



City of Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE REVISÉ

Meeting #: 22-007

Date: July 7, 2022

Time: 9:30 a.m.

Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. June 10, 2022

5. COMMUNICATIONS

6. DELEGATION REQUESTS

6.1. Dr. S. Sheehan, respecting an Introduction to the Landsdale Neighbourhood Inventory Project (for a future meeting)

*6.2. Ava Barnett, SMPL Design Studio, respecting Support for the Notice of Intent to Demolish the building located at 345 Mountain Brow Road (for today's meeting)

7. CONSENT ITEMS

7.1. Delegated Approval: Heritage Permit Application HP2022-010, Proposed Replacement of Rear Wood Door at 64 James Street South, Hamilton (Ward 2), By-law No.86-263

- 7.2. Delegated Approval: Heritage Permit Application HP2022-011: Proposed Alteration of Ceiling, Railing and Elevator Addition at 24 Main Street West, Hamilton (Ward 2), By-law No. 20-126
- 7.3. Delegated Approval: Heritage Permit Application HP2022-013: Proposed Installation of Security Cameras at 56 York Boulevard, Hamilton (Ward 2), (NOID Bill 231 - at time of submission)
- *7.4. Delegated Approval: Heritage Permit Application HP2022-014: Restoration and replication of portico at 64 James Street South, Hamilton (Ward 2) (By-law No. 86-263)
- *7.5. Policy and Design Working Group Meeting Notes - May 16, 2022

8. STAFF PRESENTATIONS

- 8.1. Request to Designate 39 Lakeview Drive, Stoney Creek under Part IV of the Ontario Heritage Act (PED22146) (Ward 10)

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

- 10.1. Inventory and Research Working Group Meeting Notes - April 25, 2022 - Respecting 39 Lakeview Avenue, Stoney Creek (Item 4) (deferred from the June 10, 2022 meeting)
- 10.2. Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Buildings and Landscapes

This list is determined by members of the Hamilton Municipal Heritage Committee. Members provide informal updates to the properties on this list, based on their visual assessments of the properties, or information they have gleaned from other sources, such as new articles and updates from other heritage groups.

13.1.a. Endangered Buildings and Landscapes (RED)

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
- (iv) 18-22 King Street East, Hamilton (D) – W. Rosart
- (v) 24-28 King Street East, Hamilton (D) – W. Rosart
- (vi) 2 Hatt Street, Dundas (R) – K. Burke
- (vii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown
- (viii) Long and Bisby Building, 828 Sanatorium Road (D) – G. Carroll
- (ix) 120 Park Street, North, Hamilton (R) – R. McKee
- (x) 398 Wilson Street East, Ancaster (D) – C. Dimitry
- (xi) Lampman House, 1021 Garner Road East, Ancaster (D) – C. Dimitry
- (xii) Cathedral Boys School, 378 Main Street East, Hamilton (R) – T. Ritchie
- (xiii) Firth Brothers Building, 127 Hughson Street North, Hamilton (NOID) – T. Ritchie
- (xiv) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee
- (xv) Former Hanrahan Hotel (former) 80 to 92 Barton Street East (I)– T. Ritchie
- (xvi) Television City, 163 Jackson Street West (D) – J. Brown
- (xvii) 1932 Wing of the Former Mount Hamilton Hospital, 711 Concession Street (R) – G. Carroll
- (xviii) 215 King Street West, Dundas (I) – K. Burke
- (xix) 679 Main Street East, and 85 Holton Street South, Hamilton (Former St. Giles Church) – D. Beland
- (xx) 219 King Street West, Dundas – K. Burke
- (xxi) 216 Hatt Street, Dundas – K. Burke
- (xxii) 537 King Street East, Hamilton – G. Carroll
- (xxiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xxiv) 2235 Upper James Street, Hamilton – G. Carroll

13.1.b. Buildings and Landscapes of Interest (YELLOW)

(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland
- (ii) 2251 Rymal Road East, Stoney Creek (R) – C. Dimitry
- (iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas (R) – K. Burke
- (iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (ND) – W. Rosart
- (v) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll
- (vi) Dunington-Grubb Gardens, 1000 Main Street East (within Gage Park) (R) – D. Beland
- (vii) St. Clair Blvd. Conservation District (D) – D. Beland
- (viii) 52 Charlton Avenue West, Hamilton (D) – J. Brown
- (ix) 292 Dundas Street East, Waterdown (R) – L. Lunsted
- (x) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton (R) – T. Ritchie
- (xi) Binkley Property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown
- (xii) 62 6th Concession East, Flamborough (I) - L. Lunsted
- (xiii) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie
- (xiv) 1 Main Street West, Hamilton (D) – W. Rosart
- (xv) 54 - 56 Hess Street South, Hamilton (R) – J. Brown
- (xvi) 384 Barton Street East, Hamilton – T. Ritchie
- (xvii) 311 Rymal Road East, Hamilton – C. Dimitry
- (xviii) 42 Dartnell Road, Hamilton (Rymal Road Stations Silos) – G. Carroll
- (xix) Knox Presbyterian Church, 23 Melville Street, Dundas – K. Burke
- (xx) 84 York Blvd. (Philpott Church), Hamilton – G. Carroll
- (xxi) 283 Brock Road, Greensville (West Township Hall) – L. Lunsted
- (xxii) Masonic Lodge, Dundas – K. Burke
- (xxiii) Battlefield National House – R. McKee

13.1.c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

- (i) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (ii) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (iii) Rastrick House, 46 Forest Avenue, Hamilton – G. Carroll
- (iv) 125 King Street East, Hamilton (R) – T. Ritchie

13.1.d. Heritage Properties Update (BLACK)

(Black = Properties that HMHC have no control over and may be demolished)

(i) 442, 450 and 452 Wilson Street East, Ancaster – C. Dimitry

*13.2. Ontario Heritage Conference Recap (no copy)

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

Minutes 22-006

9:30 a.m.

Friday, June 10, 2022

Council Chambers, City Hall

Present:	Councillor M. Pearson, A. Denham-Robinson (Chair), J. Brown, G. Carroll, C. Dimitry (Vice-Chair), L. Lusted, R. McKee and T. Ritchie
Absent with Regrets:	K. Burke
Also Present:	Councillors J. P. Danko, and L. Ferguson Rebecca Sciarra, ASI Heritage

THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:

1. Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12) (Item 8.1)

(Brown/Ritchie)

That 374 Jerseyville Road West Ancaster and the properties in the broader area surrounding it as identified in Archaeological Services Inc.'s (ASI) Cultural Heritage Assessment, be added to the City's Cultural Heritage Landscape Inventory and mapping as part of the Official Plan review exercise.

CARRIED

2. Beasley Neighbourhood Inventory (PED22135) (Ward 2) (Item 8.2)

(Ritchie/Brown)

That staff be directed to list the properties identified in Appendix "A" attached to Report PED22135 on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest in accordance with Section 27 of the Ontario Heritage Act.

CARRIED

3. Inventory and Research Working Group Meeting Notes – April 25, 2022 (Added Item 10.1)

(Brown/Carroll)

- (i) 16 Steven St., Hamilton (The Pearl Company)

That the property located at 16 Steven St., Hamilton (The Pearl Company) be added to the Municipal Heritage Register due to its physical/design value as an early example of Hamilton's industrial architecture.

CARRIED

(Ritchie/Brown)

(ii) 115-117 George Street Hamilton

- (a) That 115-117 George Street Hamilton, be added to Staff's Work Plan (low priority) for designation;
- (b) That Staff be directed to work with the Property Owner during the development and construction process to conserve heritage attributes and use appropriate zoning procedures and site plan polices for conservation; and
- (c) That Staff be directed to encourage the Property Owner to maintain a high level of property standards throughout the duration of the project to ensure the property is secured, protected and maintained to avoid demolition by neglect.

CARRIED

(Ritchie/Carroll)

(iii) 374 Jerseyville Road West, Ancaster (Ancaster High School)

That the individual property at 374 Jerseyville Road West, Ancaster (Ancaster High School), NOT be added to the Register, nor should it be added to Staff's Designation Workplan.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Committee of the following changes to the agenda:

5. COMMUNICATIONS

5.1 Correspondence from C. McGill respecting Objection to 164 Mary Street Inclusion on the Beasley Neighbourhood Inventory

Recommendation: Be received and referred to Item 8.2, Beasley Neighbourhood Inventory (PED22135)

5.2 Petition respecting the Cultural Heritage Designation of the Ancaster High School Grounds

Recommendation: Be received and referred to Item 8.1, Cultural Heritage Assessment of 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12)

5.3 Correspondence respecting Cultural Heritage Designation of the Ancaster High School Grounds

Recommendation: Be received and referred to Item 8.1, Cultural Heritage Assessment of 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12)

- 5.3(a) Melissa Tancredi
- 5.3(b) Ron Foxcroft
- 5.3(c) Tim Harvey
- 5.3(d) Bob Young

6. DELEGATION REQUESTS

- 6.1 Nathan Morgenstern, respecting Opposition to the Beasley Inventory

10. DISCUSSION ITEMS

- 10.1 Inventory and Research Working Group Meeting Notes - April 25, 2022

(Carroll/Pearson)

That the agenda for June 10, 2022, be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

No declarations of interest were made.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) May 13, 2022 (Item 4.1)

(Brown/Ritchie)

That the Minutes of the May 13, 2022 meeting of the Hamilton Municipal Heritage Committee be approved, as presented.

CARRIED

(d) COMMUNICATIONS (Item 5)

(Brown/Carroll)

That the following Correspondence items be approved as presented:

- (i) Correspondence from C. McGill respecting Objection to 164 Mary Street Inclusion on the Beasley Neighbourhood Inventory (Added Item 5.1)
- (ii) Petition respecting the Cultural Heritage Designation of the Ancaster High School Grounds
- (iii) Correspondence respecting Cultural Heritage Designation of the Ancaster High School Grounds.

CARRIED

(e) DELEGATION REQUEST (Item 6)

- (i) Nathan Morgenstern, respecting Opposition to the Beasley Inventory (PED22135) (Ward 2) (Added Item 6.1)**

(Ritchie/Lunsted)

That the Delegation Request from Nathan Morgenstern, respecting Opposition to the Beasley Inventory, be approved, for today's meeting.

CARRIED

(f) CONSENT ITEMS (Item 7)

(Brown/Ritchie)

That the following items be received:

- (i) Heritage Permit Review Sub-Committee Minutes – April 19, 2022 (Item 7.1)
- (ii) Policy and Design Working Group Meeting Notes - April 19, 2021 (Item 7.2)
- (iii) Policy and Design Working Group Meeting Notes - March 21, 2022 (Item 7.3)

CARRIED

(g) STAFF PRESENTATION (Item 8)

- (i) Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12) (Item 8.1)**

Rebecca Sciarra, ASI Heritage, addressed Committee with a presentation respecting the Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12).

(Ritchie/Lunsted)

That the Presentation respecting the Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12), be received.

CARRIED

For further disposition of this matter, refer to Item 1.

(Ritchie/Rosart)

That the Committee recess for 10 minutes, until 10:55 a.m.

CARRIED

(ii) Beasley Neighbourhood Inventory (PED22135) (Ward 2) (Item 8.2)

Alissa Golden, introduced Carol Priamo of the Beasley Neighbourhood Association respecting the Beasley Neighbourhood Inventory (PED22135) (Ward 2).

(Ritchie/Rosart)

That the Presentation respecting the Beasley Neighbourhood Inventory (PED22135) (Ward 2), be received.

CARRIED

For further disposition of this matter, refer to Item 2.

(h) DELEGATIONS (Item 9)

(i) Marc Bader, respecting support for a Heritage Committee decision regarding the cultural heritage designation of the Ancaster High School grounds (Item 9.1)

Marc Bader spoke in support of the Cultural Heritage Assessment for 374 Jerseyville Road West, Ancaster (Ancaster High School) PED22113 (Ward 12).

(Pearson/Rosart)

That the Delegation from Marc Bader, respecting support for a Heritage Committee decision regarding the cultural heritage designation of the Ancaster High School grounds, be extended by an additional five minutes.

CARRIED

(Rosart/Brown)

That the Delegation from Marc Bader, respecting support for a Heritage Committee decision regarding the cultural heritage designation of the Ancaster High School grounds, be received.

CARRIED

For further disposition of this matter, refer to Item 1 and (g)(i)

(ii) Nathan Morgenstern, respecting Opposition to the Beasley Inventory (PED22135) (Ward 2) (Added Item 9.2)

Nathan Morgenstern spoke in opposition to Beasley Neighbourhood Inventory (PED22135) (Ward 2).

(Lunsted/Carroll)

That the Delegation from Nathan Morgenstern, respecting Opposition to the Beasley Inventory (PED22135) (Ward 2), be received.

CARRIED

For further disposition of this matter, refer to Item 2 and (g)(ii)

(Carroll/Brown)

That the Committee recess for 5 minutes, until 12:00 p.m.

CARRIED

(i) DISCUSSION ITEMS (Item 10)

(i) Inventory and Research Working Group Meeting Notes - April 25, 2022 (Added Item 10.1)

(Ritchie/Carroll)

That the following item be deferred to the next meeting of the Hamilton Municipal Heritage Committee:

(a) 39 Lakeview Avenue, Stoney Creek (Item 4)

The Inventory & Research Working Group recommends that 39 Lakeview Avenue, Stoney Creek, be removed from Staff's Designation Work Plan, and that the property maintain its current status to remain on the Register.

CARRIED

For further disposition, refer to Item 3

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(Carroll/McKee)

(a) That the property known as the Masonic Lodge, Dundas, be added to the Buildings and Landscapes of Interest (YELLOW);; and

(b) That K. Burke monitor the property as part of the Buildings and Landscapes list.

CARRIED

(McKee/Brown)

(a) That the property known as Battlefield National House be added to the Building and Landscapes of Interest (YELLOW) list; and

(b) That R. McKee monitor the property as part of the Buildings and Landscapes list.

CARRIED

(i) **Buildings and Landscapes (Item 13.1)**

Updates to properties can be viewed in the meeting recording.

(Ritchie/Carroll)

That the following updates, be received:

(a) Endangered Buildings and Landscapes (RED):

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
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- (xxiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xxiv) 2235 Upper James Street, Hamilton – G. Carroll

(b) Buildings and Landscapes of Interest (YELLOW):

(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

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- (vii) St. Clair Blvd. Conservation District (D) – D. Beland
- (viii) 52 Charlton Avenue West, Hamilton (D) – J. Brown
- (ix) 292 Dundas Street East, Waterdown (R) – L. Lunsted
- (x) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton (R) – T. Ritchie
- (xi) Binkley Property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown
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- (xiii) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie
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- (xvi) 384 Barton Street East, Hamilton – T. Ritchie
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- (xviii) 42 Dartnell Road, Hamilton (Rymal Road Stations Silos) – G. Carroll
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- (xx) 84 York Blvd. (Philpott Church), Hamilton – G. Carroll
- (xxi) 283 Brock Road, Greensville (West Township Hall) – L. Lunsted
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(c) Heritage Properties Update (GREEN):

(Green = Properties whose status is stable)

- (i) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (ii) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (iii) Rastrick House, 46 Forest Avenue, Hamilton – G. Carroll
- (iv) 125 King Street East, Hamilton (R) – T. Ritchie

(d) Heritage Properties Update (black):

(Black = Properties that HMHC have no control over and may be demolished)

- (i) 442, 450 and 452 Wilson Street East, Ancaster – C. Dimitry
CARRIED

(ii) Dofasco Blast Furnace (Added Item 13.2)

(McKee/Carroll)

That the subject of the heritage importance of the Dofasco Blast Furnace be referred to the Inventory and Research Working Group for review, and report back to the Hamilton Municipal Heritage Committee.

CARRIED

(k) ADJOURNMENT (Item 15)

(Pearson/Beland)

That there being no further business, the Hamilton Municipal Heritage Committee adjourned at 1:16 p.m.

CARRIED

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

From: clerk@hamilton.ca
To: [Kolar, Loren](#)
Cc: [Vernem, Christine](#)
Subject: FW: Form submission from: Request to Speak to Committee of Council Form
Date: Friday, June 24, 2022 8:39:09 AM

-----Original Message-----

From: City of Hamilton, Ontario, Canada via City of Hamilton, Ontario, Canada <no-reply@hamilton.ca>
Sent: Thursday, June 23, 2022 4:53 PM
To: clerk@hamilton.ca
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Thursday, June 23, 2022 - 4:53pm Submitted by anonymous user: 172.70.126.227 Submitted values are:

==Committee Requested==

Committee: Hamilton Municipal Heritage Committee
Will you be delegating in person or virtually? Virtually
Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable):
Name of Individual: Dr. Sarah Sheehan
Preferred Pronoun: she/her
Contact Number: [REDACTED]
Email Address: [REDACTED]
Mailing Address:
[REDACTED]
Reason(s) for delegation request: To introduce the Landsdale Heritage Inventory project
Will you be requesting funds from the City? No
Will you be submitting a formal presentation? Yes

The results of this submission may be viewed at:
<https://www.hamilton.ca/node/286/submission/628241>

From: clerk@hamilton.ca
To: [Kolar, Loren](#); [Vernem, Christine](#)
Subject: FW: Form submission from: Request to Speak to Committee of Council Form
Date: Tuesday, July 5, 2022 9:48:32 AM

FYA

-----Original Message-----

From: City of Hamilton, Ontario, Canada via City of Hamilton, Ontario, Canada <no-reply@hamilton.ca>
Sent: July 5, 2022 9:11 AM
To: clerk@hamilton.ca
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Tuesday, July 5, 2022 - 9:11am Submitted by anonymous user: 172.70.178.112 Submitted values are:

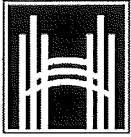
==Committee Requested==

Committee: Hamilton Municipal Heritage Committee
Will you be delegating in person or virtually? Virtually
Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): SMPL Design Studio
Name of Individual: Ava Barnett
Preferred Pronoun: She
Contact Number: 2894894132
Email Address: ava@smpldesignstudio.com
Mailing Address:
15 Colbourne Street
Hamilton, ON L8R 2G2
Reason(s) for delegation request: To speak in support of Staff's recommendation for Agenda Item 10.2 pertaining to the submitted Notice of Intent to Demolish the building located at 345 Mountain Brow Road.
Will you be requesting funds from the City? No
Will you be submitting a formal presentation? No

The results of this submission may be viewed at:
<https://www.hamilton.ca/node/286/submission/632081>



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 1202
Fax: 905-540-5611

FILE: HP2022-010

June 6, 2022

Emily Collins
ERA Architects Inc
600-625 Church Street
Toronto, ON
M4Y 2G1

**Re: Heritage Permit Application HP2022-010:
Proposed Replacement of Rear Wood Door at 64 James Street South,
Hamilton (Ward 2), By-law No. 86-263**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2022-010 is approved for the designated property at 64 James Street South, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replacement of the existing wooden door on north elevation with a new door that matches the original style and specifications, the existing door will be removed, salvaged, and stored on-site.
- The existing door frame will be retained, repaired, and repainted, while defective mortar will be repointed with a lime-based historic mortar mix to match existing.
- Fabricate new door with white oak to replicate existing door. Glazing will be full size clear insulated glass units with surface mounted wood grid, and curved top to match existing profile.
- Remove cracked mortar joint around the perimeter of the frame to surrounding stone structure, remove and replace weather stripping, scrape and sand frame, prime and paint frame, replace cracked mortar joint around the perimeter of the frame with heritage mortar and sealant.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief

Re: Heritage Permit Application HP2022-010: Proposed Replacement of Rear Wood Door at 64 James Street South, Hamilton (Ward 2), By-law No. 86-263

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Planner, prior to submission as part of any Application for a Building Permit and / or the commencement of any alterations; and,

- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2024. If the alterations are not completed by May 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at Stacey.Kursikowski@hamilton.ca

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Bob Nuttall, Acting Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement
Loren Kolar, Legislative Coordinator
Lisa Kelsey, Legislative Coordinator
Councillor Jason Farr, Ward 2

HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2022-010

ADDRESS: 64 James Street South, Hamilton

Owner: Trustees of St Paul's Presbyterian Church c/o David Church, Trustee

Applicant / Agent: Emily Collins, ERA Architects Inc

Description of proposed alterations:

- Replacement of the existing wooden door on north elevation with a new door that matches the original style and specifications, the existing door will be removed, salvaged, and stored on-site.
- The existing door frame will be retained, repaired, and repainted, while defective mortar will be repointed with a lime-based historic mortar mix to match existing.
- Fabricate new door with white oak to replicate existing door. Glazing will be full size clear insulated glass units with surface mounted wood grid, and curved top to match existing profile.
- Remove cracked mortar joint around the perimeter of the frame to surrounding stone structure, remove and replace weather stripping, scrape and sand frame, prime and paint frame, replace cracked mortar joint around the perimeter of the frame with heritage mortar and sealant.

Reasons for proposed alterations:

- Defective condition of the exterior door, the left stile is in a state of failure, resulting in the top and middle rails separating from the left stile, impeding the safe functioning of the door as it is unable to open and close properly. As a noted fire exit, this poses a significant security and health and safety risk.

Documentation submitted with application:

- Memo containing Condition Assessment, scope of work from Historic Restoration Inc. and photographs of doorway/door.

Staff assessment:

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation

to the heritage attributes mentioned in the Designation By-law, in this case By-law No. 86-263.

Minimal “disruption effects” are expected to the heritage context of the property. While the wooden door is identified as a heritage attribute in the designation by-law, its current condition poses safety and risk concerns. The proposed replacement door will be constructed with like materials (white oak) and match the existing profile which will maintain the overall appearance while ensuring safety and longevity for the future of the building.

There will be minimal “displacement effects” to the subject property as a result of this application. While the existing wooden door is being replaced with a similar door, the existing door will be carefully removed, and store on-site should there be a desire to restore it in the future. The overall visual appearance of the heritage attribute will be maintained as the proposed door will maintain the same appearance.

Staff are supportive of the application as there will be minimal disruption and displacement effects. While the scope of work removes the existing wooden door, the replacement door constructed out of white oak will provide the same visual appearance while ensuring the safety and reducing the risk to the tenants of the building. The overall visual appearance of the valued heritage attribute and character of the property will be maintained.

