

Demolition by Neglect of Pinkney House



Written by David Kendall
Photograph by Grecia Mayers

Drip, drip, drip...

Does a heritage building have the right to life? Or, put more graphically: if a gravel company lets a derelict 136-year-old stone house slip into “demolition by neglect,” is that slow house-slaughter?

That’s what seems to be the fate of the heritage-designated Pinkney House sitting beside the Elora-Cataract trail at 17923 Shaw’s Creek Rd. just north of the hamlet of Belfountain. Built by an immigrant Italian stonemason in 1886, the house was lived in by the Pinkney family for 115 years. The Pinkney family had operated a “wayside pit” for decades before the Smythe gravel operation came in and mined the original farm in the 1950s. The former Pinkney fields flanking the north side of the Elora-Cataract Trailway are now a great, emptied pit. Only the three or four acres on which the house stands, remain un-mined.

The property was purchased Jan. 4, 2001 as part of a \$400 million takeover of KVN Co. Ltd.’s gravel assets by Lafarge North America, subsidiary of Lafarge International with aggregate operations in some 60 nations worldwide. In 2016 a merger resulted in the parent company being renamed LafargeHolcim Corporation.

By 2007, the empty house was already seriously damaged, having suffered a fire in an upstairs bedroom. That year, my wife Grecia and I tried to preserve the house. We offered

an interest-free loan to restore and sell it with all net profit going to the local Headwaters Hospital. Under the proposal, the house and one acre would first be donated to the hospital, giving the gravel company a charitable receipt against taxes and letting the hospital sell the property. Our offer went to the Lafarge gravel company as well as to the hospital and the Town of Caledon heritage office. But our offer trickled away due to dithering and denial.

“This property was placed on the Town of Caledon’s Built Heritage Resources Inventory in 2007. In June, 2009, it was elevated to a property listed on the Town of Caledon Register for Cultural Heritage Properties,” writes Su Murdoch, a historical consultant based in Barrie, in her report of that year commissioned by the Town of Caledon.

The Pinkney House is a four-bedroom home with two staircases and a high basement. It is described in the consultant’s report as having a “typical Gothic Revival, medium to high pitched, cross gable roof, with pointed gables decorated with wood inserts (fretwork).” She goes on to write: “The window and door openings and corners of the structure have quoining (surrounds) of large dimension stones.” In simple terms, the lintels above the windows and doors are not plain stone rectangles, they are beautifully sculpted stone like in an ancient church.

Trickle, trickle, trickle...

But an empty house is a

dying house. An occupied home is a beating heart. And a gravel company, no matter how well-intentioned, is an absentee landlord.

The Pinkney House’s long state of “demolition by neglect” took an important break in December of 2013 when the aggregate company abruptly replaced the rotting cladding on the roof of the house, along with new shingles, a chimney repair, a roof truss upgrade, and new fascia, soffits and guttering.

Finally, at a September 6, 2017 meeting, Caledon Council unanimously voted to confer the full protection of heritage designation for the deserted Pinkney House and the property it stood on. The gravel company contested the ruling within the automatic 30-day objection period.

Two years of haggling ensued behind closed doors. During that time, the collapsing century-old barn was demolished, on safety grounds, a classic example of “demolition by neglect.” Finally, October 22, 2019, the two sides agreed on full designation of the house.

But the “demolition by neglect” did not stop in the empty building. The mortar continued to crack, intruders kept breaking in, and last winter copious roof shingles flew off with every storm. Ms. Drummond drove by and snapped photos of the deterioration. The company dutifully re-shingled the roof this spring. But the house stands empty and purposeless.

Sure enough, a visit July 9 revealed a torn-down plywood shield and a smashed ground floor window, a great hole inviting animals, trespassers, and rain.

Dribble, dribble, dribble...

The concept of legal standing for objects and creatures that are not human was advanced in 1972 by Christopher D. Stone (1937-2021), a University of Southern

California law professor. His book *Should Trees Have Standing?* is an early treatise on the idea. He points out that in humankind’s early stages, only the caveman’s immediate family had standing. Anyone or anything outside that narrow circle was meat.

Over time, the right to life has expanded to women, children, slaves, nations, corporations, municipalities. “The fact is, that each time there is a movement to confer rights onto some new ‘entity,’ the proposal is bound to sound odd or frightening or laughable. This is partly because until the rightless thing receives its rights, we cannot see it as anything but a thing for the use of ‘us.’” Stone goes on to write: “I am quite seriously proposing that we give legal rights to forests, oceans, rivers, and other so-called ‘natural objects’ in the environment, indeed to the natural environment as a whole.”

Of course, 50 years later, climate change has brought increasing endorsement of Stone’s proposal. Desperation does that. If we fail to protect the world’s land and water and air and living species, humanity faces starvation, poisoning and asphyxiation. Endangered species legislation, Greenbelt restrictions, conservation easements, old-growth forest rulings, all are examples of legislation appointing individuals and organizations as guardians to safeguard the rights of wordless entities.

As does heritage designation.

So, is there a long-term plan for the Pinkney House?

“Absolutely none I’ve heard about,” says Ms. Drummond.

“We’ll maintain the house,” insists LafargeHolcim’s central Ontario land manager Mal Wensierski.

David Kendall is a retired Toronto Sun newspaper reporter now living in Belfountain and writing ecological thriller novels. An excerpt from his novel Slag was published in Winter 2020-21.