Davis referred to the restoration as a focal point of the town." (Sault Star Sympathetic plans set for cenotaph restoring, upgrading, Linda Richardson)

CONTEXTUAL

In his book, *To Mark Our Place*, Robert Shipley suggests that few symbolic objects are as common throughout Canada, as our war memorials. He goes on to state that few ritual observances have consistently involved as broad a spectrum of the society as Remembrance Day Ceremonies. He quotes the Canadian Poet, Al Purdy, who states that while death and war are difficult to confront and discuss they are too fundamental to ignore (*Shipley*, 18, 19). The Sault Ste. Marie Cenotaph symbolizes peace, the sacrifices of those who died in three wars, and important eras in the history of the City. It is significant that it sits in front of the already designated Courthouse. The people that it honours died in defence of the rights and freedoms defended by the law. The park-like setting, enhanced by the restoration of 1992, is a focal point of downtown Queen Street for residents and visitors alike.

SUMMARY

The Cenotaph is a fitting symbol of peace and memorial for the people who died in World War I, World War II, and the Korean War.

The Cenotaph is a fine example of a Canadian War Memorial designed by Alfred Howell. It is unique in that it bears the inscription composed for it by Rudyard Kipling.

Its impressive setting in front of the Court House makes it an essential element of the Queen Streetscape and hence the downtown of Sault Ste. Marie. It is a fitting symbol of the City.

BIBLIOGRAPHY

Burtsch, Linda. *Plaques and Monument Binder*. Prepared for the Sault Ste. Marie H.B.C., February, 1995.

City of Sault Ste. Marie. *Municipal Handbook*, 1996.

Macdonald, Colin S. *A Dictionary of Canadian Artists*, Vol. 2, P. 477.
Ottawa: Canadian paperback Publishers, 1977.

Shipley, Robert. *To Mark Our Place*. Toronto: N.C. Press Limited, 1987

Soldier's Reunion and Discovery Week Souvenir Booklet, August 4-8, 1923
Vertical File 027 – Sault Ste. Marie Public Library

Periodicals

Bostellaar, Bob. "Kipling wrote personal lines to remember Sault War Dead." *Sault Star* (November 11, 1978)

Richardson, Linda. "Sympathetic plans set for cenotaph restoring, upgrading." *Sault Star*

"Rudyard Kipling Pours Treasure of His Genius Upon Sault Ste. Marie Altar of Remembrance to Ontario Soldiers." *Evening Telegram*. (May 28, 1924)