Key dates:

Sub-committee meeting date: May 17, 2022
Notice of Complete Application: May 9, 2022

Sub-committee comments and advice:

The Sub-committee considered the application and passed the following motion:

(Dent/Burke)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2022-010 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2024. If the alterations are not completed by May 31, 2024 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

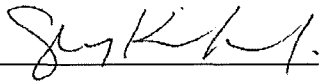
Final Recommendation:

That the applicant be advised that Heritage Permit Application HP2022-010 is approved in accordance with the submitted application, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2024. If the alterations are not completed by May 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Approval:

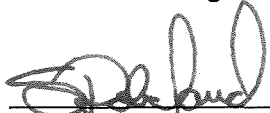
Staff Approval:



Stacey Kursikowski, MCIP RPP
Cultural Heritage Planner

Ken Coit
Digitally signed by Ken Coit
Date: 2022.06.06 09:48:22 -04'00'
Coit
MGR Initials

Authorized:

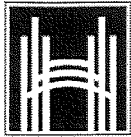


~~Ken Coit OAA
Acting Director~~

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Reasons for Designation (By-law No. 83-263)

Important to the preservation of St. Paul's Presbyterian Church is the retention of the four exterior facades and the interior of the original church; the exteriors of the stone chapel addition built in 1877 by architect Peter Brass, and enlarged, in 1909 by Frank Darling; and the chancel extension on 1909 by Hugh Vallance. Designation includes but is not limited to the masonry walls, buttresses and spire; the pointed-arch windows and doorways; the roof and dormers, the decorative wooden porches, tracery windows, wooden doors, stone pinnacles mouldings and carved decoration; and on the interior the narthex and sanctuary including the chancel, pulpit, gallery, stained glass and tracery windows, timberwork ceiling, lighting fixtures, carved woodwork, pews excluding the ones in the transept and the original Communion Table.



Hamilton

Mailing Address:
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Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 1202
Fax: 905-540-5611

FILE: HP2022-011

June 29, 2022

Rev. Dr. Ian Sloan
24 Main Street West
Hamilton, ON L8P 1H2
ianbsloan@gmail.com

**Re: Heritage Permit Application HP2022-011:
Proposed Alteration of Ceiling, Railing and Elevator Addition at 24 Main
Street West, Hamilton (Ward 2), By-law No. 20-126**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2022-011 is approved for the designated property at 24 Main Street West, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- The addition of trusswork and fixtures in the ceiling to support flying speaker arrays, a digital projection screen, and stage lighting;
- The addition of a structural glass railing behind the mezzanine railing to bring occupant safety for those in seating directly behind the railing to the current specifications of the Ontario Building Code; and,
- The addition of an elevator in the northeast addition with access to the auditorium through an opening in the exterior wall into the northeast stairwell landing.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2025. If the alterations are not completed by

**Re: Heritage Permit Application HP2022-011: Proposed
Alteration of Ceiling, Railing and Elevator Addition at
24 Main Street West, Hamilton (Ward 2), By-law No.
20-126**

Page 2 of 2

June 30, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,

- c) Any original bricks that are salvaged from the construction of the new door opening, between the original structure and the new elevator lobby at the northeast corner, be stored on site at the church on an elevated platform such as pallet in a conditioned environment.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at Stacey.kursikowski@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Bob Nuttall, Acting Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement
Loren Kolar, Legislative Coordinator
Councillor Jason Farr, Ward 2

HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2022-011

ADDRESS: 24 Main Street West, Hamilton

Owner: New Vision United Church

Applicant / Agent: Rev. Dr. Ian Sloan

Description of proposed alterations:

- The addition of trusswork and fixtures in the ceiling to support flying speaker arrays, a digital projection screen, and stage lighting;
- The addition of a structural glass railing behind the mezzanine railing to bring occupant safety for those in seating directly behind the railing to the current specifications of the Ontario Building Code; and,
- The addition of an elevator in the northeast addition with access to the auditorium through an opening in the exterior wall into the northeast stairwell landing.

Reasons for proposed alterations:

- To allow for the revitalization of the church for contemporary worship and future music/event space;
- Alterations required to make the church code compliant (Ontario Building Code and Fire Code), ensuring Health and Safety of its occupants and adding support services which would help engage with the community; and,
- Elevator is proposed to address accessibility in the church.

Documentation submitted with application:

- Design package – drawings, site photos and cover letter

Staff assessment:

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case By-law No. 20-126.

The applicant proposes the addition of trusswork and fixtures in the ceiling to support flying speaker arrays, a digital projection screen, and stage lighting, the addition of a

structural glass railing behind the mezzanine railing to bring occupant safety for those in seating directly behind the railing to the current specifications of the Ontario Building Code and the addition of an elevator in the northeast building addition with access to the auditorium through an opening in the exterior wall into the northeast stairwell landing.

While the scope of building's overall rehabilitation is substantial, only three identified heritage attributes are subject to minimal disruption and displacement effects but will result in a building that meets current Building Code and will be accessible for all users. The summary below outlines the proposed work and impacts to the protected heritage attributes:

Balcony Railing: The wood and metal balcony railing overlooking the main auditorium does not meet current Building Code for required railing height. As such, the applicant's proposal to install a structural glass railing directly behind will bring the railing height to Code, while ensuring the identified heritage attribute remains visible and undisturbed. The new glass railing will not be attached to the existing railing, however, the existing hymn racks on the back of the railing will be removed to provide adequate space for the railing. As such, minimal disruption effects and no displacement effects are expected.

Curved Ceiling: In order to accommodate a contemporary worship space and future events space uses within the building, the applicant is proposing to install lighting bars/trusses, speaker arrays and a projection screen, all secured from cables from the plastered curved ceiling. The applicant will be installing lowering and raising motors, framed into the attic, with cables attaching to the lighting trusses, speaker arrays and projection screen. The only perforation in the ceiling will be small round openings for each of the cables to pass through. A total of eight perforations will be required, which will have a very minor visual impact. This work will be fully reversible by patching the plaster if at any point there is no need for the equipment. As such, the disruption effect is minor in nature and there are no anticipated displacement effects.

Elevator Addition: The application proposes to install an elevator enclosure at the northeast corner of the church, within the 1992 addition, extending up to the main auditorium level to ensure accessibility for all users. The addition will require the existing window on the south elevation to be converted into an accessible doorway and a new opening at the main auditorium level, cut through the existing brick wall on the 1868 portion of the building. A stain glassed window which is currently on an exterior wall will be incorporated in the new addition, it has been proposed to be boarded up during the construction period to ensure protection. The applicant proposes to use a compatible and complimentary building material and colour for the addition and any bricks removed from the building will be stored on site for future reuse or repair. As such, the proposed addition will result in some disruption and displacement effects but the work is proposed for the most suitable location on site, with minimal visual impact and will result in an accessible building for all users.

Staff are supportive of the application as there will be minimal disruption and displacement effects while ensuring the revitalization and reuse of a building that will be safe and accessible for all users. The impacted heritage attributes, such as the railing,

ceiling and exterior facades, will be minimally impacted, both structurally and visually. The proposed alterations will conserve the character of these heritage attributes through keeping their original design and will limit any potential damage by implementing protective strategies that will maintain the valued heritage features.

Key dates:

Sub-committee meeting date: June 21, 2022
Notice of Complete Application: June 13, 2022

Sub-committee comments and advice:

The Sub-committee considered the application and passed the following motion:

(Carroll/Dent)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2022-011 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2025. If the alterations are not completed by June 30, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,
- c) Any original bricks that are salvaged from the construction of the new door opening, between the original structure and the new elevator lobby at the northeast corner, be stored on site at the church on an elevated platform such as pallet in a conditioned environment.

CARRIED

Final Recommendation:

That the applicant be advised that Heritage Permit Application HP2022-011 is approved in accordance with the submitted application, subject to the following conditions:

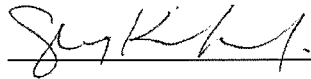
- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2025. If the alterations are not completed by June

30, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,

- c) Any original bricks that are salvaged from the construction of the new door opening, between the original structure and the new elevator lobby at the northeast corner, be stored on site at the church on an elevated platform such as pallet in a conditioned environment.

Approval:

Staff Approval:



Stacey Kursikowski, MCIP RPP
Cultural Heritage Planner

Ken
Coit

Digitally signed by Ken Coit
Date: 2022.06.28 10:20:59 -04'00'

SPM/MGR Initials

Authorized:



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Reasons for Designation (By-law No. 20-126)
--

Description of Heritage Attributes

The cultural heritage value of the New Vision United Church building, municipally known as 24 Main Street West resides in the following heritage attributes that are related to the cultural heritage value described above:

Attributes present on the exterior of the 1868 portion of the church:

- Gabled roof and timber roof framing;
- Massing and form of the 1868 church building including its rectangular plan;
- Moulded red brick construction, laid in a stretcher bond, with areas of brick turned on their header (not consistently for entire courses). This occurs in variations of pattern on every elevation of the building;
- Stone construction at first floor, clad in red brick;
- Load bearing brick walls at second and attic level elevation;
- Contrasting colour mortar;
- Stained and coloured glass windows with their original wood frames on the west, east, south and north (closed in) elevations.

Composition, size and placement of the following architectural elements with respect to the whole on the 1868 portion of the church:

- Elongated window openings with masonry brick arches with stone sills and their profile on each elevation;
- the masonry brick arches over the window openings on the north, west and east elevations and the elaborately profiled stone arches over the windows on the south elevation;
- Brick corbelling and castellations on each elevation;
- Segmental brick arched windows with paired one over one wood windows and the segmental brick arch (formerly a window) on the east elevation;
- Symmetrically arranged architectural components identified on this list on the south elevation;
- Quatrefoil windows with elaborately profiled stone surround on the south elevation;
- Red brick slim buttresses with stone cap accents on the east and west elevations; and,
- Four symmetrically placed octagonal brick buttresses with decorative, intricately detailed, cut stone accents, that extend beyond the roof line to make slim decorative octagonal turrets on the south elevation and one each at the northeast and northwest corners of the main, tallest section of the building.

1896 front entrance addition:

- Red brick, pattern laid on a diagonal;
- Red mortar with traces of tuck pointing with white lime mortar;
- Stone accents, including but not limited to arches, quatrefoil window surround, coping (under metal flashing); and,
- Red granite columns with limestone base and capital accents.

Attributes present in the interior of the 1868 portion of the church:

- Layout of main auditorium with "U- shaped plan" balcony and extension to the north of the building, separated from the nave/main auditorium space by an arch;
- Balcony with its supporting metal columns with decorative metal capitals;
- Balcony railing made of wood and metal;
- Round metal grilles at ceiling;
- Curved ceiling, with decorative faux beams and associated brackets on the walls;
- Interior doors into the auditoriums; and,
- Buttresses and dressed stone base along original west exterior wall now enclosed within 1992 addition.



Hamilton

Mailing Address:
71 Main Street West
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www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 1202
Fax: 905-540-5611

FILE: HP2022-013

June 29, 2022

TAS (c/o Rumaila Soin)
491 Eglinton Avenue West, #503
Toronto, ON M5N 1A8

**Re: Heritage Permit Application HP2022-013:
Proposed Installation of Security Cameras at 56 York Boulevard, Hamilton
(Ward 2), (NOID Bill 231 – at time of submission)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2022-013 is approved for the designated property at 56 York Boulevard, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Installation of two security cameras on exterior façade of building.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any Application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

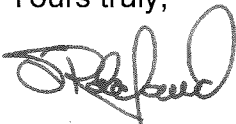
**Re: Heritage Permit Application HP2022-013:
Proposed alteration of new security cameras at 56
York Boulevard, Hamilton (Ward 2), NOID Bill 231 – at
time of submission)**

Page 2 of 2

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at Stacey.Kursikowski@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Bob Nuttall, Acting Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement
Loren Kolar, Legislative Coordinator
Councillor Jason Farr, Ward 2

HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2022-013
ADDRESS: 56 York Boulevard, Hamilton (Copley/Commercial Block)

Owner: TAS

Applicant / Agent: TAS (c/o Rumaila Soin)

Description of proposed alterations:

- Install two security cameras on the exterior façade

Reasons for proposed alterations:

- Security measures

Documentation submitted with application:

- Photos of camera placements on building;
- Designer specifications for the proposed cameras; and,
- Drawings/elevations of buildings.

Staff assessment:

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case NOID Bill 231 which was in place at time of submission. A new Notice of Intention to Designate was issued on June 20, 2022.

The applicant proposes to install two security cameras on exterior façade of the building. One will be located above the main entrance on the connecting link between the two buildings, the second will be located within the courtyard between the buildings.

Minimal “disruption or displacement effects” are expected to the heritage attributes of the property. The proposed installation of the security cameras will not change the character or impact heritage attributes of the building. Each camera will require four screw holes to mount the bracket and one to feed the cable. Where secured to brick, best efforts will be made to drill through mortar rather than the bricks, where possible.

Staff are supportive of the application as there will be minimal disruption and displacement effects to the building. The installation of the security cameras will not impact the identified heritage attribute and the scope will be minimal. The character of the building and designated facades will be maintained and the installation process will be minimally invasive.

Key dates:

Sub-committee meeting date: June 21, 2022
Notice of Complete Application: June 13, 2022

Sub-committee comments and advice:

The Sub-committee considered the application and passed the following motion:

(Dent/Burke)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2022-013 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED


Final Recommendation:

That the applicant be advised that Heritage Permit Application HP2022-013 is approved in accordance with the submitted application, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Approval:

Staff Approval:



Stacey Kursikowski, MCIP RPP
Cultural Heritage Planner

Digitally signed by
Ken Coit
Date: 2022.06.28 10:25:16 -04'00'

SPM/MGR Initials

Authorized:

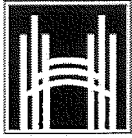


Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Reasons for Designation (NOID-Bill 231 – at time of submission)

2. The following is designated in accordance with clause (a) of subsection 14 of section 29 of The Ontario Heritage Act, 1974:

1. The York Street and MacNab Street facades of the Commercial Block.
2. So much of the physical structure and land as is necessary for the preservation of the facades including,
 - (a) the exterior and interior land bearing walls, and
 - (b) the land upon which the building is erected, and
 - (c) a ten-foot wide strip of land abutting to the west of the building.



Hamilton

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Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 7163
Fax: 905-540-5611

FILE: HP2022-014

June 29, 2022

Kathy Stacey
KSA Architectural Solutions Inc.
RR 3 Governors Road
Dundas, ON L9H 5E3

**Re: Heritage Permit Application HP2022-014:
Restoration and replication of portico at 64 James Street South, Hamilton
(Ward 2) (By-law No. 86-263)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2022-014 is approved for the designated property at 64 James Street South, in accordance with the submitted Heritage Permit Application for the following alterations:

Restoration of the portico including:

- Restoration of the original wood material in place; and,
- Exact replication in dimensions, proportion, shape and curves of wood pieces that are damaged or rotted.

Subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any Application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Re: Restoration and replication of portico at 64
James Street South, Hamilton (Ward 2) (By-
law No. 86-263)**

Page 2 of 2

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Chloe Richer, Cultural Heritage Planner, at 905-546-2424 ext. 7163, or via email at Chloe.Richer@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Chloe Richer, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Bob Nuttall, Acting Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement
Loren Kolar, Legislative Coordinator
Lisa Kelsey, Legislative Coordinator
Councillor Jason Farr, Ward 2

HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2022-014

ADDRESS: 64 James Street South, Hamilton

Owner: St. Paul's Presbyterian Church

Applicant / Agent: Kathy Stacey, KSA Architectural Solutions Inc.

Description of proposed alterations:

Restoration of the portico including:

- Restoration of the original wood material in place; and,
- Exact replication in dimensions, proportion, shape and curves of wood pieces that are damaged or rotted.

Reasons for proposed alterations:

- To repair the damaged portico.

Documentation submitted with application:

- Heritage Permit application form; and,
- Photographs of the portico.

Staff assessment:

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case By-law No. 83-263, described as “the decorative wooden porches”.

The applicant proposes restoration of the portico, including restoring the original wood material in place and the exact replication in dimensions, proportion, shape and curves of wood pieces that are damaged or rotted.

There are no foreseen “displacement effects” or “disruption effects” to the subject property as a result of this work. The valued heritage feature is in a state of disrepair and requires reparation. The woodwork will be repaired, largely with inset Dutchman repairs, and replaced with replicated sections where necessary.

Staff are supportive of the application as the proposed restoration and replication of wood features will be carried out in line with guidelines for the conservation of historic properties. The portico is a designated heritage attribute and its restoration will help to maintain its heritage value, as it is being replaced with an exact replica. In addition, this will repair the deterioration that has occurred to the portico.

Key dates:

Sub-committee meeting date: June 21, 2022
Notice of Complete Application: June 20, 2022

Sub-committee comments and advice:

The Sub-committee considered the application and passed the following motion:

(MacLaren/Carroll)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2022-014 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

Final Recommendation:

That the applicant be advised that Heritage Permit Application HP2022-014 is approved in accordance with the submitted application, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2024. If the alterations are not completed by June 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Approval:

Digitally
signed by
Ken Coit
Date:
2022.06.28
13:40:55
-04'00'

Ken
Coit

SPM/MGR Initials

Staff Approval:

Chloe Richer

Chloe Richer MCIP RPP, CAHP
Cultural Heritage Planner

Authorized:

Steve Robichaud

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Reasons for Designation (By-law No. 83-263)

Important to the preservation of St. Paul's Presbyterian Church is the retention of the four exterior facades and the interior of the original church; the exteriors of the stone chapel addition built in 1877 by architect Peter Brass, and enlarged, in 1909 by Frank Darling; and the chancel extension on 1909 by Hugh Vallance. Designation includes but is not limited to the masonry walls, buttresses and spire; the pointed-arch windows and doorways; the roof and dormers, the decorative wooden porches, tracery windows, wooden doors, stone pinnacles mouldings and carved decoration; and on the interior the narthex and sanctuary including the chancel, pulpit, gallery, stained glass and tracery windows, timberwork ceiling, lighting fixtures, carved woodwork, pews excluding the ones in the transept and the original Communion Table.

MEETING NOTES

POLICY AND DESIGN WORKING GROUP

Monday, May 16, 2022

3:00 pm

City of Hamilton Webex Virtual Meeting

Attendees: A. Denham-Robinson, L. Lunsted, R. McKee

Regrets: C. Dimitry, C. Priamo, W. Rosart

Also Present: C. Richer

THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:

a) CHANGES TO THE AGENDA

None

b) DECLARATIONS OF INTEREST

None

c) REVIEW OF PAST MEETING NOTES

March 21, 2022 - Approved

April 19, 2022 - Approved

d) C.H.I.A. - 111 Inksetter Road, Flamborough by MMMC Architects, revised April 8, 2022

The proposal is to convert the existing barn into the primary residence, and to convert the existing house into a utility building/pool house. This CHIA was previously submitted to the Policy & Design Working Group and revisions were requested, mostly due to the lack of adherence to the proper document format and scarcity of supporting photographs. Originally there was no Ontario Regulation 9/06 Evaluation and the Statement of Significance did not follow the standard format (e.g., a list of heritage attributes was not included).

Working Group Comments:

- The Statement of Significance still does not follow the proper format (e.g., the Ontario Regulation 9/06 evaluation should be in a separate section before the Statement, not included within it)
- The Ontario Regulation 9/06 evaluation has been included
- Appendix A should include more photographs of the house, as only four are included
- The working group does note that the authors recommend adding this property to the Municipal Heritage Register, and the Inventory and Research Working Group may consider this recommendation.

Considerable research has been done on this property and additional photographs have been added to the CHIA. The Working Group has no issues with the work being proposed/completed so far.

The main issue is getting the CHIA into a standard format, specifically regarding the Statement of Significance. Staff will follow up, and address format and grammar issues. There is no need to have the report return to the Policy & Design Working Group for further discussion.

e) Heritage Report – 45 Main Street E., Hamilton (John Sopinka Court House) by ERA Architects, revised April 21, 2022

Additional security measures are being introduced into the lobby of the court house, including cameras, x-ray scanner and metal detectors, maglocks, pull stations and key card readers. Due to the heritage attributes of the lobby, which are documented in the designation by-law, further details were requested by the Heritage Permit Review Sub-committee as part of a Heritage Permit application for the property.

- The report, in most cases, documents two locations where each of these security items could be placed, one being less invasive than the other, and allowing for restoration should they be removed in the future.

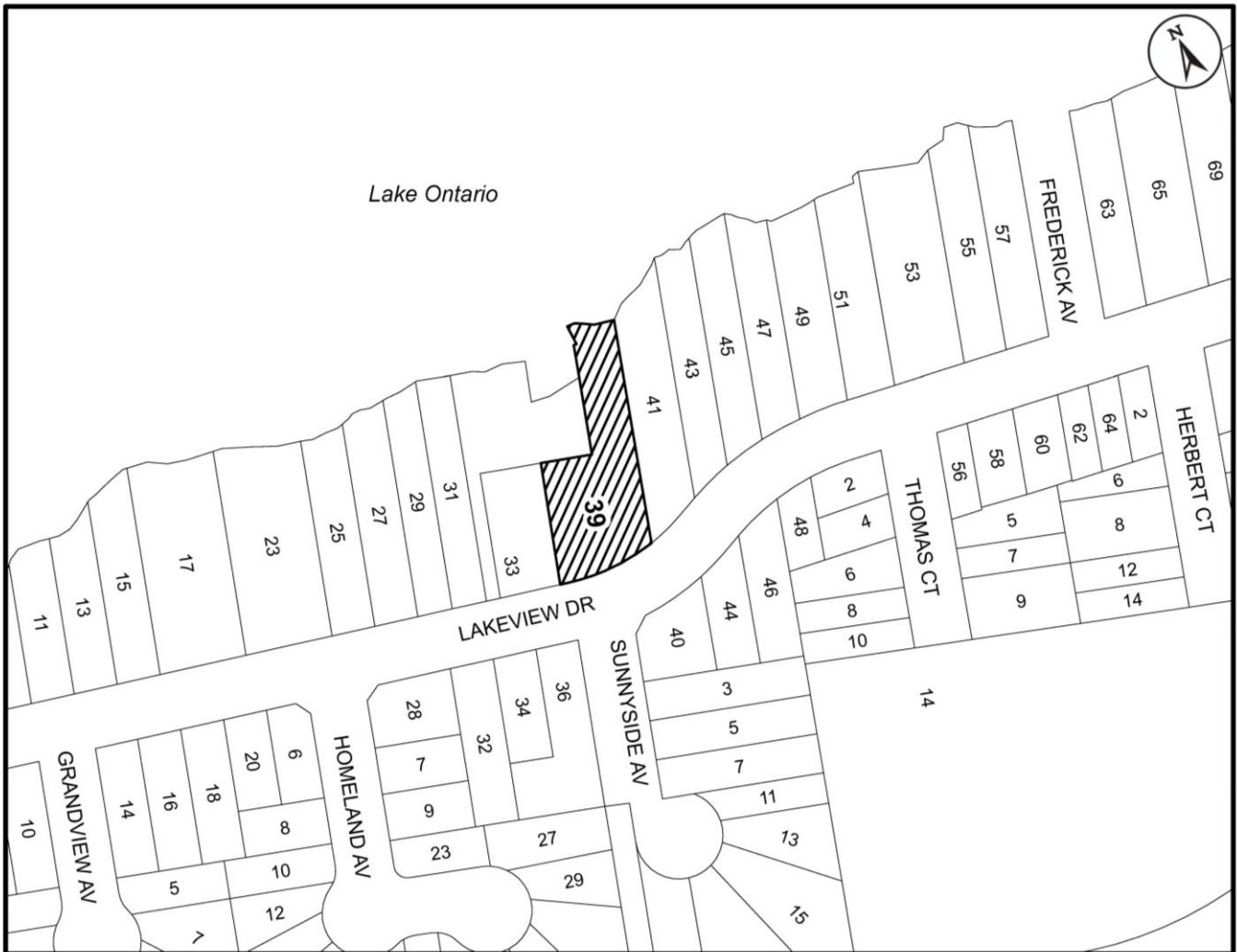
Working Group comments:

Since review of the Heritage Report is more in line with the mandate of the Heritage Permit Review Sub-committee, the Working Group's comments are very general. While placing items on the wall rather than the marble columns or the wooden doors is less invasive, the members wonder if the placement of these takes into consideration the heights required for barrier-free access. Would it be possible to have floor mounted posts for some of these placements and have other options been considered?