Note: All periodicals are found in the Sault Ste. Marie Legion Cenotaph File

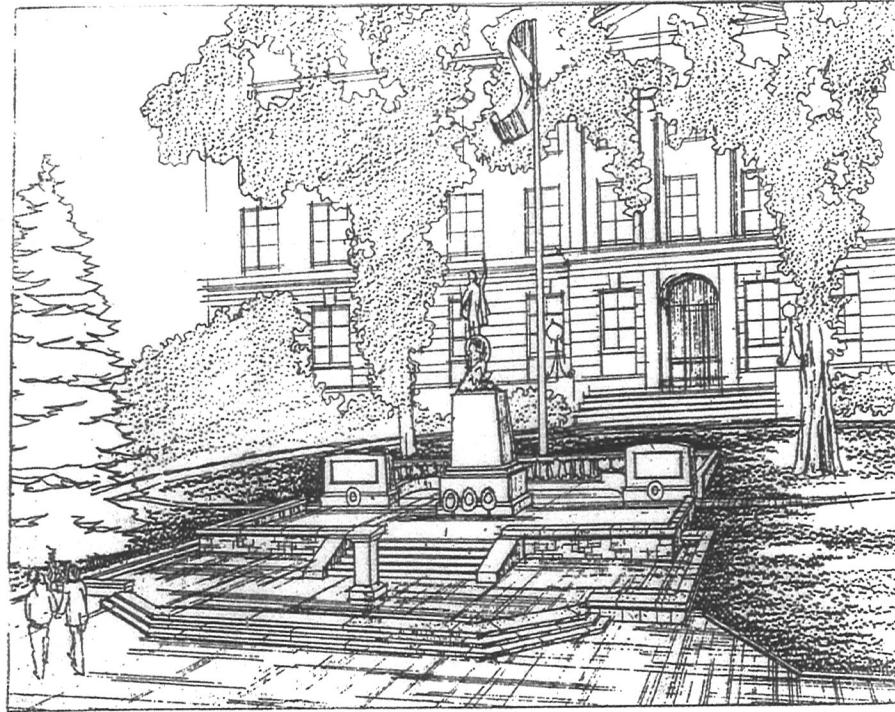


Illustration by Perry Short
Plan for Restoration of the Cenotaph

Letter from Sault Star Editor
James Curran to Rudyard Kipling

"Dear Sir –

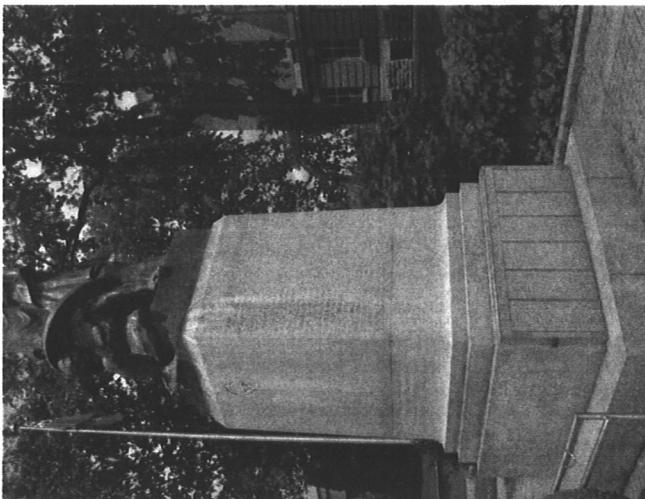
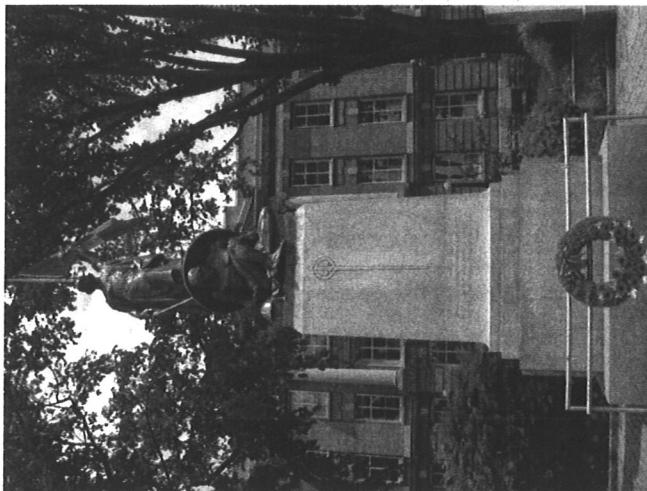
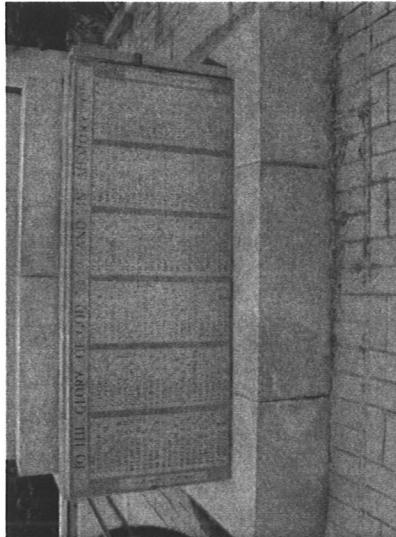
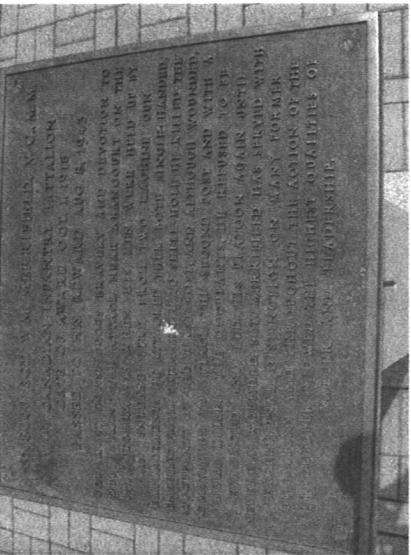
The citizens of Sault Ste. Marie, Ontario, Canada are erecting a monument to the 350 townsmen who fell in the Great War – the best boys we had. We would deeply appreciate it if you would write for us a verse or thought to go on the face of the monument, or indicate something which you would think suitable.

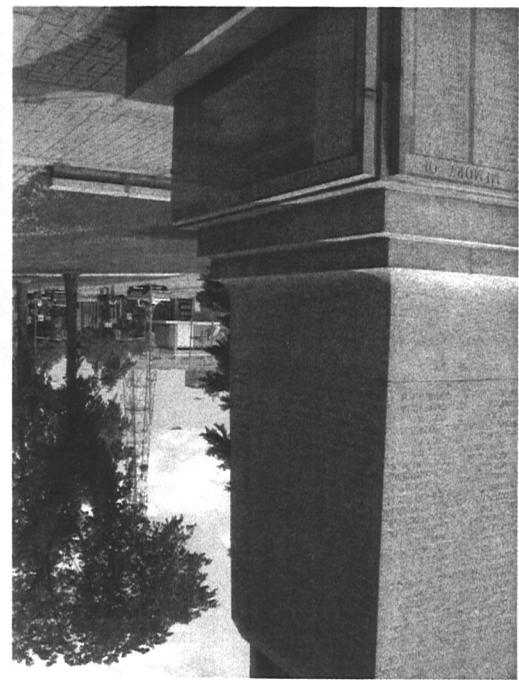
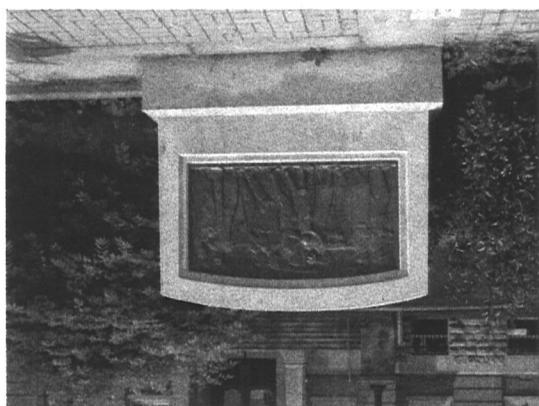
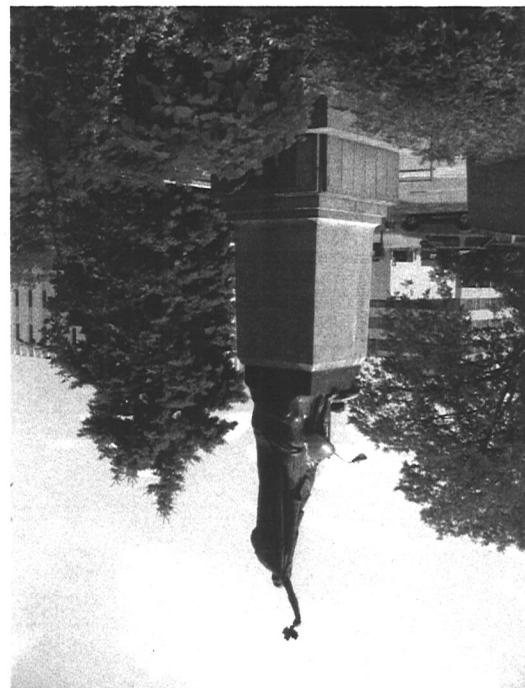
You would be interested in knowing that in the first four months of the war, 1,500 of our boys offered for enlisting – nearly one-tenth of our population then. We sent 120 men off within two weeks of the outbreak of war and followed this up by three other drafts. Then our own 119th and 227th battalions followed in due course. Many Algoma men also served with other corps.