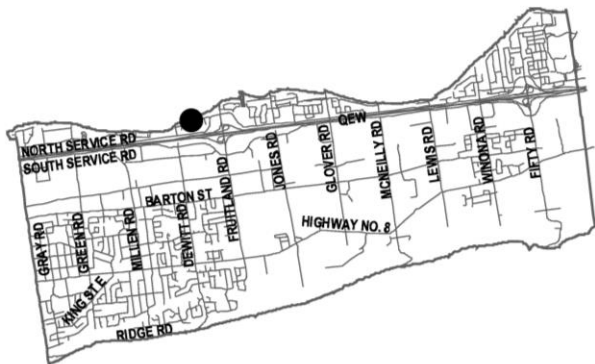
As this report is on the agenda for the Heritage Permit Review Sub-committee meeting of May 17, 2022, the members expect that these issues will be discussed in further detail with the applicant at that time.

The meeting adjourned at 3:35 pm.

Next meeting date: June 20, 2022



● Site Location



Key Map - Ward 10

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
39 Lakeview Dr

Date:
May 3, 2022

Appendix "A"

Scale:
N.T.S

Planner/Technician:
SK/NB

Subject Property



39 Lakeview Drive, Stoney Creek
(Ward 10)

February 12, 2011

Meghan House, MCIP, RPP
Cultural Heritage Planner
Planning and Economic Development Department
City of Hamilton

71 Main Street West, 6th Floor
Hamilton ON L8P 4Y5


Dear Meghan House,

I would like to request municipal designation under Part IV of the Ontario Heritage Act of the home located at 39 Lakeview Avenue, Hamilton, Ontario (which was formerly known as Fruitland, Ontario).

This house is a regency style home built in the mid-1800s by James and Sarah Ann (Carpenter) Hill. The Hill/Carpenter family were early fruit farmers in the community and descendents of the United Empire Loyalists.

If there is any further information that you require, please do not hesitate to contact me. My address and phone number are listed below.

Yours truly,



A. Suzanne Hill

198 Golflinks Drive,
Nepean, Ontario
K2J 5M8

613 692-9877

Cultural Heritage **EVALUATION** Report

39 Lakeview Drive,
Hamilton ON

Date:
May, 2022

Prepared for:
The Corporation of the City of Hamilton

Prepared by:
**MacNaughton Hermsen Britton
Clarkson Planning Limited (MHBC)**

200-540 Bingham Centre Drive
Kitchener, ON N2B 3X9
T: 519 576 3650
F: 519 576 0121

Our File: '0727 AU'

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Project Personnel

Dan Currie, MA, MCIP, RPP, CAHP	<i>Managing Director of Cultural Heritage</i>	Project Manager
Nick Bogaert, MCIP, RIPP, CAHP	<i>Senior Heritage Planner</i>	Report Review
Vanessa Hicks, MA, CAHP	<i>Senior Heritage Planner</i>	Researcher, Author, Field Analysis

Acknowledgment of Indigenous Communities & Nations

This Heritage Impact Assessment acknowledges that the subject property located at 39 Lakeview Drive, Hamilton is situated on the territory of the Mississaugas of the Credit First Nation, Attiwonderonk (Neutral), Anishinabewaki, and Haudenosaunee peoples. These lands are acknowledged as being associated with Treaty 3 (1792), also known as the Between the Lakes Purchase (Accessed 2022 online at native-land.ca/maps)

Glossary of Abbreviations

CHL	<i>Cultural Heritage Landscape</i>
CHER	<i>Cultural Heritage Evaluation Report</i>
HIA	<i>Heritage Impact Assessment</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
MHSTCI	<i>Ministry of Heritage, Sport, Tourism and Culture Industries</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS 2020	<i>Provincial Policy Statement (2020)</i>

Executive Summary

MHBC was retained by the City of Hamilton to complete a Cultural Heritage Evaluation Report for the property located at 39 Lakeview Drive in the City of Hamilton (community of Stoney Creek). The purpose of this report is to complete an evaluation of the site to a) determine whether or not it meets the legislated criteria of determining Cultural Heritage Value or Interest as per *Ontario Regulation 9/06*, and b) provide a recommendation regarding whether or not the property should be designated under Part IV of the *Ontario Heritage Act*.

The subject the property is "listed" (non-designated) under Part IV, Section 27 of the *Ontario Heritage Act*. The property is located north of Lakeview Drive between Dewitt Road to the west and North Service Road to the east. The subject property includes a single-detached dwelling. The original portion of the dwelling is of cultural heritage value or interest. The building has been subject alterations and additions, including an attached garage. The subject property is situated south of Lake Ontario, north of the Queen Elizabeth Way (QEW), within an area which is predominantly low density residential.

Summary of Cultural Heritage Evaluation:

The property is of design/physical value as it includes an early dwelling constructed in Saltfleet Township. The only portions of the building of potential cultural heritage value or interest are Sections 'A', and 'B'. Sections 'C' and 'D' are contemporary and are not of cultural heritage value. Portion 'A' of the building was likely constructed after 1850 when the lot was purchased by James Hill. Historical records identify that the original dwelling located on the property was a log house. Afterwards, the family would have been in need of a more permanent dwelling and constructed the existing brick building. This trend of constructing a log house prior to a permanent dwelling was common of the time. Log and wood frame houses would have been more accessible given factors such as finances, time and availability of resources/materials.

The portion of the building described in this report as Section 'A' was constructed in the mid. to late 19th century in the Regency architectural style. A review of available historical photos have demonstrated that due to the extent of alterations, the building is no longer considered a representative example of this built form. The building demonstrates a degree of historical/associative value given that it is directly associated with James Hill and his descendants. James Hill is listed in census records as an Irish-Canadian farmer, who was a member of the Methodist Church. Currently, no records are available which suggest that James Hill or members of the Hill Family are significant to the community. The property has a degree of contextual value given that the site was likely selected for the scenic beauty associated with Lake Ontario. The

character of the area has changed to the extent that the building is no longer a part of a recognizable or unifying 19th century built character. Instead, the existing building is a memorial of the mid. 19th century and is distinctly different than buildings located in the area. The property is not physically or functionally associated with its surroundings, and no longer functions as an agricultural farm complex. The property now functions as a residential lot and retains access to the shore of Lake Ontario.

Given that the physical features of the building located on the subject property have been compromised due to unsympathetic alterations, resulting in the removal of several features which are indicative and commonplace for the Regency architectural style (such as frieze boards, French style windows, paired brackets, original door opening with wood frame window transom and sidelights). The front elevation of the building retains its overall hipped roof, and 3-bay façade. There may be opportunity to use historical photos as reference for a restoration project. In addition to the compromised integrity of the building, the condition of bricks at the front façade should be considered. If the bricks at the front elevation cannot be repaired, it would be difficult to recommend conservation and preservation of the building over the long-term.

This Cultural Heritage Evaluation Report has determined that the subject property has limited cultural heritage value or interest. The only heritage attribute of the property is the existing dwelling. The views of the dwelling which are visible from the street are limited to the south elevation, west elevation, and a small portion of the east elevation (See Figure below). While the rear addition described in this report as Section 'B' is likely dated to the late 19th century or early 20th century, it is not original to the structure. Further, it is not readily visible to the street and does not contribute to the Regency style of the main portion of the dwelling.



Figure 1: Aerial photograph of the existing building noting the elevations of Section 'A' of the building which are visible from the public realm and are of potential cultural heritage value (Google images, accessed 2022)

Summary of Recommendations:

While the property meets the criteria for designation under *Ontario Regulation 9/06*, the building's integrity has been compromised and there are issues with masonry condition which should be considered prior to determining whether or not the existing building is a good candidate for long-term conservation. The main portion of the building has been altered, and if designation is considered, it is recommended that the designation By-law be scoped to identify that only the elevations noted in Figure 24 be considered as attributes. Further, it is recommended that the specific attributes listed in the By-law include window and door openings, hipped roof shape with cresting, overall scale/massing and brick construction and relationship to the shore of Lake Ontario.

Given that the building meets the technical criteria for designation, but there are issues related to integrity, the following provides a review of options:

- Do not designate the property under Part IV of the *Ontario Heritage Act*:
 - The property should remain listed. Should a demolition be sought in the future, the property could be considered for demolition, and the property could be documented and commemorated/interpreted.

- Designate the property under Part IV of the *Ontario Heritage Act*:
 - If the property is designated under Part IV, scope the list of heritage attributes to only identify elevations of Section 'A' of the building and further scope the heritage attributes as referenced in this report;
 - Features which are not visible from the public realm are not recommended for designation;
 - No interior features are recommended for designation;
 - The intent of scoping the list of heritage attributes is to allow for compatible development of the property in the future;
 - The By-law should identify that some section portions of the property are not of cultural heritage value or interest, and that alterations can be considered as per the policies of the City of Hamilton Official Plan.

Selection of Preferred Alternative:

Given that the existing building is considered early and has a level of contextual value associated with its relationship with Lake Ontario, the building meets the criteria for considering designation. However, the MHSTCI (in the Ontario Heritage Toolkit) states that a more rigorous evaluation is required when considering long-term conservation. Given that the integrity of the building has been compromised, and only the roofline, and window and door openings at the elevations which are readily visible of the street remain as physical attributes of the building, the preferred alternative is not to designate the property and for it to remain listed. If an application for demolition is submitted, removal of the building could be considered provided that documentation and commemoration is undertaken.

1.0 Introduction

1.1 Location of Subject Property (39 Lakeview Drive)

The property at 39 Lakeview Drive (the "subject property") is located north of Lakeview Drive between Dewitt Road to the west and North Service Road to the east. The subject property is situated south of Lake Ontario, north of the Queen Elizabeth Way, within an area which is predominantly comprised of low-density single-detached residential land uses. The subject property includes a single-detached dwelling. The original portion of the dwelling is of cultural heritage value or interest. The building has been subject alterations and additions, including an attached garage.



Figure 2: Aerial photograph noting the location of the subject property at 39 Lakeview Drive, City of Hamilton (Source: City of Hamilton Interactive May, 2020 aerial photo layer. Accessed 2022)

1.2 Description of Subject Property

The subject property includes one single-detached dwelling on a roughly rectangular shaped lot. Until recently, the subject property was a flag-shaped lot (See Figure below, outlined in red). In April/May 2022, the property owners purchased a portion of land from the City of Hamilton, making it a rectangular shaped lot (See Figure below, outlined in green). The subject property includes mature trees, landscaped open space, and generous rear amenity area which includes the shoreline of Lake Ontario.

A Photographic map is provided in **Appendix E** of this report which provides a more detailed description of the site and the building of CHVI.



Figure 3: Aerial photograph noting the location of the subject property at 39 Lakeview Drive, City of Hamilton. Flag-shaped lot outlined in red, and recently purchased land outlined in green. Note that the rectangular shaped lot is not yet reflected in GIS systems. (Source: MHBC, 2022)

1.2.1 Dwelling

The dwelling can be described as a single storey red brick dwelling constructed in the Regency architectural style. The building includes features indicative of this architectural style, including hipped-roof, 3-bay façade, and large window and door openings. Several features of the dwelling have been altered or removed over time. A more in-depth description of the changes to the building over time are provided in Section 3.3 of this report.



Figure 4: Photograph of front (south) elevation of building of CHVI at 39 Lakeview Drive, Hamilton (Source: MHBC, 2022).



Figures 5 & 6 – (left) View of front elevation, looking north towards Lake Ontario (right) View of the east elevation, looking west adjacent to garage (Source: MHBC, 2022)



Figures 7 & 8 – (left) View of the north elevation, looking south towards Lakeview Drive (right) View of west elevation, looking south-east towards Lakeview Drive (Source: MHBC, 2022)

1.3 Heritage Status

As per a review of the City of Hamilton Municipal Register of Cultural Heritage Resources, the property located at 39 Lakeview Drive is “listed” (non-designated) under Section 27 of the *Ontario Heritage Act* (See Figure 9 below). The subject property is not located adjacent (contiguous) to any other properties identified as being of potential CHVI. The City of Hamilton Heritage Register identifies that the property was listed in April 2012 and identifies that the building may have been constructed in 1840.

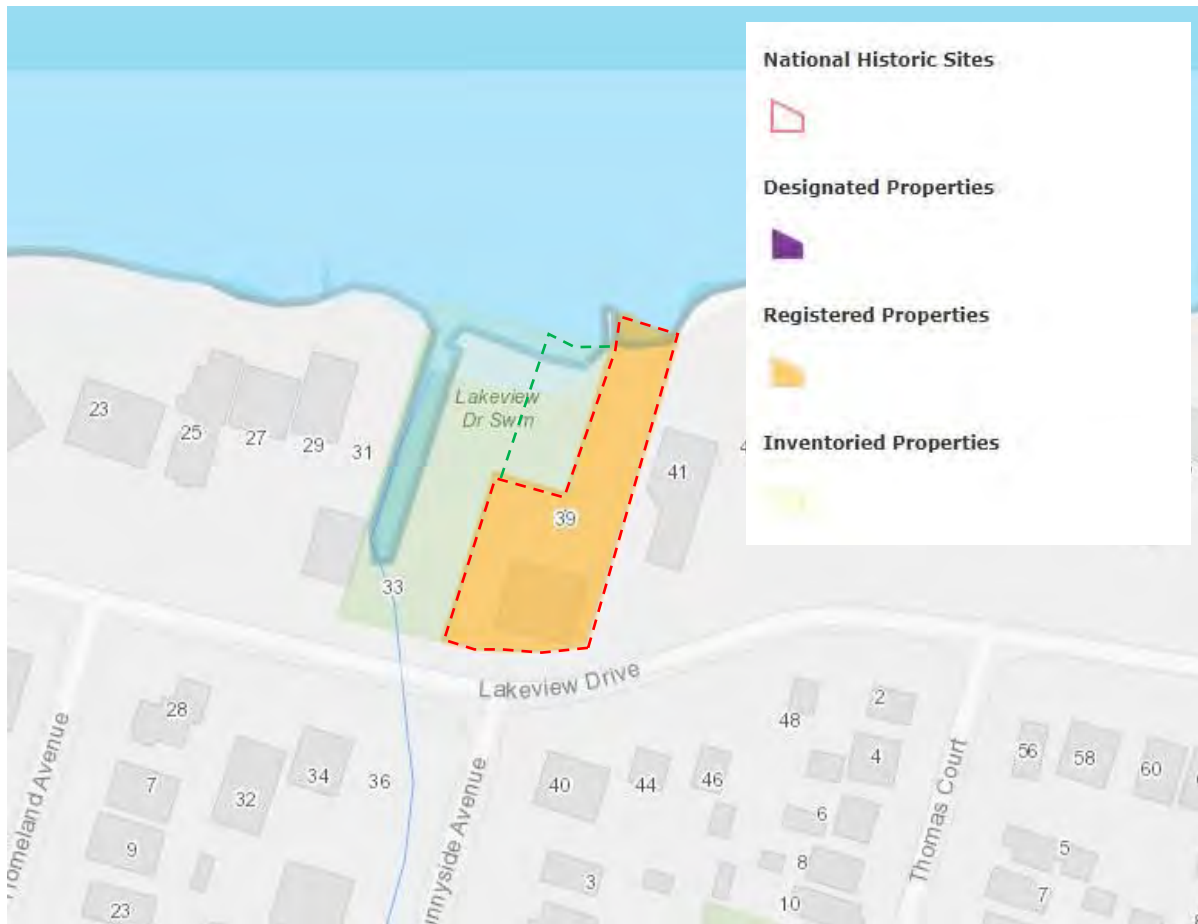


Figure 9: View context of the subject property at 39 Lakeview Drive, which is “listed” on the City of Hamilton Heritage Register (Source: City of Hamilton Interactive May, 2020 aerial photo layer. Accessed 2022)

1.4 Terms of Reference & Guiding Documents

Guidance for undertaking the assessment of cultural heritage resources are provided by the Ministry of Heritage, Sport, Tourism and Culture Industries (“MHSTCI”), PPS 2020, the Standards and Guidelines for the Conservation of Historic Places in Canada, and the *Ontario Heritage Act*.

The MHSTCI provides guiding a document called the information sheet series, which is intended to provide guidance and information regarding cultural heritage and archaeological resource conservation in land use planning. The document *Heritage Resources in the Land Use Planning Process* has also been referenced in the preparation of this CHER.

This CHER has had regard for the following cultural heritage policy considerations and guiding documents:

- Heritage Property Evaluation: A Guide to Listing, Researching and Evaluating Cultural Heritage Property in Ontario Communities (Ontario Heritage Toolkit) 2006; and
- Standards and Guidelines for Conservation of Provincial Heritage Properties (MHSTCI 2010).

This CHER was prepared in accordance with the City of Hamilton's guiding documents including: the Terms of Reference for Cultural Heritage Assessment dated February 2022 (**Appendix B**); the City of Hamilton Framework for Cultural Heritage Evaluation (**Appendix D**).

2.0 Policy Context

2.1 Planning Act and Provincial Policy Statement 2020

The *Planning Act* makes a number of provisions respecting cultural heritage, either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of *The Planning Act* is to “encourage the co-operation and co-ordination among the various interests”. Regarding cultural heritage, Subsection 2(d) of the Act provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, (...)

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2020* (PPS). The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. This provides a weighting and balancing of issues within the planning process. When addressing cultural heritage planning, the PPS provides for the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.2 Ontario Heritage Act, R.S.O. 1990, c. O.18

The *Ontario Heritage Act*, R.S.O. 1990, c.O.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This Cultural Heritage Evaluation Report (CHER) has been guided using the criteria provided in *Regulation 9/06* of the *Ontario Heritage Act* which outlines the mechanism for determining cultural heritage value or interest. The regulation sets forth categories of criteria and several sub-criteria.

2.3 City of Hamilton Official Plan

The City of Hamilton Urban Official Plan, Volume 1 (Chapter B) contains policies regarding the conservation of cultural heritage resources. A selection of these policies are presented below as they relate to the scope of this Cultural Heritage Evaluation Report.

3.4 Cultural Heritage Resources Policies

Wise management and conservation of cultural heritage resources benefits the community. Cultural heritage resources may include tangible features, structures, sites, or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, or scenic value. Cultural heritage resources represent intangible heritage, such as customs, ways-of-life, values, and activities. The resources may represent local, regional, provincial, or national heritage interests and values. This section establishes a number of goals and policies for the conservation of the City's cultural heritage resources organized around three key components: archaeology, built heritage, and cultural heritage landscapes. These policies shall be read in conjunction with all other policies of this Plan.

3.4.1 Policy Goals

The following goals apply to the care, protection, and management of cultural heritage resources in Hamilton:

3.4.1.1 Identify and conserve the City's cultural heritage resources through the adoption and implementation of policies and programs, including partnerships among various public and private agencies and organizations.

3.4.1.2 Encourage a city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic, and social strategy, where cultural heritage resources contribute to achieving sustainable, healthy, and prosperous communities.

3.4.2 General Cultural Heritage Policies

3.4.2.1 *The City of Hamilton shall, in partnership with others where appropriate:*

a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.

b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources.

c) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton's cultural heritage resources.

Heritage Designation

3.4.2.3 The City may by by-law designate individual and groups of properties of cultural heritage value under Parts IV and V respectively of the Ontario Heritage Act, including buildings, properties, cultural heritage landscapes, heritage conservation districts, and heritage roads or road allowances.

Cultural Heritage Evaluation Criteria

3.4.2.9 *For consistency in all heritage conservation activity, the City shall use, and require the use by others, of the following criteria to assess and identify cultural heritage resources that may reside below or on real property:*

a) prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development, and use of land in the City;

b) prehistoric and historical associations with the life or activities of a person, group, institution, or organization that has made a significant contribution to the City;

c) architectural, engineering, landscape design, physical, craft, or artistic value;

d) scenic amenity with associated views and vistas that provide a recognizable sense of position or place;

e) contextual value in defining the historical, visual, scenic, physical, and functional character of an area; and,

f) landmark value.

3.4.2.10 Any property that fulfills one or more of the foregoing criteria listed in Policy B.3.4.2.9 shall be considered to possess cultural heritage value. The City may further refine these criteria and provide guidelines for their use as appropriate.

Cultural Heritage Impact Assessments

3.4.2.12 *A Cultural Heritage Impact Assessment:*

shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

i) Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;

ii) Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest;

iii) A registered or known archaeological site or areas of archaeological potential;

iv) Any area for which a cultural heritage conservation plan statement has been prepared; or,

v) Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest.