As you know, we are on the St. Mary's River, between Lakes Huron and Superior – a border town of 20,000. Algoma is a very sparsely settled district in "New Ontario," yet in the pioneer stage.

If you feel you could comply with our request it would, I am sure, be greatly appreciated by the fathers and mothers of our absent boys.

Sincerely yours,
James W. Curran"





**DESIGNATED PROPERTIES UNDER ONTARIO HERITAGE ACT - MUNICIPAL HERITAGE COMMITTEE
(FORMERLY KNOWN AS LACAC)**

DESCRIPTION OF PROPERTY	LEGAL DEPT. CLOSED FILE #	CIVIC NO.	BY-LAW NO.	DATE BY-LAW PASSED	EASEMENT - REGISTRATION PARTICULARS
The Old Stone House	3348	831 Queen Street East	80-112	March 31, 1980	
The Clergue Block House	3349	75 Huron Street	80-113	March 31, 1980	
Precious Blood Cathedral	3524	778 Queen Street East	81-18	January 26, 1981	Instrument T-234551
Bishop Fauquier Memorial Chapel	3523	1540 Queen Street East	81-19	January 26, 1981	Instrument T-383761
Bishop Fauquier Memorial Chapel Cemetery	3522	1540 Queen Street East	81-20*	January 26, 1981	
The Coronation Block	3872	234-238 Queen Street E.	83-60	February 28, 1983	
The Hussey Block	3872	244-246 Queen Street E.	83-60	February 28, 1983	
Algonquin Hotel	3872	864 Queen Street East	83-60	February 28, 1983	Instrument T-239882
Wellington Square Townhouses	3872	780 Wellington Street E.	83-60	February 28, 1983	
Abitibi Head Office	3872	Huron Street	83-60	February 28, 1983	Registered T-159209 (released by Instruments T-427793 and T-237638)
Upton	4486	10 Kensington Terrace	83-266	October 24, 1983	Instrument T-297516
Old Post Office	4487	107 East Street	83-266	October 24, 1983	
1902 Family Residence	4484	115 Upton Road	83-266	October 24, 1983	
Eastbourne	4485	1048 Queen Street E.	83-266	October 24, 1983	
(Amending By-law 81-20)	3522		84-245	October 29, 1984	
*(Amending By-law 81-20 & 84-245)	3522		85-197	June 24, 1985	

2/13/06

DESCRIPTION OF PROPERTY	LEGAL DEPT. CLOSED FILE #	CIVIC NO.	BY-LAW NO.	DATE BY-LAW PASSED	EASEMENT REGISTRATION PARTICULARS
Central United Church	3349	160 Spring Street	85-267	October 8, 1985	Instrument T-277005
Barnes Block	4524	3-7 Queen Street East	86-189	July 28, 1986	
Dawson Block	4524	708-714 Queen Street E.	86-189	July 28, 1986	
Barnes-Fawcett Block	5487	358-366 Queen Street E.	89-312	October 16, 1989	Instrument T-318565
McLeod Family Residence	5635	143 McGregor Avenue	91-229	November 18, 1991	
Buchan House – Mockingbird Hill Farm	6069	943 Landslide Road	92-18	March 2, 1992	
Old Town Cemetery	6068	1186 Queen Street E.	94-113	June 13, 1994	
34-36 Herrick Street	6582	34-36 Herrick Street	95-89	May 29, 1995	
Bushplane Museum	6583	64 Church Street	2002-37	February 25, 2002	
Former MNR Building	6583	875 Queen Street East	2002-38	February 25, 2002	
Canoe Lock	6583	75 Huron Street	2002-39	February 25, 2002	
Sault Ste. Marie Court House	6894	426 Queen Street East	2004-162	September 27, 2004	
Rotary Welcome Cairns	6921	Russ Ramsay Way	2005-160	October 17, 2005	Instrument LT 262536
Sault Ste. Marie Cenotaph	6920	426 Queen Street East	2005-161	October 17, 2005	Instrument LT 262539

Send up-dated charts to:

Debbie Bourn

Ron MacDonald