3.4.2.13 *Cultural heritage impact assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.3 – Cultural Heritage Impact Assessments. The City shall develop guidelines for the preparation of cultural heritage impact assessment.*

3.4.2.14 *Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection. In the event that rehabilitation and reuse of the resource is not viable and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes at the expense of the applicant prior to demolition.*

3.4.5 Built Heritage Resource Policies

3.4.5.2 *The City shall encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the Planning Act, R.S.O., 1990 c. P.13 and heritage permit applications under the Ontario Heritage Act, there shall be a presumption in favour of retaining the built heritage resource in its original location.*

3.4.5.3 *Relocation of built heritage resources shall only be considered where it is demonstrated by a cultural heritage impact assessment that the following options, in order of priority, have been assessed:*

- a) retention of the building in its original location and its original use; or,*
- b) retention of the building in its original location, but adaptively reused.*

3.4.5.4 *Where it has been demonstrated that retention of the built heritage resource in its original location is neither appropriate nor viable the following options, in order of priority, shall be considered:*

- a) relocation of the building within the area of development; or,*
- b) relocation of the building to a sympathetic site.*

3.4.5.5 *Where a significant built heritage resource is to be unavoidably lost or demolished, the City shall ensure the proponent undertakes one or more of the following mitigation measures, in addition to a thorough inventory and documentation of the features that will be lost:*

- a) preserving and displaying of fragments of the former buildings' features and landscaping;*
- b) marking the traces of former locations, shapes, and circulation lines;*
- c) displaying graphic and textual descriptions of the site's history and former use, buildings, and structures; and, d) generally reflect the former architecture and use in the design of the new development, where appropriate and in accordance with Section B.3.3 – Urban Design Policies.*

3.0 Property Research and Historical Context

The following sub-sections of this report focuses on the historical development of the subject lands post European contact, and does not discuss pre-contact aboriginal history or archaeology in detail. This report is primarily concerned with the existing features of the property located above-ground.

3.1 Indigenous Communities & Nations

The subject property situated within the recognized territory of the Mississaugas of the Credit First Nation, Attiwonderonk (Neutral), Anishinabewaki, and Hodenosaunee peoples. These lands are acknowledged as being associated with Treaty 3 (1792), also known as the Between the Lakes Purchase (Accessed 2022 online at native-land.ca/maps).

According to the City of Hamilton Archaeological Management Plan (AMP) (2016), the City of Hamilton has some of the most valuable archeological resources in the Province with over 1,200 archaeological sites registered with the MHSTCI. The AMP identifies that Indigenous Communities have an interest in the City of Hamilton, including those related to traditional territories and treaties. The following are identified in the AMP as having interest in the City of Hamilton:

- The Mississauga;
- The Huron-Wendat; and
- The Iroquois Confederacy.

The AMP also acknowledges the following Indigenous Communities and Reserves which are located within proximity of the City of Hamilton:

- Six Nations of the Grand River;
- Iroquois Confederacy (Oshweken);
- Mississaugas of the New Credit First Nation (Hagersville); and
- The Wendake Nation of the Huron Wendat (near Quebec City).

The AMP identifies that the first Indigenous groups in what is now part of the City of Hamilton were Paleo-Indians who lived between 13,000 and 9,000 years before present. The Archaic peoples resided between 9,000 and 3,000 years before present. The Woodland peoples resided between 3,000 to 400 years ago. Historic Euro-Canadian settlement began in the late 1700s and intensified in the 19th and 20th centuries. What was formerly referred to as "the Head-of-the-Lake" includes part of what is now Hamilton, and included an abundance of resources which was essential to settlement prior to the arrival of Euro-Canadians. This includes water, stone for tools and construction, clay, and rich soils (Archaeological Master Plan, 2016).

3.2 39 Lakeview Drive, Saltfleet Township, Wentworth County

The property located at 39 Lakeview Drive is historically part of Broken Front Concession, Lot 16, Saltfleet Township. According to land registry records, all 30 acres were patented by the Crown to William Halton. The land was subsequently sold to Gersholm M. Carpenter in 1848. The lot was sold to James Hill in 1850.

According to the 1846 Plan of Saltfleet Township, the subject property is situated at the north-east corner of Lot 16. No buildings are indicated on the 1846 Plan (See Figure 10 below).



Figure 10: Excerpt of the 1846 Plan of Saltfleet Township of the Crown land Department. Approximate location of subject property indicated in red and green. (Source: McMaster University Lloyd Reeds Digital Map Collection)

According to the 1859 map of Wentworth County, all of Lot 16 (Concession 1 as well as Broken Front Concession) indicates that the land is owned by James Hill (see Figure below).



Figure 11: Excerpt of the 1859 Robert Surtees and Hardy Gregory Map of Wentworth County (Source: University of Toronto Map and Data Library)

James Hill is indicated as the owner of all of Broken Front Concession, Lot 16 on the 1875 Illustrated County Atlas of Wentworth County (see Figure below). The map indicates that one building is indicated on Concession 1, Lot 16. This is not the building located on the subject property¹. The Illustrated County Map also indicates that a mill (perhaps a sawmill) as well as a brick and tile yard were located within close proximity of the subject property. These early industries may have provided the materials for the construction of the existing dwelling.

¹ According to local history records and census records, it is likely that James Hill had already constructed a building on the subject property. It is unknown why the existing building located on the subject property is not indicated on the 1875 map. The map indicates that a building (perhaps a dwelling) is located on Concession 1, Lot 16.



Figure 12: Page & Smith Illustrated County Atlas of Saltfleet Township, 1875. Approximate location of subject property indicated with red arrow. All of the landholdings as part of Concession 1 and Broken Front Concession, Lot 16 are outlined in red. Location of nearby mill outlined in green. Location of nearby brickyard outlined in blue.

The following provides a detail image of the 1875 map noting the location of the subject property. No buildings are indicated on the property at this time.



Figure 13: Page & Smith Illustrated County Atlas of Saltfleet Township, 1875. Approximate location of subject property indicated in green and red. All of Broken Front Concession, Lot 16 outlined with red dotted line.

According to land registry records, James Hill and members of the Hill family owned the property from 1850 to 1912, for a period of 62 years. James Hill, his wife Sarah and their two children are noted in the 1851 census of Saltfleet Township. James Hill is noted as a farmer by occupation (See Figure 14 below).

1	Mary Hill				21	1
2	James Hill	Farmer	Carroll St. W. Hill		2	1
3	Sarah Hill		Saltfleet		29	1
4	Agnes Hill				37	1
5	Gershom Hill				3	1
6	John Hill	Labourer			1	1

Figure 14: Excerpt of the 1851 Census of Saltfleet Township, noting James Hill as a farmer by occupation with wife Sarah, and children Agnes and Gershom. (Source: Ancestry.ca)

According to the 1871 census of Saltfleet Township, James Hill is noted as a farmer of English descent. He is listed with his wife Sarah A, and their 8 children. Given that James Hill is indicated as a farmer, it is likely that the existing dwelling formerly included other features necessary to farm the surrounding land, such as a barn. These features have been removed and the property now functions as a residential lot.

The image shows a handwritten census record for James Hill and his family. The record is highlighted with a red background. The entries are as follows:

Hill James	H	48	-	"	"	"	Farmer	M
" Sarah A	F	47	-	"	"	Eng Irish	-	M
" Agnes G.	F	21	-	"	"	"	-	-
" Gershom M.	M	20	-	"	"	"	Farmer	M
" Margaret H.	F	17	-	"	"	"	-	-
" Bethany E.	F	15	-	"	"	"	-	-
" Abigail	F	13	-	"	"	"	-	-
" Charles G.	M	11	-	"	"	"	-	-
" Esther G.	F	9	-	"	"	"	-	-
" William H.	M	6	-	"	"	"	-	-

Figure 15: Excerpt of the 1871 Census of Saltfleet Township, noting James Hill as a farmer by occupation with wife Sarah, and 8 children. (Source: Ancestry.ca)

According to ancestry and genealogical records, James Hill was born in Thorold, Ontario². He arrived in Saltfleet Township in 1836 at the age of 14. Genealogical records indicate that there may have been an early friendship or family connection to members of the Carpenter family, who resided on an adjacent lot. James Hill married Sarah Ann (nee Carpenter) at St. Andrews Church in Grimsby, ON.

According to records available at the Stoney Creek Historical Society, James Hill resided in a single storey log home in Saltfleet by 1851. By this time, James Hill and Sarah Ann already had two children (Agnes and Gershom).

Sarah Ann died in 1889 at the age of 67. James continued to reside in the house located on the subject property until his death in 1904 at the age of 81. According to the obituary of James Hill, he resided in "Fruitland" (i.e. near what is now Fruitland Road), for 68 years "since a boy of 14" and was born at Allenburg, near Niagara Falls. The obituary noted that James Hill was a conservative and was a member of the Fruitland Methodist Church.

² Other historical references indicate that James Hill was born in Allenburg, Niagara (south of Thorold).

The property was granted to members of the Hill family in his will. The property was sold by James' eldest daughter, Abigail to Jessie Arnoff in 1911.

An early photograph of the property is available, courtesy of the Stoney Creek Historical Society (see Figure 16 below).



Figure 16: Photograph of the subject property, courtesy of the Stoney Creek Archives (date unknown).

A photograph of the property dating to the early to mid. 20th century provides evidence as to the features of the building as viewed from Lakeview Drive (See Figure 17 below). The building includes features indicative of the Regency architectural style, some of which have been removed. The photograph indicates that the building previously included a frieze board, paired brackets, and a large central door opening with sidelights and transom.



Figure 17: Historical photograph of the dwelling at 39 Lakeview Drive, date unknown (Source: Ancestry.com)

According to the 1952 aerial photograph of the property, the building included the original portion of the building (identified in this report as Section 'A'), as well as a front-end gabled rear addition. A detached garage is located east of the dwelling (See Figure 18 below).



Figure 18: Excerpt of the 1952 aerial photograph of Stoney Creek. Approximate location of the subject property outlined in red and green. (Source: University of McMaster Lloyd Reeds Digital Map Collection, accessed 2022).

According to the 1966 aerial photograph, the original portion of the building (Section 'A') is visible, and the detached garage is also visible. It is unclear whether or not the rear addition remains, or have been removed (See Figure 19).



Figure 19: Excerpt of the 1966 aerial photograph of Stoney Creek. Original portion of the building outlined in red. Rear addition outlined in orange. Detached garage outlined in red. (Source: University of McMaster Lloyd Reeds Digital Map Collection, accessed 2022).

A photograph of the building taken in the late 20th century demonstrates that the building had changed over time (See Figure 20). A more detailed description of building morphology is provided in Section 3.3 of this report.



Figure 20: Historical photograph of the dwelling at 39 Lakeview Drive, dated to the late 20th century (Source: Ancestry.com)

3.3 Building Morphology

According to a review of available photographic documentation and aerial photos, the building has changed over time. The historical information provided by the Stoney Creek Archives indicates that by 1851, the family was residing on the property in a log house. In the early to mid. 20th century, it was considered common for early Euro-Canadian families to construct a log or wood frame house using local materials using either local timbers or lumber from sawmills (if available) to construct a dwelling. When additional funds and resources became available, families would often build a new house, or an addition to the log house which would serve as a more permanent dwelling.

An early photograph provided by the Stoney Creek Archives (date unknown) provides valuable information as to the changes to the building over time (See Figure 21 below). The photograph identifies the original portion of the building which is existing on the subject property (outlined in red), a rear addition (in orange), and a wood frame addition to the rear (outlined in white).

The analysis of features of the photograph (below), including the location and direction of the cresting on the roof and chimneys, indicates that the photo is taken of the west elevation of the building. The rear wood frame structure (outlined in white) is possibly the original log dwelling which was the first building constructed on the property, and removed at an unknown point in time. While "logs" are not visible in this photograph, the building is clearly wood framed, and may have been clad in horizontal siding over cut or "squared" logs. Additional historical research would be need to conclusively determine whether or not this portion of the building depicted in the property was of log construction.

The secondary portion of the dwelling (outlined in orange), is likely not the existing rear brick addition. The portion of the building indicated in orange below, was likely removed at an unknown point in time. A comparison of the features of this structure noted below with photographs of the existing rear brick addition indicates that these are not the same structures (See Figures 22 & 23).

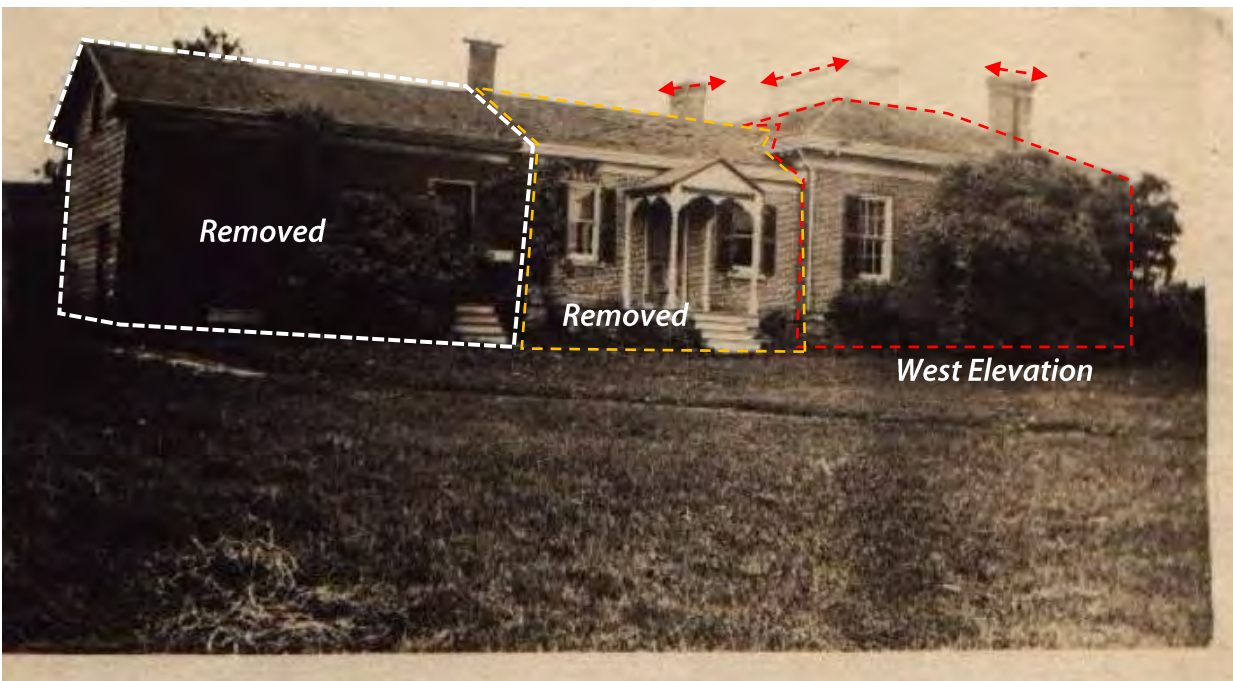
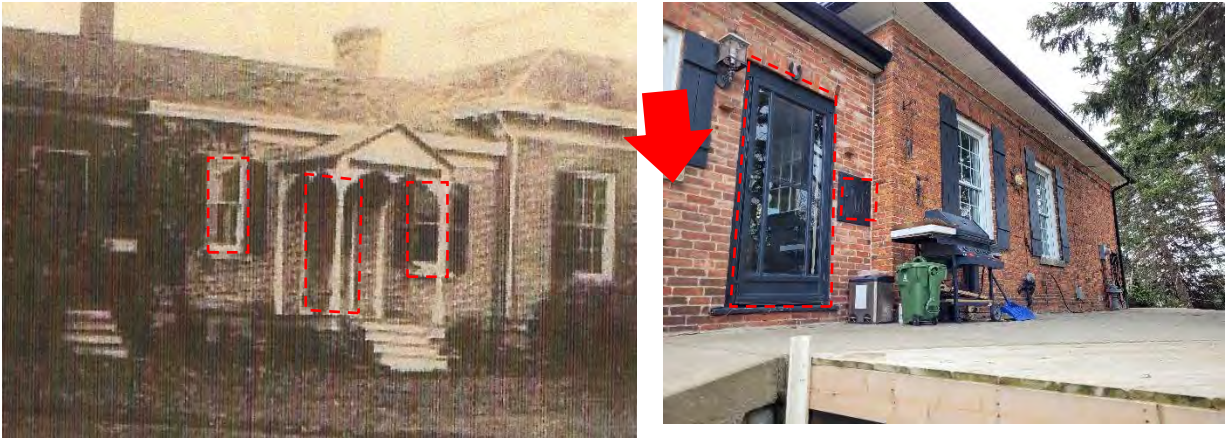


Figure 21: Historic photo of the dwelling at 39 Lakeview Drive, provided courtesy of the Stoney Creek Archives (date unknown)

The existing rear addition (See Figure 22) includes features which are different from that of the rear addition seen in the historical photo (See Figure 23). The existing rear addition includes a small mailbox, door opening, and window opening. The historic photo indicates that the rear addition included a window, door opening, and then another window opening (in that order, from right to

left). If the existing rear brick addition was the addition shown in the historic photo and had been altered, then there would be evidence of where the window and door openings had been changed. There is no such evidence of changes to masonry under the window on the existing rear addition (see red arrow on Figure 23). Therefore, it is unlikely that the existing rear brick addition is the addition depicted in the historical photos.



Figures 22 & 23: (left) Historic photo of the dwelling at 39 Lakeview Drive. (right) View of the west elevation looking south-east. (Source: Stoney Creek Archives; MHBC, 2022).

The existing building is visible on the 1952 aerial photograph of the building (outlined in red). This portion is distinguishable by its characteristic hipped roof with cresting. A small rear addition is visible at the north elevation in the same location as the existing rear brick addition. It is unknown whether or not this is the existing rear brick addition or the addition indicated on the historic photo above. The wood frame addition has been removed by this time. A small detached accessory structure is located at the east side of the building (See Figure 24 below).



Figure 24: Excerpt of the 1952 aerial photograph of Stoney Creek. Original portion of the building outlined in red. Rear addition outlined in orange. (Source: University of McMaster Lloyd Reeds Digital Map Collection, accessed 2022).

Features of the property are visible on the 1966 aerial photograph (See Figure 25 below). The original portion of the building is visible (noted in red), and the detached accessory structure is also visible. It is unclear whether or not the building included any rear additions at this time (see portion of the property circled in orange). It is possible that all additions to the building had been removed at this time.



Figure 25: Excerpt of the 1966 aerial photograph of Stoney Creek (Source: University of McMaster Lloyd Reeds Digital Map Collection, accessed 2022).

A photograph of the building is also available, which may have been taken in the early to mid. 20th century. The photo identifies that the building included features which have either been removed or altered at the front elevation.

The building previously included French windows. The site visit inspection identified that the masonry below the windows has been altered to remove the French style windows which are indicative of the Regency style of architecture. The frieze board has been removed as well as four sets of paired brackets along the front elevation. The original front door, with sidelights and transom have also been removed (see Figures 26 - 28 below).

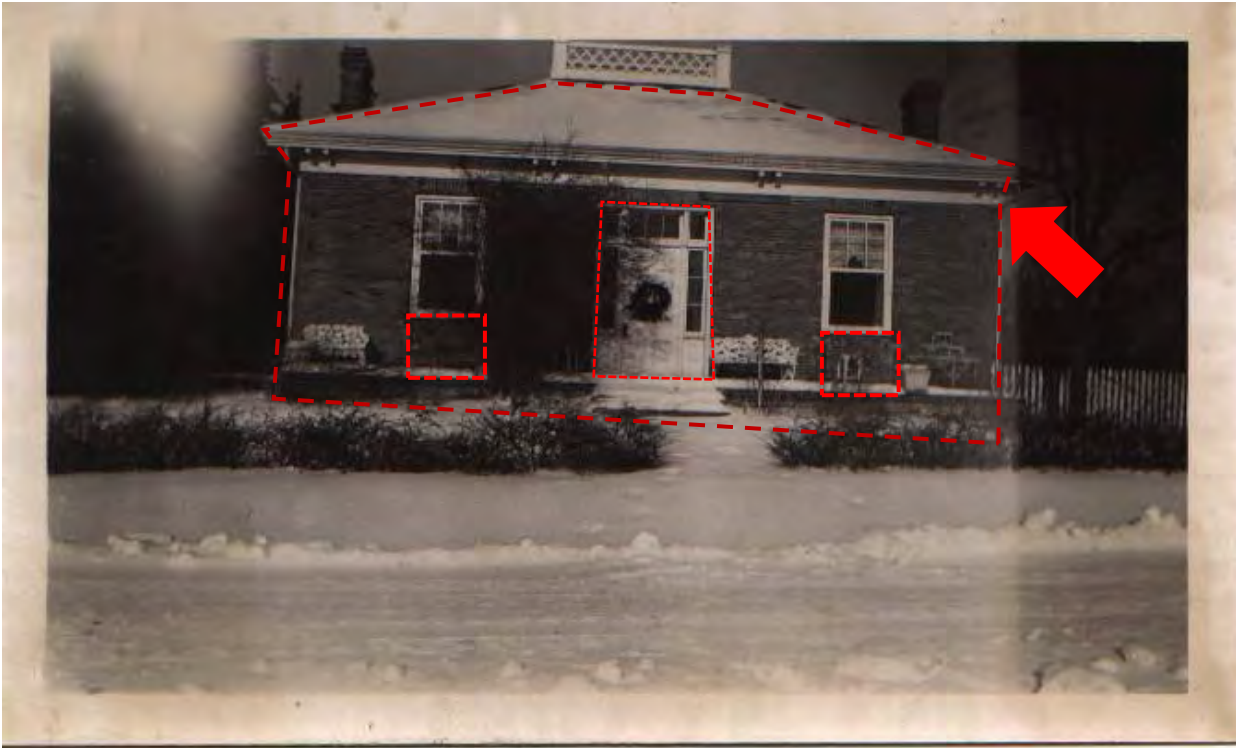


Figure 26: Historical photograph of the dwelling at 39 Lakeview Drive, (Source: Ancestry.com)



Figures 27 & 28: (left) Detail front elevation under west window (outlined in red), (right) Detail of front elevation under east window, noting areas where brick has been altered to remove original French windows (Source: MHBC, 2022)

According to the photograph below (dated to the late 20th century), the frieze board and brackets had been removed by this time. The original sidelights and transom remain, and an awning has been added above the front elevation door (See Figure 29).



Figure 29: Historical photograph of the dwelling at 39 Lakeview Drive, dated to the late 20th century (Source: Ancestry.com)

According to the City of Hamilton Interactive map and the 1990 aerial photo, the building has been altered considerably since the time it was constructed. The 1990 aerial photograph indicates that Section 'C' was constructed between approximately 1966 and 1985, and Section 'D' was constructed c.1990 by the current owner (See Figure 30 below).



Figure 30: City of Hamilton Interactive Map, 1990, indicating the existing features of the dwelling (Source: City of Hamilton Interactive Map, accessed 2022).

Given the information provided above, the following figure identifies the different portions of the building which have been added over time (See Figure 31 below).



Figure 31: Aerial photograph of the existing building noting the individual portions of the building and additions (see chart below) (Google images, accessed 2022)

Identifier	Description	Date of Construction
A	Brick Dwelling	1850 – 1870s
B	Brick Addition	Likely late 19 th century
C	Attached garage	Post 1966
D	Rear wood frame addition	1990s (constructed by current owner)

5.0 Condition of Built Features

5.1 Condition Summary Based on Site Visit (Visual Analysis Only)

The site visit conducted on April 8, 2022 by MHBC staff included an analysis of condition issues which are readily identifiable at the exterior of the dwelling. The following provides a summary of these condition issues.

5.1.1 Front (South) Elevation

Existing masonry condition issues are likely as a result of weathering and are readily identifiable at the exterior of the front elevation. This includes structural and masonry issues located below the windows at the east and west sides of the front elevation (see portions circled in red in Figure 32 below). The foundation of the building has been covered with a poured concrete patio, and the bottom layers of brick have been covered with composite materials which has been caulked. Some areas of these lower areas of brick where the caulking is peeling has resulted in water which can deteriorate the brick (See Figures 33 & 34).



Figure 32: (Detail view of north elevation noting areas of masonry deterioration outlined in red. Evidence of conversion of French windows outlined in blue. Green arrow indicates location of Figure 21. Red arrow indicates location of Figure 22 (see below) (Source: MHBC, 2021)

In the majority of areas indicated on Figure 18 above, the brick is considerably deteriorated, where holes and pits in the brick are in excess of 2 inches. The mortar is also considerably degenerated and is flaking off (See Figures 35 - 36).



Figures 33 & 34: (left) Detail view of west elevation missing brick pillar (outlined in red), (right) Detail view of north elevation noting water damage as well as detachment between the sun room and brick pillars (Source: MHBC, 2022)

The bricks are deteriorating at an accelerated rate at the front elevation. The reason for this is unknown, but it is possible that it is due to wind, water, weathering, and freeze-thaw. A detailed condition analysis would need to be undertaken to determine the extent of damages and remedial recommendations. The brick appears to be an early form of hand moulded brick, which may account for a more porous type of masonry that is more susceptible to damage and weathering if not maintained.



Figures 35 & 36: (left) Detail view of north elevation caulking noting areas where water is able to penetrate, (right) Detail view of south-east corner of the building where bricks are missing and crumbling above the foundation, (Source: MHBC, 2022)

The east elevation of the building provides evidence of fire damage. The inset board where the frieze board was attached at the east elevation (partially covered by the existing garage) is charred,

providing evidence that there was a fire at this side of the structure at an unknown point in time (see red arrow on Figure 37).



Figure 37: View of front and east side of the dwelling, noting locations of charred inset boards.

6.0 Cultural Heritage Evaluation

6.1 Methodology

The following evaluation of potential Built Heritage and Cultural Heritage Landscapes for this project is conducted in accordance with *Ontario Regulation 9/06* under the *Ontario Heritage Act*, as amended in 2005 and the guidelines presented in MTSC's *Ontario Heritage Tool Kit*.

Ontario Regulation 9/06 states the criteria for determining cultural heritage value or interest under the *OHA*. The regulation states that a property must meet one or more of the following criteria to be considered of cultural heritage value or interest:

1. *The property has design or physical value because it:*
 - a. *Is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
 - b. *Displays a high degree of craftsmanship or artistic merit, or*
 - c. *Demonstrates a high degree of technical or scientific achievement.*

2. *The property has historical value or associative value because it,*
 - a. *Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
 - b. *Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
 - c. *Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*

3. *The property has contextual value because it,*
 - a. *Is important in defining, maintaining or supporting the character of an area,*
 - b. *Is physically, functionally, visually or historically linked to its surroundings, or*
 - c. *Is a landmark.*

A field investigation was undertaken by MHBC staff on April 8, 2022.

6.2 Evaluation of 39 Lakeview Drive

6.2.1 Design/Physical Value

The property is of design/physical value as an early dwelling constructed in Saltfleet Township. The only portions of the building of potential cultural heritage value or interest are Sections 'A', and 'B'. Sections 'C' and 'D' are contemporary and are not of cultural heritage value. Portion 'A' of the building was likely constructed at some point after 1850 when the lot was purchased by James Hill and the family was in need of a more permanent dwelling instead of the original log house. The portion of the building described in this report as Section 'A' was constructed in the mid. to late 19th century in the Regency architectural style. A review of photos provided in this letter have demonstrated that due to the extent of alterations, the building is no longer considered a "representative" example of this built form.

6.2.2 Historical/Associative Value

The building demonstrates a degree of historical/associative value given that it is directly associated with James Hill and his descendants. James Hill is listed in census records as an Irish-Canadian farmer, who was a member of the Methodist Church. Currently, no records are available which suggest that James Hill or members of the Hill Family are significant to the community.

6.2.3 Contextual Value

The property has a degree of contextual value given that the site was likely selected for the scenic beauty associated with Lake Ontario. The character of the area has changed to the extent that the building is no longer a part of a recognizable or unifying 19th century built form. Instead, the existing building is a memorial of the mid. 19th century and is distinctly different than buildings located in the area. The property is not physically or functionally associated with its surroundings, and no longer functions as an agricultural farm complex. The property now functions as a residential lot and retains access to the shore of Lake Ontario.

6.3 Statement of Cultural Heritage Value or Interest and Heritage Attributes

Design/Physical Value		39 Lakeview Drive, Hamilton ON	
Is a rare, unique, representative or early example of a style, type, expression, and material or construction method.	Yes. The building is considered an early example of a residential building, given that it was constructed in the mid. 19 th century. The alterations to the building over time have been unsympathetic to its cultural heritage value, and as a result, the building is no longer considered representative of the Regency architectural style.		
Displays a high degree of Craftsmanship or artistic merit.	No. The building does not demonstrate a high degree of craftsmanship or artistic merit beyond the average standards of the period in which it was constructed.		
Demonstrates a high degree of technical or scientific achievement.	No. There is no evidence to suggest that the building demonstrates a high degree of technical or scientific achievement.		
Historical/Associative Value			
Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No. While the subject property demonstrates a degree of historical/associative value given that James Hill is considered an early Euro-Canadian settler of the context of the area, there is no evidence to suggest that James Hill, or members of his family who resided on the subject property, were significant to the local community.		
Yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No. This criteria is often associated with the presence of archaeological resources. In terms of cultural heritage other than unknown archaeological resources, it is not likely that the property has the potential to yield further information which would contribute to the understanding of a community or culture.		
Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Unknown. The designer or builder of the existing dwelling cannot be conclusively determined. Should this information become available, it could be added to the historic record.		
Contextual Value			
Is important in defining, maintaining or supporting the character of an area.	No. The context of the area has changed over time since the building on the subject property was constructed. The property supports the character of the area given that it is a low density dwelling in an established residential area. The existing dwelling does not define the character of the area.		
Is physically, functionally, visually or historically linked to its surroundings.	Yes. The building is visually connected to its surroundings given that the existing building was likely constructed within close proximity of the shore of lake Ontario to take advantage of scenic views.		
Is a landmark.	No. The building is not considered a landmark feature of the local community.		

7.0 Conclusion and Recommendations

This CHER concludes that the subject property has limited cultural heritage value or interest. The only heritage attribute of the property is the existing dwelling. The views of the dwelling which are visible from the street are limited to the south elevation, west elevation, and a small portion of the east elevation (See Figure 38 below). While the rear addition described in this report as Section 'B' is likely dated to the late 19th century or early 20th century, it is not original to the structure. Further, it is not readily visible to the street and does not contribute to the Regency style of the main portion of the dwelling.

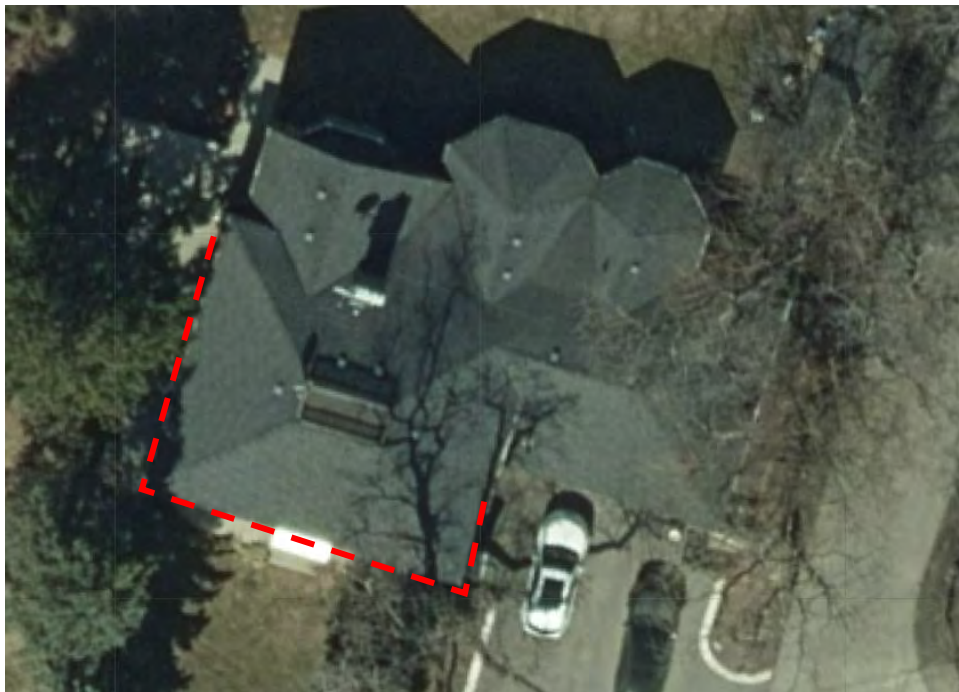


Figure 38: Aerial photograph of the existing building noting the elevations of Section 'A' of the building which are visible from the public realm and are of potential cultural heritage value (Google images, accessed 2022)

Although *Ontario Regulation 9/06* does not consider the integrity of the resource or its physical condition, the Ministry of Heritage, Sport, Tourism and Culture Industries advises on *Integrity* (Page 26) and *Physical Condition of properties* (Page 27) in part of Section 4, *Municipal Criteria* of the *Heritage Property Evaluation* document of the *Ontario Heritage Toolkit*.

In the matter of integrity the Guide notes that: (underline for emphasis),

Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

For example, a building that is identified as being important because it is the work of a local architect, but has been irreversibly altered without consideration for design, may not be worthy of long-term protection for its physical quality.

Ministry guidelines from the *Ontario Heritage Took Kit Heritage Evaluation* resource document note that:

*Individual properties being considered for protection under section 29 must undergo a more rigorous evaluation than is required for listing. The evaluation criteria set out in Regulation 9/06 essentially form a test against which properties must be assessed. **The better the characteristics of the property when the criteria are applied to it, the greater the property's cultural heritage value or interest, and the stronger the argument for its long-term protection.***

Given that the physical features of the building located on the subject property have been compromised due to unsympathetic alterations, resulting in the removal of several features which are indicative and commonplace for the Regency architectural style (such as frieze boards, French style windows, paired brackets, original door opening with wood frame window transom and sidelights). The front elevation of the building retains its overall hipped roof, and 3-bay façade. There may be opportunity to use historical photos as reference for a restoration project. In addition to the compromised integrity of the building, the condition of bricks at the front façade should be considered. If the bricks at the front elevation cannot be repaired, it would be difficult to recommend conservation and preservation of the building over the long-term.

This Cultural Heritage Evaluation Report has determined that while the property meets the criteria for designation under *Ontario Regulation 9/06*, the building's integrity has been compromised and there are issues with masonry condition which should be considered prior to determining whether or not the existing building is a good candidate for long-term conservation. The main portion of the building has been altered, and if designation is considered, it is recommended that the designation By-law be scoped to identify that only the elevations noted in Figure 24 be considered as attributes. Further, that the specific attributes listed in the By-law include window and door

openings, hipped roof shape with cresting, overall scale/massing and brick construction and relationship to the shore of Lake Ontario.

Given that the building meets the technical criteria for designation, but there are issues related to integrity, the following provides a review of options:

- Do not designate the property under Part IV of the *Ontario Heritage Act*:
 - The property should remain listed. Should a demolition be sought in the future, the property could be considered for demolition, and the property could be documented and commemorated/interpreted.

- Designate the property under Part IV of the *Ontario Heritage Act*:
 - If the property is designated under Part IV, scope the list of heritage attributes to only identify elevations of Section 'A' of the building and further scope the heritage attributes as referenced in this report;
 - Features which are not visible from the public realm are not recommended for designation;
 - No interior features are recommended for designation;
 - The intent of scoping the list of heritage attributes is to allow for compatible development of the property in the future;
 - The By-law should identify that some section portions of the property are not of cultural heritage value or interest, and that alterations can be considered as per the policies of the City of Hamilton Official Plan.

Preferred Alternative:

Given that the existing building is considered early and has a level of contextual value given that it retains its relationship with Lake Ontario, the building meets the criteria for considering designation. However, the MHSTCI (in the Ontario Heritage Toolkit) states that a more rigorous evaluation is required when considering long-term conservation. Given that the integrity of the building has been compromised, and only the roofline, and window and door openings at the elevations which are readily visible of the street remain as physical attributes of the building, the preferred alternative is not to designate the property and for it to remain listed. If an application for demolition is submitted, removal of the building could be considered provided that documentation and commemoration is undertaken.

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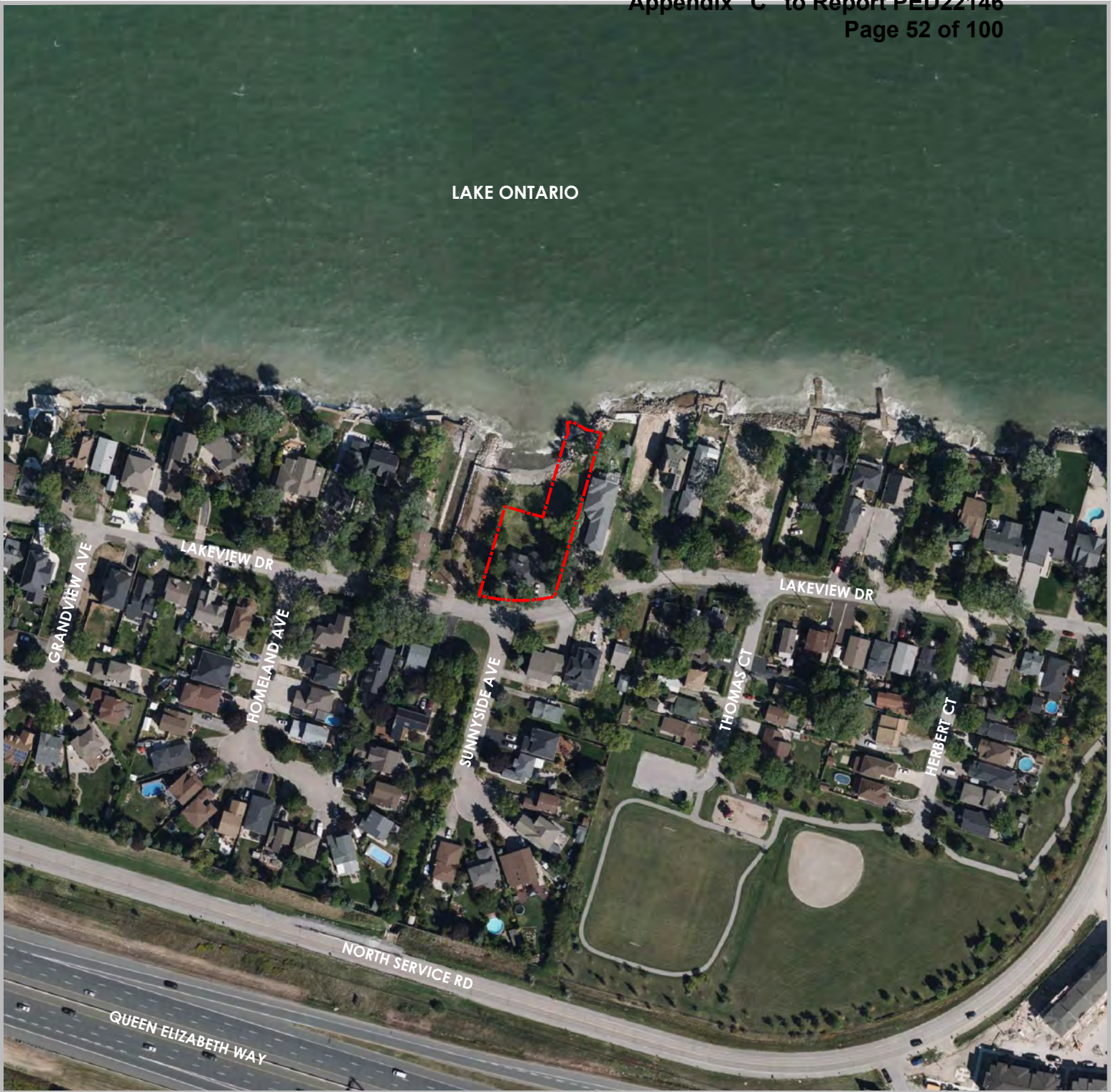
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Appendix **A** – Location Map



LAKE ONTARIO

Location Map

LEGEND

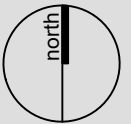
 Subject Lands

DATE: April 2022

SCALE: 1: 1,500

FILE: 0727AU

DRAWN: LC



K:\0727AU - 39 LAKEVIEW AVE. STONEY CREEK\IPT\LOCATION.DWG

39 Lakeview Dr
Stoney Creek
City of Hamilton

Appendix **B** – Terms of Reference



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning Division, Planning and Economic Development
Physical Address: 71 Main Street West, 5th Floor
Phone: 905.546.2424 x1202 Fax: 905.540.5611
Email: Stacey.kursikowski@hamilton.ca

February 11, 2022

MHBC Planning Limited
Attn: Dan Currie (c/o Winnie Coles)
540-200 Bingemans Centre Drive
Kitchener, ON
N2B 3X9

By email only to wcoles@mhbcplan.com

Dear Mr. Currie,

Re: Cultural Heritage Assessment for Designation under Part IV of the *Ontario Heritage Act*: 39 Lakeview Avenue, Stoney Creek (Private Residence)

The City of Hamilton is in the process of evaluating the property at 39 Lakeview Avenue, Stoney Creek for potential designation under Part IV of the *Ontario Heritage Act*.

As part of the Council-approved designation process, the City requires the preparation of a Cultural Heritage Assessment to assess and identify the cultural heritage value and significant cultural heritage features of the property.

Your firm has been selected from the City of Hamilton's 2022-2024 Roster of Professional Consulting (Category 27: Built Heritage and Cultural Heritage Landscapes) to prepare a Cultural Heritage Assessment for the subject property. The Terms of Reference for the preparation of the Cultural Heritage Assessment in accordance with the City's designation process is attached.

Once you have reviewed the attached information, please contact City staff to arrange a meeting to discuss the project requirements, timelines, and develop a work plan for the proposed assignment. Staff request that a proposal, in the format of the attached work plan sample (APPENDIX 6), be submitted by February 25, 2022. Should you have any questions, please do not hesitate to contact me at Stacey.Kursikowski@hamilton.ca or 905-546-2424 x1202.

Sincerely,

A handwritten signature in black ink, appearing to read "Stacey Kursikowski".

Stacey Kursikowski, MCIP, RPP
Cultural Heritage Planner
Attach. (7)

Cultural Heritage Assessment for Heritage Designation of 39 Lakeview Avenue, Stoney Creek (Private Residence)

Terms of Reference Prepared: February 2022

Your firm, referred to as the Consultant, is invited to submit a detailed work plan for a Cultural Heritage Assessment in accordance with the following Terms of Reference. Your firm has been solicited through the City of Hamilton's roster assignment. All fees and disbursements included as part of your quote and final invoice must be in accordance with the 2022-2024 Roster Contract.

1.0 INTRODUCTION

The City of Hamilton Council-approved process for designating a property under Part IV of the *Ontario Heritage Act* (APPENDIX 1) requires that a Cultural Heritage Assessment (CHA) be completed in accordance with *Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest* (APPENDIX 2), and with the criteria developed and endorsed by City Council (APPENDIX 3). The proposed Cultural Heritage Assessment is for the property located at 39 Lakeview Avenue, Stoney Creek.

2.0 BACKGROUND

39 Lakeview Avenue, Stoney Creek is comprised of a one-storey, red brick Regency style structure (APPENDIX 4: Location Maps). The subject property is Registered on the City's *Register of Properties of Cultural Heritage Value or Interest*.

On April 3, 2012, a motion was passed by the Planning Committee requesting that the subject property be added to the Council-approved designation work plan (APPENDIX 7). Staff are seeking external expert opinion to determine if the subject property is worthy of designation under Part IV of the *Ontario Heritage Act* by evaluating the property against the *Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest* (APPENDIX 2) and with the criteria endorsed by City Council (APPENDIX 3).

3.0 PURPOSE

The purpose of the Cultural Heritage Assessment (CHA) is to:

1. Identify and assess the potential cultural heritage value of the property;
2. Determine if the property should be recommended for designation under Part IV of the *Ontario Heritage Act*, and if recommended for designation,
3. Identify the significant heritage attributes associated with the identified cultural heritage value of the property.

4.0 METHODOLOGY

The program of the evaluation for the property will entail the following steps:

1. Review of City Policies and Property Information

The Consultant shall familiarize themselves with the *Criteria for Determining Cultural Heritage Value or Interest*, as defined in *Ontario Regulation 9/06* of the *Ontario Heritage Act* (APPENDIX 2), the City of Hamilton's framework for evaluating the potential cultural heritage value of a property, **focusing on Section 3 Built Heritage** (APPENDIX 3), and the City's Cultural Heritage Assessment Report Outline (APPENDIX 5). These documents contain relevant guidelines needed to effectively prepare the Cultural Heritage Assessment.

2. Site Visit

The Consultant shall conduct site visit(s) to take up-to-date high-quality photographs of the property to be included in the report. The consultant is expected to document all the heritage attributes of the site, including the interior of the building(s) where possible. The site visit(s) and/or contact(s) with the property owner will be coordinated by City staff.

3. Prepare Cultural Heritage Assessment Report

The Consultant shall prepare a Cultural Heritage Assessment Report, which follows the outline provided in APPENDIX 5. The CHA report to be prepared in accordance with the aforementioned criteria shall identify significant heritage attributes and evaluate the cultural heritage value of the subject property. As part of this report, the Consultant shall prepare the content for a draft by-law outlining the description of the property, statement of cultural heritage value or interest and description of heritage attributes.

5.0 DELIVERABLES

The deliverables will include:

Draft and Final Work Plan

The Consultant shall prepare and submit a draft and final work plan for the entire scope of the project based on the example in APPENDIX 6.

Draft Report

The Consultant shall submit a draft of the completed Cultural Heritage Assessment Report, as well as the accompanying content for the proposed designation by-law, for review by Planning staff and the Hamilton Municipal Heritage Committee. The draft report and by-law content should have a "DRAFT" watermark and be submitted to Planning staff in the form of two (2) digital copies (PDF and Word format).

Final Report

Final revisions to the Cultural Heritage Assessment Report and by-law content will be completed by the Consultant prior to staff preparing a report for consideration by Planning Committee and Council. The final report shall be submitted to Planning staff in the form of one (1) printed colour copy and of two (2) digital copies (PDF and Word format).

In addition, it is expected that the author of the Cultural Heritage Assessment will attend the Hamilton Municipal Heritage Committee and Planning Committee/Council meetings at which the subject assessment will be discussed.

Note: The Consultant shall consider the legibility and clarity of any images included in Cultural Heritage Assessment Report given that the final version provided to Planning Committee and Council will be a black and white photocopy. The report should use a footer to accommodate the running title and page numbers and an appropriate amount of blank space shall be provided in the header to allow the insertion of the City report header on the final report. A standard 12-point font, such as Arial and Verdana, should be used to ensure compatibility with most software and web browsers.

6.0 TIMELINE

The timeline will be discussed and agreed upon prior to the acceptance of the proposed work plan (see APPENDIX 6 for a sample).

7.0 REMUNERATION

The City will compensate any fees and disbursements identified by the Consultant in accordance with the 2022-2024 Roster Contract.

Note: The quote and final invoice prepared by the Consultant and provided to the City shall be itemized to reflect with the fee structure and disbursements identified in the approved 2022-2024 Roster Contract. Please see APPENDIX 6 for a work plan sample illustrating how billing should be broken down.

8.0 WSIB CLEARANCE

The consultant is required to provide proof of their WSIB clearance certificate every 90 days. Such proof should be sent to the City prior to starting the project, and each time the firm's WSIB certificate is renewed.

9.0 ADDITIONAL INFORMATION

Attached are the following:

APPENDIX 1: City of Hamilton Designation Process

APPENDIX 2: Criteria for Determining Cultural Heritage Value or Interest, Ontario Regulation 9/06 under the *Ontario Heritage Act*

APPENDIX 3: City of Hamilton Framework for Cultural Heritage Evaluation

APPENDIX 4: Location Map of Subject Property

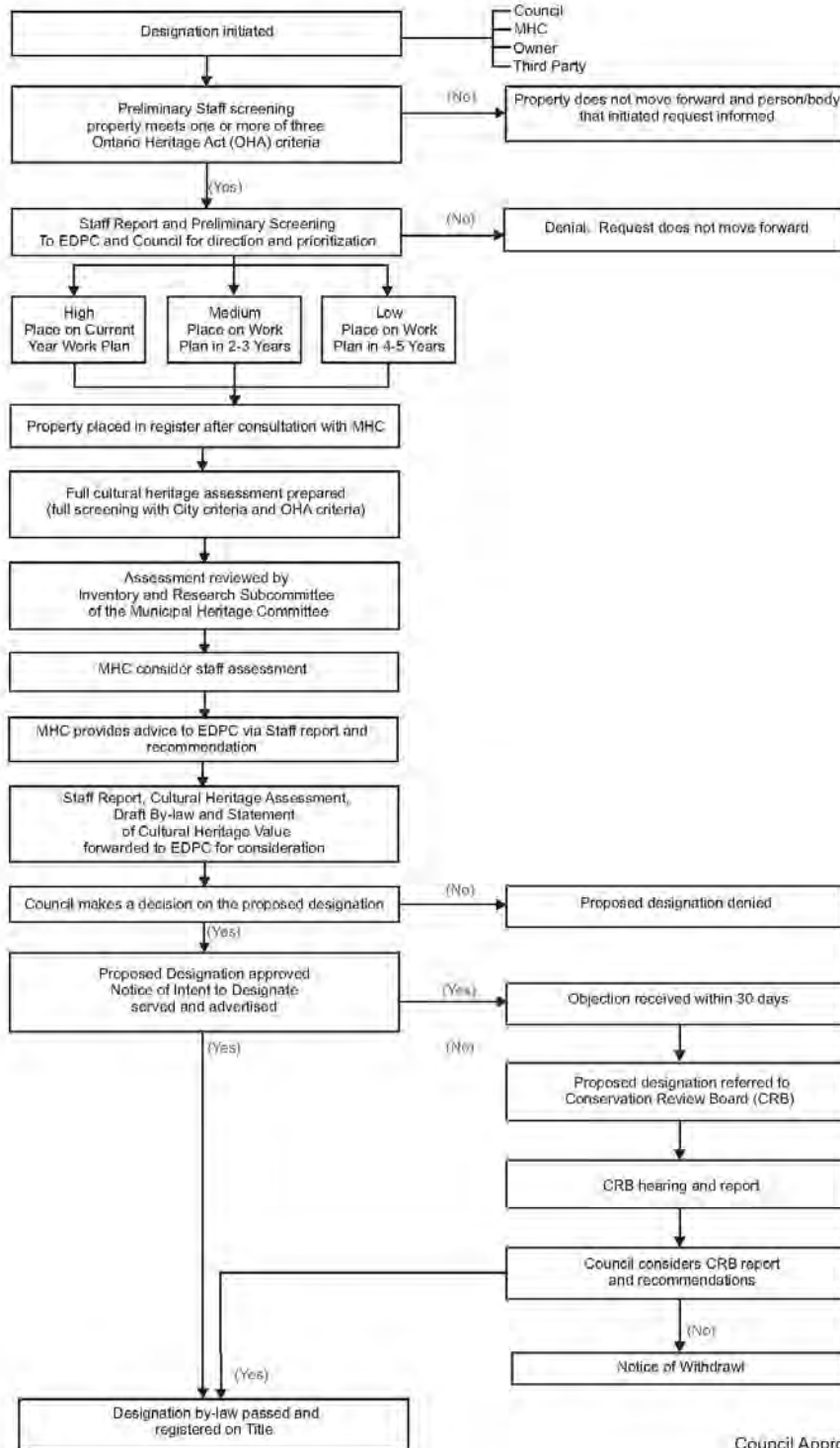
APPENDIX 5: City of Hamilton Cultural Heritage Assessment Report Outline

APPENDIX 6: Work Plan/Billing Sample

APPENDIX 7: City of Hamilton Council Decision and Direction excerpt

APPENDIX 1:
City of Hamilton Designation Process

DESIGNATION PROCESS



Council Approved on October 29, 2008

APPENDIX 2:

Criteria for Determining Cultural Heritage Value or Interest, Ontario Regulation 9/06 under the *Ontario Heritage Act*

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

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,
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.

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,
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,
 - i. is important in defining, maintaining or supporting the character of an area,
 - ii. is physically, functionally, visually or historically linked to its surroundings, or
 - iii. is a landmark. O. Reg. 9/06, s. 1 (2).

APPENDIX 3:

City of Hamilton Framework for Cultural Heritage Evaluation

A Framework for Evaluating the Cultural Heritage Value or Interest of Property for Designation under Part IV of the *Ontario Heritage Act*

1. Introduction

The following evaluation criteria seek to provide a consistent means of examining and determining the cultural heritage value or interest of real property. They will be used by staff and the City of Hamilton's Municipal Heritage Committee (formerly the Local Architectural Conservation Advisory Committee or LACAC) in determining whether to designate property under the *Ontario Heritage Act*.

It is anticipated that properties to be designated must have one or more demonstrated attributes of cultural heritage value or interest. The greater the number of attributes the more likely it is that a property will be of significant or considerable cultural heritage value.

These criteria recognize the housekeeping changes made to the *Ontario Heritage Act* as per the *Government Efficiency Act, 2002*. Municipalities are enabled to designate those properties of *cultural heritage value* and to identify those heritage attributes that account for the property's cultural heritage value or interest.

In keeping with contemporary heritage conservation and management practice these are considered to be those properties that have cultural heritage value expressed in the following forms:

- Archaeological sites and areas
- Built heritage features, and
- Cultural heritage landscapes.

These categories follow the direction and guidance in the Provincial Policy Statement issued pursuant to the Ontario Planning Act. No guidance is yet provided under the *Ontario Heritage Act*.

2. Archaeology

2.1. Introduction

The designation of archaeological sites under the Ontario Heritage Act (OHA) has traditionally been at the discretion of the Provincial Government, until the recent amendments to the OHA under the *Government Efficiency Act, 2002*. Among other

effects, these changes extend this capacity to municipalities, hence the process herein of defining the City of Hamilton criteria for OHA designation of archaeological sites.

2.2. Hamilton Archaeology

The City of Hamilton has approximately 735 archaeological sites currently (2001) registered by archaeologists on the Ontario Archaeological Sites Database, maintained by the Ontario Ministry of Culture (MCL). Numerous other sites are known to exist, but are not as yet registered on the OASD. Further, a large number of unknown sites exist, but have not yet been identified. Many of these sites, whether registered or not, are too small to warrant significant investigation, other than to establish and map their presence and general nature.

The registration of known sites by licensed archaeologists under the OHA serves to record the sites' presence, cultural affiliation, and status. Sites, which have been fully excavated, and therefore exist only in the form of excavation records, removed artifacts and reports, remain registered.

The overall pattern in the data is that the highest density of registered sites occurs in areas that have been the focus of survey, whether driven by development proposals and Planning Act requirements or academic research.

2.3. Archaeological Work

Archaeology is by its nature a destructive discipline. Sites are identified through survey, arising from some form of soil disturbance, which informs the archaeologist that a site or sites are present. Apart from establishing a site presence and some broad ideas of site boundaries and cultural horizons, however, the nature of a site is largely unknown until excavation activities take place.

The difference between the archaeological excavation of a site and its undocumented removal by construction activities lies in the records retained and reported on by the archaeologists. The knowledge of the archaeological site persists, however, and while it may be absent, the former presence indicates that the area in which it occurs is one of archaeological potential, if the landscape remains relatively intact.

Soil disturbance can take many forms, and has varied effects on the archaeological resource. Much of archaeology in Ontario occurs in the topsoil horizon, with some extending into the subsoil, which affects its visibility and sensitivity to disturbance.

Most of the archaeology in Hamilton has been identified as a result of over a hundred years of agricultural activities, namely tilling the soil. While cultivation disturbs sites, it does so with only moderate loss of site information. More intensive forms of agricultural, such as tree or sod farms, have a more substantial and deleterious effect. Soil disturbances such as grade alteration or compaction essentially obliterate archaeological resources.

2.4. Archaeologists

Terrestrial and aquatic archaeology in Ontario is administered through the MCL, while some authority has been downloaded to municipalities. In addition to maintaining the site registry, MCL is responsible for licensing archaeologists: only licensed archaeologists are permitted to carry out archaeological fieldwork (Section 4.48.1), or alter archaeological sites through the removal or relocation of artifacts or any other physical evidence of past human use or activity, from the site (Section 4.48.2).

While recognizing this, much archaeological work has been conducted in the past by unlicensed archaeologists. This group falls into two categories: avocational or lay archaeologists, and “pothunters.” Avocational archaeologists typically work in association with licensed archaeologists or the MCL. Pothunters tend to avoid working with archaeologists or the Ministry and are known to loot sites for artifacts, either to add to collections or sell on the open market. Such activities are illegal under the OHA.

2.5. Designation of Archaeological Sites

As with other types of cultural heritage resources, “designation” is one of many conservation tools that a municipality may use to wisely manage its cultural heritage. With respect to archaeological sites, there are a number of unique aspects arising from the designation of archaeological sites. The protection of archaeological sites or areas of archaeological potential is possible through designation, and is also a means by which to flag such properties for closer scrutiny through the development application process. The amended components of Part VI of the OHA also provide stronger and more appropriate means by which the resource can be protected.

The designation of existing sites may serve as a flag, which could result in unauthorized excavation, inferring some potential responsibility of the City of Hamilton to protect such sites. However, sites of sufficient significance to warrant designation are likely already well known to the pothunter population. In turn, the fact that many registered sites have already been fully excavated, primarily as part of the development process, does play a factor in the designation process and goals (i.e. inferring the recognition of a site no longer present).

While there is no official Ministry policy on the municipal designation of archaeological sites, the existence of provincially designated archaeological sites suggests that the recognition of such significant resources is warranted. The criteria below are to be used either as “stand-alone” criteria for the evaluation of archaeological sites and areas of archaeological potential suitable for designation or are to be used in conjunction with other criteria in the designation of heritage properties, such as heritage buildings and cultural heritage landscapes.

2.6. Determination of Significance

1. *Cultural Definition: is the site used to define a cultural complex or horizon at the local or regional scale?*

Select archaeological sites are used to define specific cultural complexes or horizons, to which similar sites are compared for closeness of fit and relative position in cultural chronology and site function. Their identification as type-sites is typically achieved through academic discourse, for example the Princess Point site in Cootes Paradise.

2. *Temporal Integrity: does the site represent one or more readily distinguished cultural horizons, or a multi-component mixture of poorly-defined occupations?*

Archaeological sites are frequently re-occupied over a long period of time by different cultural groups. While soil stratification may separate these sequences and provide valuable information, agricultural and other activities can cause admixture of these separate components, resulting in a loss of information.

3. *Site Size: is the site a large or high-density occupation, or a small, low-intensity occupation?*

A higher level of importance tends to be placed on larger archaeological sites, as they generally represent larger or more frequent/long-term occupations. They also tend to yield more diagnostic material objects or settlement patterns, and so can be better defined chronologically and culturally, but can likewise be less clearly defined. Smaller sites can also yield diagnostic artifacts, and are typically the predominant site size of earlier Native and Euro-Canadian occupations, and may be subject to lower degrees of stratigraphic mixture.

4. *Site Type: is the site of a distinctive and well-defined type, with respect to its function or the activities carried out at the site?*

Sites range in nature from highly specialized to generalized, with a related range of interpretability: sites where many activities occur can make it hard to differentiate these activities, such as a pioneer farmstead. Sites where limited activities took place tend to show more identifiable patterns, like point manufacturing sites. While both end of this continuum represent similarly important parts of their inhabitants' lifeways, information may be more readily derived from those of lower complexity.

5. *Site Integrity: is the site largely intact?*

Sites that remain primarily intact retain significant levels of data, while degree of impact closely correlates with the extent of data-loss, particularly when all or some of the site has been impacted or removed through excavation, mitigation or other activities.

6. *Historical Association: does the site represent the archaeological remnants of a significant historical event, person, or group?*

The **direct** association of an archaeological site with a historical event, person, family or group can have a bearing on the significance of an archaeological site, depending on the significance to the community, province or nation of the event or person(s) involved. The nature of the association, such as transitory or long-term, also has a bearing on whether this association is of little or considerable significance.

7. *Setting: what is the integrity of the context surrounding the site?*

Sites do not exist independently, but rather are embedded (at varying scales) within the landscape encompassing them. As such, some semblance of the physiography (cultural heritage landscape) and relevant built culture concurrent to the site's occupation can provide an important context to the information derived from the site.

8. *Socio-political value: is there significant public value vested in the site?*

Real or perceived social or political value may be imparted to an archaeological site for various reasons by the public as a whole, or subsets of stakeholders and interest groups. Regardless of the origin of the value(s) ascribed the site, perception and expediency may play a large role in its identification as a significant feature.

9. *Uniqueness: is this a unique archaeological site?*

While all sites are by their nature unique, some are more so than others by nature of their distinctive type, role or character, which identifies them as "one-of-a-kind" within a specified frame of reference. The recognition of a site having such a unique nature as to warrant this distinction essentially refers to the information value implicit in such an identification. As a result, this will largely be the result of professional discourse.

10. *Rarity: is this a rare archaeological site?*

Rarity may be a measure of cultural affiliation, site type, function, location, artifact assemblage, and age, to mention some potential elements. This can take two forms: either because they occurred only very rarely as a site type originally, or because only a small number remain extant owing to destruction of the original set of sites. In both cases, the rarity of these sites warrants their identification as a result of their information value regarding such a limited resource. Evaluation of the distinct nature of such sites will largely originate through professional discourse.

11. *Human Remains: are there identified or probable burials on the site?*

Human remains can be encountered in a variety of circumstances, including within an archaeological site. Depending on the context, these can take the form of an approved cemetery, unapproved cemetery, unapproved Aboriginal Peoples cemetery, or irregular burial site. Regardless of the specific circumstance, burials carry a high cultural value in and of themselves. In addition, their significance can be evaluated as a sub-set of archaeological sites in complement with the standard cemetery management process. Native and pioneer cemeteries in particular can be assessed in reference to other archaeological sites and communities, as well as specific persons and events.

12. *Archaeological Potential: is the area of substantially high potential?*

The archaeological potential of a property is determined through an evaluation of a variety of factors. These include proximity to physiographic features, known

archaeological sites, historic features, and degrees of landscape alteration/disturbance. If a property is identified as having very high potential, designation may be warranted prior to field survey, or further impact.

3. Built Heritage

3.1. Introduction

For the past 25 years Part IV of the Ontario Heritage Act primarily concerned itself with the designation and hence protection and management of *buildings* of architectural or historic value or merit. The Ontario Heritage Act now enables municipalities to designate *property*, i.e., real property including buildings and structures. This may now include not only buildings but also plantings, landscaping elements and archaeological features (See preceding section 2.2).

As with archaeological evaluation the criteria below are to be used either as “stand-alone” or are to be used in conjunction with other criteria in the designation of heritage properties.

Historical Associations

1. *Thematic: how well does the feature or property illustrate a historical theme that is representative of significant patterns of history in the context of the community, province or nation?*

The criterion evaluates the resource in the context of broad themes of community history. In assessing a resource, the evaluation should relate its importance specifically and with some precision to relevant themes usually of some duration, such as agricultural settlement, village or town development, recreational activities, suburbanization and industrial growth.

2. *Event: is the property associated with a specific event that has made a significant contribution to the community, province or nation?*

This criterion evaluates the resource with respect to its **direct** association with events, (i.e., the event took place in the building or on the property). The significance of the event must be clearly and consistently evaluated by examining the impact the event had on future activities, duration and scale of the event and the number of people involved. Battles, natural disasters and scientific discoveries are frequently recognized under this criterion.

3. *Person and/or Group: is the feature associated with the life or activities of a person or group that has made a significant contribution to the community, province or nation?*

This criterion evaluates the feature with respect to its **direct** association with a person or group, (i.e., ownership, use or occupancy of the resource). The significance of the person or group must be clearly described such as the impact on future activities, duration and scale of influence and number and range of people

affected, e.g., the Calder or Book family in Ancaster. Public buildings such as post offices or courthouses though frequented by many important persons will seldom merit recognition under this criterion.

Architecture and Design

4. *Architectural merit: what is the architectural value of the resource?*

This criterion serves to measure the architectural merit of a particular structure. The evaluation should assess whether the structure is a notable, rare, unique, early example or typical example of an architectural style, building type or construction techniques. Structures that are of particular merit because of the excellence and artistic value of the design, composition, craftsmanship and details should be identified whether or not they fall easily into a particular stylistic category (i.e., vernacular architecture).

5. *Functional merit: what is the functional quality of the resource?*

This criterion measures the functional merit of the structure apart from its aesthetic considerations. It takes into account the use or effectiveness of materials and method of construction. The criterion is also intended to provide a means of giving value to utilitarian structures, engineering works and industrial features that may not necessarily possess a strict "architectural" value.

The evaluation should note whether the structure is a notable, rare, unique, typical or early example of a particular material or method of construction.

6. *Designer: what is the significance of this structure as an illustration of the work of an important designer?*

This criterion evaluates the importance of the building in a designer's career. "Designer" may include architects, builders or engineers, either in private and public practice, or as individuals or professional firms. The evaluation will have to account for or describe whether or not a designer is important in terms of the impact that the person had on trends in building and activities in the community, province or nation before evaluating the importance of the specific structure in the designer's career. Comparisons should focus on surviving examples of the designer's work.

Integrity

7. *Location integrity: is the structure in its original location?*

The integrity of a resource relies in part on its relationship to its original site of construction. Original sites or locations of structures are benchmarks in the past physical, social, economic and cultural development of any area. The continued presence of heritage structures often contributes to a strong sense of place. Those features that have been moved from their original sites are considered to be of lesser cultural heritage value.

8. *Built integrity: is the structure and its components parts all there?*

The integrity of a resource may affect the evaluation of the built heritage feature particularly where there have been either:

- adverse alterations, such as the loss of significant or noteworthy building elements; or
- unsympathetic additions, that obscure or detract from original building fabric.

Properties that remain intact or that have been systematically and sensitively added to over a number of decades (such as farmhouses) are considered to have greater value than those that have experienced detrimental effects. Building ruins may warrant special consideration where there are other important cultural heritage values, e.g., "The Hermitage", Ancaster.

Environmental Context

9. *Landmark: is it a visually conspicuous feature in the area?*

This criterion addresses the physical importance of a structure to its community. The key physical characteristic of landmarks is their singularity, some aspect that is unique or memorable in its context. Significant landmarks can have a clear form, contrast with their background or have prominent locations. Landmarks are often used by people as reference points, markers or guides for moving or directing others through an area.

10. *Character: what is the influence of the structure on the present character of the area?*

This criterion measures the influence of the resource on its surroundings. The character of the immediate area must be established before the site's contribution can be assessed. (In the case of complexes, "area" may be defined as the complex itself, e.g., hospital, university, industrial plant.) Areas can convey a sense of cohesion through the similarity and/or dissimilarity of their details. Cohesion can be established by examining such things as scale, height, proportion, siting, building materials, colours and relationships to other structures and spaces.

11. *Setting: what is the integrity of the historical relationship between the structure and its immediate surroundings?*

This criterion examines the degree to which the immediate environment enhances the structures physical value or prominence. It assesses the importance of the site in maintaining familiar edges, districts, paths, nodes and landmarks that assist in movement and orientation. Structures or sites may exhibit historic linkages such as those between a church and cemetery or a commercial block and service alleys. Other examples are original settings that provide the context for successive replacement of bridges at the same location or traditional relationships such as those between a station and hotel located next to a rail line.

Social Value

12. *Public perception: is the property or feature regarded as important within its area?*

This criterion measures the symbolic importance of a structure within its area to people within the community. "Community" should not solely reflect the heritage community but the views of people generally. Examination of tourist brochures, newspaper articles, postcards, souvenirs or community logos for the identification of a site as a prominent symbolic focal point is sometimes useful.

4. Cultural Heritage Landscapes

4.1. Introduction

Prior to defining evaluation criteria, it is worthwhile to enumerate several general principles for understanding cultural heritage landscapes. The Provincial Policy Statement issued under the Planning Act states in 2.5.1, *Cultural Heritage and Archaeological Resources* that:

Significant built heritage resources and cultural heritage landscapes will be conserved.

"Cultural heritage landscape" is specifically defined to mean:

a defined geographical area of heritage significance which has been modified by human activities. Such an area is valued by a community, and is of significance to the understanding of the history of a people or place.

In addition, "Significant" is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. As cultural heritage landscapes and built heritage resources may be considered an "other matter", the following definition of "significant" applies:

in regard to other matters, important in terms of amount, content, representation or effect.

These formal quasi-legislative definitions are important in defining the scope and limitations of what constitutes a significant cultural heritage landscape. The word "culture" or "cultural" is used here and in the context of the policy statement to differentiate between those environmental features that are considered to originate in "nature" and have "natural" forms or attributes. The use of the word culture in this context should not be misconstrued to indicate a refined or developed understanding of the arts or civilization.

Typically cultural heritage landscapes comprise many items or objects that have been made or modified by human hands. Importantly, cultural heritage landscapes reflect human activity (including both the intended and accidental results of development,

conservation and/or abandonment) and thus all landscape artifacts reflect “culture” in some way, shape or form. Accordingly, for the purposes of understanding a cultural landscape, most components of the landscape are usually equally important in giving some insight into the culture or historical past of an area (fields, farmsteads, treelines, woodlots, mill ponds, raceways, manufactories, etc.) Present landscapes that are inherited from the past typically represent the aspirations, value, technology and so on of previous generations. Many present-day cultural heritage landscapes are relics of a former age. Small towns and rural hamlets, for instance, often represent nineteenth century rural lifeways that are no longer being built.

In order to understand the cultural heritage significance of a landscape it is important to understand not only the physiographic setting of an area but importantly the broader historical context of change. The role of technology and communications is particularly important at any given time as these often provided the physical artifacts or means available to permit change to occur within the landscape.

In the evaluation of cultural landscapes for the purpose of heritage conservation, the establishment of criteria is essentially concerned with attempting to identify those landscapes that have particular meaning, value or importance and consequently require some form of active conservation management including informed municipal decision making through the designation process. Traditionally, “landscapes” have tended to be evaluated on the basis of some measure of scenic merit, particularly those considered to be views of “nature”, free from the effects of noticeable human activity. In identifying cultural heritage landscapes there is less a concern for assigning value based solely on scenic attributes. Attributes that address historical associations and social value are also equally important. The following criteria provide a broader base for evaluation.

4.2. Applying the Evaluation Criteria

The evaluation framework for cultural heritage landscapes is a set of criteria to be used in the assessment of cultural heritage landscapes throughout the City of Hamilton. These criteria are based on established precedents for the evaluation of heritage resources. It is anticipated that this framework will be applied to a broad range of landscapes in a consistent and systematic manner. It may be utilized either on a long-term basis as part of continuing survey and assessment work or on an issue oriented case-by-case manner. The evaluation criteria are also to serve the purposes of determining cultural heritage value or interest for the purposes of designation under the *Ontario Heritage Act*.

The criteria recognize the value and merit of all types of cultural heritage landscapes. If at any time it is proposed to undertake a comparative evaluation amongst many landscapes such comparative analysis should be used only to compare like or similar landscapes. An industrial landscape, for example must be assessed through comparison with other industrial landscapes, not with a townscape or rural landscape. The intent in applying the criteria is not to categorize or differentiate amongst different types of landscape based upon quality. In using and applying the criteria it is important that particular types of cultural heritage landscapes are each valued for their inherent character and are consistently evaluated and compared with similar or the same types.

4.3. The Evaluation Criteria for Cultural Heritage Landscapes

Historical Associations

1. *Themes: how well does the cultural heritage landscape illustrate one or more historical themes representative of cultural processes in the development and/or use of land in the context of the community, province or nation?*

This criterion evaluates the cultural landscape in the context of the broad themes of the City's history. In assessing the landscape, the evaluation should relate the landscape specifically to those themes, sub-themes and material heritage features, e.g., ports/industrial areas and cottage and resort communities.

2. *Event: is the cultural landscape associated with a specific event that has made a significant contribution to the community, province or nation?*

This criterion evaluates the cultural landscape's **direct** association with an event, i.e., the event took place in the area. The significance of the event must be evaluated by explicit description and research such as the impact event had on future activities, the duration and scale of the event and the number of people involved. Battle sites and areas of natural disasters are recognized under this criterion.

3. *Person and/or Group: is the cultural landscape associated with the life or activities of a person, group, organization or institution that has made a significant contribution to the community, province or nation?*

This criterion evaluates the cultural landscape's **direct** association with a person or group, i.e., ownership, use or development of the cultural landscape. The significance of the person or group must be considered in the context of impact, scale and duration of activities. Cultural landscapes resulting from resource based activities such as forestry, mining or quarrying, etc. may be identified with a particular corporate group. Conversely, individuals may play a pivotal role in the development of cultural landscapes such as a town site, industrial operation or resort complex.

Scenic Amenity

4. *Sense of place: does the cultural heritage landscape provide the observer(s) with a strong sense of position or place?*

This criterion evaluates the sensory impact to an observer either viewing the cultural heritage landscape from within or from an exterior viewpoint. Such landscapes are recognizable as having a common, identifying character derived from buildings, structures, spaces and/or natural landscape elements, such as urban centres, ports, villages and cottage communities.

5. *Serial Vision: does the cultural heritage landscape provide the observer(s) with opportunities for serial vision along paths of pedestrian or vehicular movement?*

This criterion measures the visual impact to an observer travelling through the cultural landscape. Sidewalks or streets in urban areas and roads or water routes in rural or beach areas often provide an observer with a series of views of the landscape beyond or anticipated to arrive within view. Such serial vision may be observed at a small scale in an urban area, moving from residential street to commercial area; or at a larger scale from urban to rural.

6. *Material Content: is the cultural heritage landscape visually satisfying or pleasing to the observer(s) in terms of colour, texture, style and scale?*

This criterion attempts to evaluate the visual impact to an observer of the content of the cultural landscape in terms of its overall design and appearance, however formally or informally, consciously or unconsciously planned. Material content assesses whether the landscape is pleasing to look at regardless of historical completeness.

Integrity

7. *Integrity: is it all there?*

The evaluation of the integrity of a cultural heritage landscape seeks to identify the degree to which adverse changes have occurred. Landscapes that have suffered severe alterations, such as the removal of character defining heritage features and the introduction of intrusive contemporary features, may be weaker in overall material content, serial vision and the resultant sense of place that it provides.

Design

8. *Design: has the landscape been purposefully designed or planned?*

This criterion applies only to those landscapes that have been formally or purposefully designed or planned and includes examples such as “planned” communities, public parks, cemeteries, institutional grounds and the gardens of residences. Typically, they are scarce in comparison to evolving or relict landscapes. This criterion evaluates the importance of the landscape in the designer’s career. “Designer” may include surveyors, architects, or landscape architects, both private and public, either as individuals or as professional firms. The evaluation assesses whether or not a designer is important in terms of the impact on trends in landscape design before evaluating the importance of the specific landscape in the designer’s career. Comparisons should focus on surviving examples of the designer’s work.

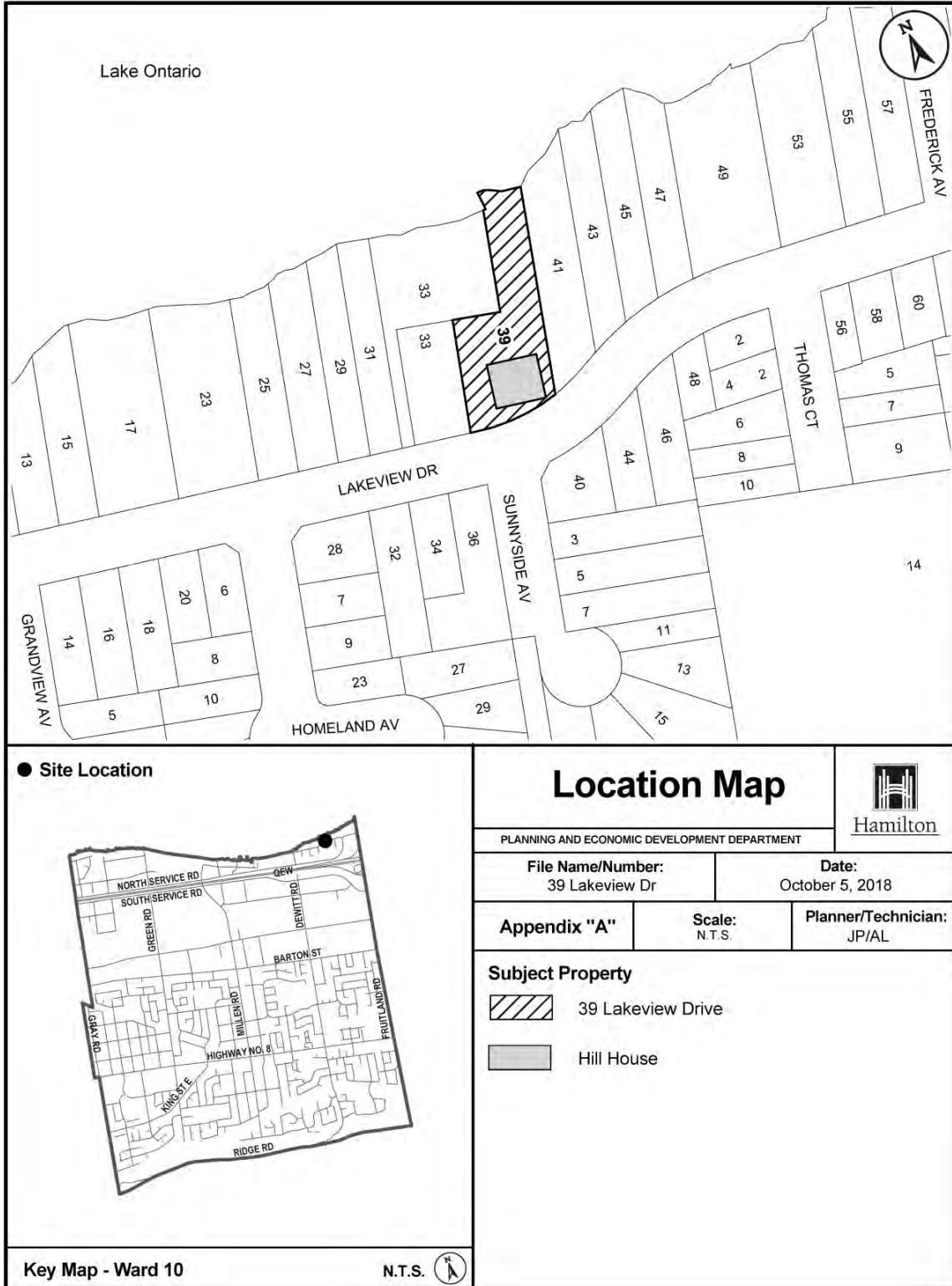
Social Value

9. *Public perception: is the landscape regarded as having importance within the City?*

This criterion measures the importance of the landscape as a cultural symbol. Examination of advertisements of the day, popular tourism literature and artifacts, public interviews and local contacts usually reveal potential landscapes of value.

APPENDIX 4:
Location Maps of Subject Property

39 Lakeview Avenue, Stoney Creek (Private Residence)



● Site Location



Key Map - Ward 10

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
39 Lakeview Dr

Date:
October 5, 2018

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
JP/AL

Subject Property

39 Lakeview Drive

Hill House

APPENDIX 5: City of Hamilton Cultural Heritage Assessment Report Outline

A Cultural Heritage Assessment report shall be prepared as part of a standard process that assists in determining the cultural heritage value of properties and their prospective merit for designation under Part IV of the *Ontario Heritage Act*.

The report shall include nine sections:

Section 1, *Introduction*, comprises an introduction to the report.

Section 2, *Property Location*, briefly describes the physical location, legal description, and dimensions of the property.

Section 3, *Physiographic Context*, contains a description of the physiographic region in which the subject property is located.

Section 4, *Settlement Context*, contains a description of the broad historical development of the settlement in which the subject property is located as well as the development of the subject property itself. A range of secondary sources such as local histories and a variety of historical and topographical maps are used to describe settlement history and the subject property's key heritage characteristics.

Section 5, *Property Description*, describes the subject property including its heritage characteristics (attributes) providing the base information to be used in Section 6.

Section 6, *Cultural Heritage Evaluation*, comprises a detailed evaluation of the subject property using the three evaluation categories: archaeology; built heritage; and, cultural heritage landscapes. The Cultural Heritage Evaluation shall be completed in accordance with the City of Hamilton's criteria and the criteria outlined in Ontario Regulation 9/06.

Section 7, *Cultural Heritage Value: Conclusions and Recommendations*, comprises a brief summary of the Cultural Heritage Evaluation and provides a list of those criteria that have been satisfied in determining cultural heritage value. This section shall contain a recommendation as to whether or not the subject property should be designated under the *Ontario Heritage Act*. If the property is recommended for designation, this section shall also include the accompanying statement of cultural heritage value or interest and list of heritage attributes.

Section 8, *Bibliography*, comprises a list of sources used in the compilation of this report.

Section 9, *Qualifications*, comprises a CV outlining the qualifications of the author of the report.

APPENDIX 6: Work Plan/Billing Sample

Task	Time in Hours			
	Principal	Senior	Intermediate	Technical
A. Preparation of a draft and final work plan	0.5	1.0		
B. Review the City of Hamilton criteria for the designation of property under Part IV of the <i>Ontario Heritage Act</i> , and Ontario Regulation 9/06 criteria for determining cultural heritage value or interest		0.5		
C. Study of historical documents, land ownership and assessment records	1.5	7.0	14.0	
D. Site visit to photo-document the property's as-found appearance, as well as its surroundings		4.0	4.0	
E. Sorting of photographs into report order			1.0	
F. Preparation of an illustrated Cultural Heritage Evaluation Report, following the City's template for a Cultural Heritage Evaluation Report and including: a. An introduction to the report's purpose and preparation; b. A description of the property's location within Hamilton, its legal description and physical dimensions; c. A description of the property's physiographic context; d. An analysis of the property's history and its historical context in Hamilton; e. A description of the property's as-found appearance; f. An evaluation of the property's historic significance, employing City of Hamilton criteria as well as provincial criteria; g. A statement explaining the property's cultural heritage value and a related description of the property's heritage attributes for inclusion in the Part IV designation by-law; and h. A bibliography of sources of historical information	3.5	7.0	14.0	7.5
G. Editing draft Cultural Heritage Evaluation Report after City review	1.0	2.5	1.0	
H. Preparation of a PowerPoint presentation to summarize the Cultural Heritage Evaluation Report and presentation to the Hamilton Municipal Heritage Committee	1.0	4.0	3.0	
I. Attendance at the Planning Committee meeting to discuss designation of the property under the <i>Ontario Heritage Act</i>		2.0		
Total Hours	7.5	28.0	37.0	7.5

Fees for Professional Service:

Principal	7.5 hr. @ \$195.00 =	\$1,462.50
Senior	28 hr. @ \$170.00 =	\$4,760.00
Intermediate	37 hr. @ \$150.00 =	\$5,500.00
Technical Staff	7.5 hr. @ \$100.00 =	\$750.00
Total Professional Fees		\$12,472.50

Disbursements:

Travel ___ trips @ ___ km = ___ km @ \$0. ___ =	\$ _____
Reproduction, courier, binding reports, etc. (allowance)	\$ _____
Total Disbursements	\$ _____

Total Fee: \$ _____

Note: All fees and disbursements must be the same as included in the firm's roster submission.

APPENDIX 7:

City of Hamilton Council Decision and Direction excerpt

2. Request to Designate 39 Lakeview Drive (Stoney Creek) Under Part IV of the Ontario Heritage Act (PED12047) (Ward 10) (Item 5.2)

(Collins/Partridge)

- (a) That Council direct staff to carry out a Cultural Heritage Assessment of 39 Lakeview Drive (Stoney Creek) to determine whether the property is of cultural heritage value, and worthy of designation under Part IV of the Ontario Heritage Act;
- (b) That Council include 39 Lakeview Drive (Stoney Creek) in the Register of Property of Cultural Heritage Value or Interest following consultation with the Hamilton Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (e) to Report PED12047, and that staff make appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;
- (c) That if 39 Lakeview Drive (Stoney Creek) is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act;
- (d) That the Cultural Heritage Assessment work be assigned a low priority, and be added to staff's workplan for completion in 2017, as per the attached Appendix "F" to Report PED12047;
- (e) That Report PED12047 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation prior to the Council-approved inclusion of 39 Lakeview Drive (Stoney Creek) in the Register of Property of Cultural Heritage Value or Interest;
- (f) That Report PED12047 be forwarded to the owner of 39 Lakeview Drive (Stoney Creek) for information;
- (g) That Report PED12047 be forwarded to the individual who requested the designation of 39 Lakeview Drive (Stoney Creek) for information.

CARRIED

Appendix C – Title Search

CHAIN OF TITLE

39 Lakeview Drive, Hamilton ON

Lts 118 & 119, PL 677, Except Part 1 & 2, 62r7449; Stoney Creek, City of Hamilton

(formerly part of Lot 16, BF Concession)

Instrument No.	Inst. Type	Registration Date	Grantor	Grantee	Quantity	Remarks
Hamilton Wentworth (62), Saltfleet, Book 340, Broken Front Lot 11 to 25 Water Lots (pages 1 – 313)						
(above no titles)						
Hamilton Wentworth (62), Saltfleet, Broken Front; Lot 12 to 22 (1-321)						
n/a	Patent	1811	The Crown	William Halton (?)	30 acres (All)	
59	Mgh (?)	1848	Gersholm M. (?) Carpenter	Philip H. James	All (except lands sold to Halton)	
**Break in the chain						
112	B&S	November 1848	Philip H. James (?)	Gersholm M. Carpenter	All (except lands sold to	
113	B&S	March 1850 (1860?)	Gersholm M. Carpenter	James Hill	All (except lands sold to ?)	
8074	Will	October 1904	James Hill	n/a	n/a	n/a
10.960	Grant	October 1911	Abigail Hill	Jessie Arnoff (Arnott?)	All 27 acres	\$1.00
13.257	Grant	December 1914	Jessie Arnoff	Henry G. Arnoff	All 27 acres	\$1.00
14919	Grant	1918	Henry G. Arnett, by Jessie M Arnett, his (?)	Wm C. Cox	All 27 acres	\$1.00
15082	Grant	July 1918	Henry G. Arnott	William C. Cox	All 27 acres	\$1.00
15456	Grant	April 1919	Wm Cecil Coz (unmarried)	Clara J. Swailes (?)	All 27 acres	\$1.00 sub. To \$6,000.00 mortgage

20505	Grant	April 1924	Clara J. Swales	Michael J. Holland	All 27 acres	\$1.00 offt. value
677	Plan and Consent	October 1924	W.J. Holland, R.C. & E.W. Murtagroyd, P.R., Alfred Wm. Morris, City of Hamilton, (?)	n/a	Orchard (?)	n/a
Hamilton Wentworth (62), Hamilton-Wentworth, Book 770 (1-349) (Plan 677)						
21001	Mtg	October 1924	Michael J. Holland, unmarried	John Stroud	All	\$7,500.00 (see re" (?))
30863	Grant	March 1941	Sarah (?) Stanley & Harry C. Stroud, Ex. Of John T. Stroud and Sarah F. (?) Stroud	Arnold B. Hill & Mabel A. Hill, his wife (joint tenants)	All	\$2,000.00 Afft. value
43391	Grant	July 1949	Arnold B. Hill and Mabel A. Hill, his wife	Olga Clokc (Clohc?)	All	\$1.00 con. Aft value
52787	Grant	July 1954	Olga Clokc	Thomas B. Flynn	All	\$1.00 afft. Value (?)
298680 H.L.	Grant	December 1964	Thomas C. Flynn et ux.	Caroline Terpstra	All	\$1.00
15094 A.B.	Grant to ues (?)	June 1966	Caroline Terpstra	Robert Moser	All	\$1.00
103722A. B.	Grant & Appt.	May 1969	Robert Moser	Irene E. Moser	All	\$1.00
101390C O	Grant	August 1978	Irina and Robert Moser	Francis I. and Angela Bailey	All	\$1.00
316194	Grant	June 1985	Francis I. and Angela Bailey	Michael J. and Gail S. Prodeus	All of Ex. Parts 1 & 2 on 62R-7449	

Appendix **D** – City of Hamilton Framework for Cultural Heritage Evaluation

APPENDIX 3:

City of Hamilton Framework for Cultural Heritage Evaluation

A Framework for Evaluating the Cultural Heritage Value or Interest of Property for Designation under Part IV of the *Ontario Heritage Act*

1. Introduction

The following evaluation criteria seek to provide a consistent means of examining and determining the cultural heritage value or interest of real property. They will be used by staff and the City of Hamilton's Municipal Heritage Committee (formerly the Local Architectural Conservation Advisory Committee or LACAC) in determining whether to designate property under the *Ontario Heritage Act*.

It is anticipated that properties to be designated must have one or more demonstrated attributes of cultural heritage value or interest. The greater the number of attributes the more likely it is that a property will be of significant or considerable cultural heritage value.

These criteria recognize the housekeeping changes made to the *Ontario Heritage Act* as per the *Government Efficiency Act, 2002*. Municipalities are enabled to designate those properties of *cultural heritage value* and to identify those heritage attributes that account for the property's cultural heritage value or interest.

In keeping with contemporary heritage conservation and management practice these are considered to be those properties that have cultural heritage value expressed in the following forms:

- Archaeological sites and areas
- Built heritage features, and
- Cultural heritage landscapes.

These categories follow the direction and guidance in the Provincial Policy Statement issued pursuant to the Ontario Planning Act. No guidance is yet provided under the *Ontario Heritage Act*.

2. Archaeology

2.1. Introduction

The designation of archaeological sites under the Ontario Heritage Act (OHA) has traditionally been at the discretion of the Provincial Government, until the recent amendments to the OHA under the *Government Efficiency Act, 2002*. Among other

effects, these changes extend this capacity to municipalities, hence the process herein of defining the City of Hamilton criteria for OHA designation of archaeological sites.

2.2. Hamilton Archaeology

The City of Hamilton has approximately 735 archaeological sites currently (2001) registered by archaeologists on the Ontario Archaeological Sites Database, maintained by the Ontario Ministry of Culture (MCL). Numerous other sites are known to exist, but are not as yet registered on the OASD. Further, a large number of unknown sites exist, but have not yet been identified. Many of these sites, whether registered or not, are too small to warrant significant investigation, other than to establish and map their presence and general nature.

The registration of known sites by licensed archaeologists under the OHA serves to record the sites' presence, cultural affiliation, and status. Sites, which have been fully excavated, and therefore exist only in the form of excavation records, removed artifacts and reports, remain registered.

The overall pattern in the data is that the highest density of registered sites occurs in areas that have been the focus of survey, whether driven by development proposals and Planning Act requirements or academic research.

2.3. Archaeological Work

Archaeology is by its nature a destructive discipline. Sites are identified through survey, arising from some form of soil disturbance, which informs the archaeologist that a site or sites are present. Apart from establishing a site presence and some broad ideas of site boundaries and cultural horizons, however, the nature of a site is largely unknown until excavation activities take place.

The difference between the archaeological excavation of a site and its undocumented removal by construction activities lies in the records retained and reported on by the archaeologists. The knowledge of the archaeological site persists, however, and while it may be absent, the former presence indicates that the area in which it occurs is one of archaeological potential, if the landscape remains relatively intact.

Soil disturbance can take many forms, and has varied effects on the archaeological resource. Much of archaeology in Ontario occurs in the topsoil horizon, with some extending into the subsoil, which affects its visibility and sensitivity to disturbance.

Most of the archaeology in Hamilton has been identified as a result of over a hundred years of agricultural activities, namely tilling the soil. While cultivation disturbs sites, it does so with only moderate loss of site information. More intensive forms of agricultural, such as tree or sod farms, have a more substantial and deleterious effect. Soil disturbances such as grade alteration or compaction essentially obliterate archaeological resources.

2.4. Archaeologists

Terrestrial and aquatic archaeology in Ontario is administered through the MCL, while some authority has been downloaded to municipalities. In addition to maintaining the site registry, MCL is responsible for licensing archaeologists: only licensed archaeologists are permitted to carry out archaeological fieldwork (Section 4.48.1), or alter archaeological sites through the removal or relocation of artifacts or any other physical evidence of past human use or activity, from the site (Section 4.48.2).

While recognizing this, much archaeological work has been conducted in the past by unlicensed archaeologists. This group falls into two categories: avocational or lay archaeologists, and “pothunters.” Avocational archaeologists typically work in association with licensed archaeologists or the MCL. Pothunters tend to avoid working with archaeologists or the Ministry and are known to loot sites for artifacts, either to add to collections or sell on the open market. Such activities are illegal under the OHA.

2.5. Designation of Archaeological Sites

As with other types of cultural heritage resources, “designation” is one of many conservation tools that a municipality may use to wisely manage its cultural heritage. With respect to archaeological sites, there are a number of unique aspects arising from the designation of archaeological sites. The protection of archaeological sites or areas of archaeological potential is possible through designation, and is also a means by which to flag such properties for closer scrutiny through the development application process. The amended components of Part VI of the OHA also provide stronger and more appropriate means by which the resource can be protected.

The designation of existing sites may serve as a flag, which could result in unauthorized excavation, inferring some potential responsibility of the City of Hamilton to protect such sites. However, sites of sufficient significance to warrant designation are likely already well known to the pothunter population. In turn, the fact that many registered sites have already been fully excavated, primarily as part of the development process, does play a factor in the designation process and goals (i.e. inferring the recognition of a site no longer present).

While there is no official Ministry policy on the municipal designation of archaeological sites, the existence of provincially designated archaeological sites suggests that the recognition of such significant resources is warranted. The criteria below are to be used either as “stand-alone” criteria for the evaluation of archaeological sites and areas of archaeological potential suitable for designation or are to be used in conjunction with other criteria in the designation of heritage properties, such as heritage buildings and cultural heritage landscapes.

2.6. Determination of Significance

1. *Cultural Definition: is the site used to define a cultural complex or horizon at the local or regional scale?*

Select archaeological sites are used to define specific cultural complexes or horizons, to which similar sites are compared for closeness of fit and relative position in cultural chronology and site function. Their identification as type-sites is typically achieved through academic discourse, for example the Princess Point site in Cootes Paradise.

2. *Temporal Integrity: does the site represent one or more readily distinguished cultural horizons, or a multi-component mixture of poorly-defined occupations?*

Archaeological sites are frequently re-occupied over a long period of time by different cultural groups. While soil stratification may separate these sequences and provide valuable information, agricultural and other activities can cause admixture of these separate components, resulting in a loss of information.

3. *Site Size: is the site a large or high-density occupation, or a small, low-intensity occupation?*

A higher level of importance tends to be placed on larger archaeological sites, as they generally represent larger or more frequent/long-term occupations. They also tend to yield more diagnostic material objects or settlement patterns, and so can be better defined chronologically and culturally, but can likewise be less clearly defined. Smaller sites can also yield diagnostic artifacts, and are typically the predominant site size of earlier Native and Euro-Canadian occupations, and may be subject to lower degrees of stratigraphic mixture.

4. *Site Type: is the site of a distinctive and well-defined type, with respect to its function or the activities carried out at the site?*

Sites range in nature from highly specialized to generalized, with a related range of interpretability: sites where many activities occur can make it hard to differentiate these activities, such as a pioneer farmstead. Sites where limited activities took place tend to show more identifiable patterns, like point manufacturing sites. While both end of this continuum represent similarly important parts of their inhabitants' lifeways, information may be more readily derived from those of lower complexity.

5. *Site Integrity: is the site largely intact?*

Sites that remain primarily intact retain significant levels of data, while degree of impact closely correlates with the extent of data-loss, particularly when all or some of the site has been impacted or removed through excavation, mitigation or other activities.

6. *Historical Association: does the site represent the archaeological remnants of a significant historical event, person, or group?*

The **direct** association of an archaeological site with a historical event, person, family or group can have a bearing on the significance of an archaeological site, depending on the significance to the community, province or nation of the event or person(s) involved. The nature of the association, such as transitory or long-term, also has a bearing on whether this association is of little or considerable significance.

7. *Setting: what is the integrity of the context surrounding the site?*

Sites do not exist independently, but rather are embedded (at varying scales) within the landscape encompassing them. As such, some semblance of the physiography (cultural heritage landscape) and relevant built culture concurrent to the site's occupation can provide an important context to the information derived from the site.

8. *Socio-political value: is there significant public value vested in the site?*

Real or perceived social or political value may be imparted to an archaeological site for various reasons by the public as a whole, or subsets of stakeholders and interest groups. Regardless of the origin of the value(s) ascribed the site, perception and expediency may play a large role in its identification as a significant feature.

9. *Uniqueness: is this a unique archaeological site?*

While all sites are by their nature unique, some are more so than others by nature of their distinctive type, role or character, which identifies them as "one-of-a-kind" within a specified frame of reference. The recognition of a site having such a unique nature as to warrant this distinction essentially refers to the information value implicit in such an identification. As a result, this will largely be the result of professional discourse.

10. *Rarity: is this a rare archaeological site?*

Rarity may be a measure of cultural affiliation, site type, function, location, artifact assemblage, and age, to mention some potential elements. This can take two forms: either because they occurred only very rarely as a site type originally, or because only a small number remain extant owing to destruction of the original set of sites. In both cases, the rarity of these sites warrants their identification as a result of their information value regarding such a limited resource. Evaluation of the distinct nature of such sites will largely originate through professional discourse.

11. *Human Remains: are there identified or probable burials on the site?*

Human remains can be encountered in a variety of circumstances, including within an archaeological site. Depending on the context, these can take the form of an approved cemetery, unapproved cemetery, unapproved Aboriginal Peoples cemetery, or irregular burial site. Regardless of the specific circumstance, burials carry a high cultural value in and of themselves. In addition, their significance can be evaluated as a sub-set of archaeological sites in complement with the standard cemetery management process. Native and pioneer cemeteries in particular can be assessed in reference to other archaeological sites and communities, as well as specific persons and events.

12. *Archaeological Potential: is the area of substantially high potential?*

The archaeological potential of a property is determined through an evaluation of a variety of factors. These include proximity to physiographic features, known

archaeological sites, historic features, and degrees of landscape alteration/disturbance. If a property is identified as having very high potential, designation may be warranted prior to field survey, or further impact.

3. Built Heritage

3.1. Introduction

For the past 25 years Part IV of the *Ontario Heritage Act* primarily concerned itself with the designation and hence protection and management of *buildings* of architectural or historic value or merit. The *Ontario Heritage Act* now enables municipalities to designate *property*, i.e., real property including buildings and structures. This may now include not only buildings but also plantings, landscaping elements and archaeological features (See preceding section 2.2).

As with archaeological evaluation the criteria below are to be used either as “stand-alone” or are to be used in conjunction with other criteria in the designation of heritage properties.

Historical Associations

1. *Thematic: how well does the feature or property illustrate a historical theme that is representative of significant patterns of history in the context of the community, province or nation?*

The criterion evaluates the resource in the context of broad themes of community history. In assessing a resource, the evaluation should relate its importance specifically and with some precision to relevant themes usually of some duration, such as agricultural settlement, village or town development, recreational activities, suburbanization and industrial growth.

2. *Event: is the property associated with a specific event that has made a significant contribution to the community, province or nation?*

This criterion evaluates the resource with respect to its **direct** association with events, (i.e., the event took place in the building or on the property). The significance of the event must be clearly and consistently evaluated by examining the impact the event had on future activities, duration and scale of the event and the number of people involved. Battles, natural disasters and scientific discoveries are frequently recognized under this criterion.

3. *Person and/or Group: is the feature associated with the life or activities of a person or group that has made a significant contribution to the community, province or nation?*

This criterion evaluates the feature with respect to its **direct** association with a person or group, (i.e., ownership, use or occupancy of the resource). The significance of the person or group must be clearly described such as the impact on future activities, duration and scale of influence and number and range of people

affected, e.g., the Calder or Book family in Ancaster. Public buildings such as post offices or courthouses though frequented by many important persons will seldom merit recognition under this criterion.

Architecture and Design

4. *Architectural merit: what is the architectural value of the resource?*

This criterion serves to measure the architectural merit of a particular structure. The evaluation should assess whether the structure is a notable, rare, unique, early example or typical example of an architectural style, building type or construction techniques. Structures that are of particular merit because of the excellence and artistic value of the design, composition, craftsmanship and details should be identified whether or not they fall easily into a particular stylistic category (i.e., vernacular architecture).

5. *Functional merit: what is the functional quality of the resource?*

This criterion measures the functional merit of the structure apart from its aesthetic considerations. It takes into account the use or effectiveness of materials and method of construction. The criterion is also intended to provide a means of giving value to utilitarian structures, engineering works and industrial features that may not necessarily possess a strict "architectural" value.

The evaluation should note whether the structure is a notable, rare, unique, typical or early example of a particular material or method of construction.

6. *Designer: what is the significance of this structure as an illustration of the work of an important designer?*

This criterion evaluates the importance of the building in a designer's career. "Designer" may include architects, builders or engineers, either in private and public practice, or as individuals or professional firms. The evaluation will have to account for or describe whether or not a designer is important in terms of the impact that the person had on trends in building and activities in the community, province or nation before evaluating the importance of the specific structure in the designer's career. Comparisons should focus on surviving examples of the designer's work.

Integrity

7. *Location integrity: is the structure in its original location?*

The integrity of a resource relies in part on its relationship to its original site of construction. Original sites or locations of structures are benchmarks in the past physical, social, economic and cultural development of any area. The continued presence of heritage structures often contributes to a strong sense of place. Those features that have been moved from their original sites are considered to be of lesser cultural heritage value.

8. *Built integrity: is the structure and its components parts all there?*

The integrity of a resource may affect the evaluation of the built heritage feature particularly where there have been either:

- adverse alterations, such as the loss of significant or noteworthy building elements; or
- unsympathetic additions, that obscure or detract from original building fabric.

Properties that remain intact or that have been systematically and sensitively added to over a number of decades (such as farmhouses) are considered to have greater value than those that have experienced detrimental effects. Building ruins may warrant special consideration where there are other important cultural heritage values, e.g., "The Hermitage", Ancaster.

Environmental Context

9. *Landmark: is it a visually conspicuous feature in the area?*

This criterion addresses the physical importance of a structure to its community. The key physical characteristic of landmarks is their singularity, some aspect that is unique or memorable in its context. Significant landmarks can have a clear form, contrast with their background or have prominent locations. Landmarks are often used by people as reference points, markers or guides for moving or directing others through an area.

10. *Character: what is the influence of the structure on the present character of the area?*

This criterion measures the influence of the resource on its surroundings. The character of the immediate area must be established before the site's contribution can be assessed. (In the case of complexes, "area" may be defined as the complex itself, e.g., hospital, university, industrial plant.) Areas can convey a sense of cohesion through the similarity and/or dissimilarity of their details. Cohesion can be established by examining such things as scale, height, proportion, siting, building materials, colours and relationships to other structures and spaces.

11. *Setting: what is the integrity of the historical relationship between the structure and its immediate surroundings?*

This criterion examines the degree to which the immediate environment enhances the structures physical value or prominence. It assesses the importance of the site in maintaining familiar edges, districts, paths, nodes and landmarks that assist in movement and orientation. Structures or sites may exhibit historic linkages such as those between a church and cemetery or a commercial block and service alleys. Other examples are original settings that provide the context for successive replacement of bridges at the same location or traditional relationships such as those between a station and hotel located next to a rail line.

Social Value

12. *Public perception: is the property or feature regarded as important within its area?*

This criterion measures the symbolic importance of a structure within its area to people within the community. "Community" should not solely reflect the heritage community but the views of people generally. Examination of tourist brochures, newspaper articles, postcards, souvenirs or community logos for the identification of a site as a prominent symbolic focal point is sometimes useful.

4. Cultural Heritage Landscapes

4.1. Introduction

Prior to defining evaluation criteria, it is worthwhile to enumerate several general principles for understanding cultural heritage landscapes. The Provincial Policy Statement issued under the Planning Act states in 2.5.1, *Cultural Heritage and Archaeological Resources* that:

Significant built heritage resources and cultural heritage landscapes will be conserved.

"Cultural heritage landscape" is specifically defined to mean:

a defined geographical area of heritage significance which has been modified by human activities. Such an area is valued by a community, and is of significance to the understanding of the history of a people or place.

In addition, "Significant" is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. As cultural heritage landscapes and built heritage resources may be considered an "other matter", the following definition of "significant" applies:

in regard to other matters, important in terms of amount, content, representation or effect.

These formal quasi-legislative definitions are important in defining the scope and limitations of what constitutes a significant cultural heritage landscape. The word "culture" or "cultural" is used here and in the context of the policy statement to differentiate between those environmental features that are considered to originate in "nature" and have "natural" forms or attributes. The use of the word culture in this context should not be misconstrued to indicate a refined or developed understanding of the arts or civilization.

Typically cultural heritage landscapes comprise many items or objects that have been made or modified by human hands. Importantly, cultural heritage landscapes reflect human activity (including both the intended and accidental results of development,

conservation and/or abandonment) and thus all landscape artifacts reflect “culture” in some way, shape or form. Accordingly, for the purposes of understanding a cultural landscape, most components of the landscape are usually equally important in giving some insight into the culture or historical past of an area (fields, farmsteads, treelines, woodlots, mill ponds, raceways, manufactories, etc.) Present landscapes that are inherited from the past typically represent the aspirations, value, technology and so on of previous generations. Many present-day cultural heritage landscapes are relics of a former age. Small towns and rural hamlets, for instance, often represent nineteenth century rural lifeways that are no longer being built.

In order to understand the cultural heritage significance of a landscape it is important to understand not only the physiographic setting of an area but importantly the broader historical context of change. The role of technology and communications is particularly important at any given time as these often provided the physical artifacts or means available to permit change to occur within the landscape.

In the evaluation of cultural landscapes for the purpose of heritage conservation, the establishment of criteria is essentially concerned with attempting to identify those landscapes that have particular meaning, value or importance and consequently require some form of active conservation management including informed municipal decision making through the designation process. Traditionally, “landscapes” have tended to be evaluated on the basis of some measure of scenic merit, particularly those considered to be views of “nature”, free from the effects of noticeable human activity. In identifying cultural heritage landscapes there is less a concern for assigning value based solely on scenic attributes. Attributes that address historical associations and social value are also equally important. The following criteria provide a broader base for evaluation.

4.2. Applying the Evaluation Criteria

The evaluation framework for cultural heritage landscapes is a set of criteria to be used in the assessment of cultural heritage landscapes throughout the City of Hamilton. These criteria are based on established precedents for the evaluation of heritage resources. It is anticipated that this framework will be applied to a broad range of landscapes in a consistent and systematic manner. It may be utilized either on a long-term basis as part of continuing survey and assessment work or on an issue oriented case-by-case manner. The evaluation criteria are also to serve the purposes of determining cultural heritage value or interest for the purposes of designation under the *Ontario Heritage Act*.

The criteria recognize the value and merit of all types of cultural heritage landscapes. If at any time it is proposed to undertake a comparative evaluation amongst many landscapes such comparative analysis should be used only to compare like or similar landscapes. An industrial landscape, for example must be assessed through comparison with other industrial landscapes, not with a townscape or rural landscape. The intent in applying the criteria is not to categorize or differentiate amongst different types of landscape based upon quality. In using and applying the criteria it is important that particular types of cultural heritage landscapes are each valued for their inherent character and are consistently evaluated and compared with similar or the same types.

4.3. The Evaluation Criteria for Cultural Heritage Landscapes

Historical Associations

1. *Themes: how well does the cultural heritage landscape illustrate one or more historical themes representative of cultural processes in the development and/or use of land in the context of the community, province or nation?*

This criterion evaluates the cultural landscape in the context of the broad themes of the City's history. In assessing the landscape, the evaluation should relate the landscape specifically to those themes, sub-themes and material heritage features, e.g., ports/industrial areas and cottage and resort communities.

2. *Event: is the cultural landscape associated with a specific event that has made a significant contribution to the community, province or nation?*

This criterion evaluates the cultural landscape's **direct** association with an event, i.e., the event took place in the area. The significance of the event must be evaluated by explicit description and research such as the impact event had on future activities, the duration and scale of the event and the number of people involved. Battle sites and areas of natural disasters are recognized under this criterion.

3. *Person and/or Group: is the cultural landscape associated with the life or activities of a person, group, organization or institution that has made a significant contribution to the community, province or nation?*

This criterion evaluates the cultural landscape's **direct** association with a person or group, i.e., ownership, use or development of the cultural landscape. The significance of the person or group must be considered in the context of impact, scale and duration of activities. Cultural landscapes resulting from resource based activities such as forestry, mining or quarrying, etc. may be identified with a particular corporate group. Conversely, individuals may play a pivotal role in the development of cultural landscapes such as a town site, industrial operation or resort complex.

Scenic Amenity

4. *Sense of place: does the cultural heritage landscape provide the observer(s) with a strong sense of position or place?*

This criterion evaluates the sensory impact to an observer either viewing the cultural heritage landscape from within or from an exterior viewpoint. Such landscapes are recognizable as having a common, identifying character derived from buildings, structures, spaces and/or natural landscape elements, such as urban centres, ports, villages and cottage communities.

5. *Serial Vision: does the cultural heritage landscape provide the observer(s) with opportunities for serial vision along paths of pedestrian or vehicular movement?*

This criterion measures the visual impact to an observer travelling through the cultural landscape. Sidewalks or streets in urban areas and roads or water routes in rural or beach areas often provide an observer with a series of views of the landscape beyond or anticipated to arrive within view. Such serial vision may be observed at a small scale in an urban area, moving from residential street to commercial area; or at a larger scale from urban to rural.

6. *Material Content: is the cultural heritage landscape visually satisfying or pleasing to the observer(s) in terms of colour, texture, style and scale?*

This criterion attempts to evaluate the visual impact to an observer of the content of the cultural landscape in terms of its overall design and appearance, however formally or informally, consciously or unconsciously planned. Material content assesses whether the landscape is pleasing to look at regardless of historical completeness.

Integrity

7. *Integrity: is it all there?*

The evaluation of the integrity of a cultural heritage landscape seeks to identify the degree to which adverse changes have occurred. Landscapes that have suffered severe alterations, such as the removal of character defining heritage features and the introduction of intrusive contemporary features, may be weaker in overall material content, serial vision and the resultant sense of place that it provides.

Design

8. *Design: has the landscape been purposefully designed or planned?*

This criterion applies only to those landscapes that have been formally or purposefully designed or planned and includes examples such as “planned” communities, public parks, cemeteries, institutional grounds and the gardens of residences. Typically, they are scarce in comparison to evolving or relict landscapes. This criterion evaluates the importance of the landscape in the designer’s career. “Designer” may include surveyors, architects, or landscape architects, both private and public, either as individuals or as professional firms. The evaluation assesses whether or not a designer is important in terms of the impact on trends in landscape design before evaluating the importance of the specific landscape in the designer’s career. Comparisons should focus on surviving examples of the designer’s work.

Social Value

9. *Public perception: is the landscape regarded as having importance within the City?*

This criterion measures the importance of the landscape as a cultural symbol. Examination of advertisements of the day, popular tourism literature and artifacts, public interviews and local contacts usually reveal potential landscapes of value.

Appendix **E** – Photo Map

Photo Documentation Map: 39 Lakeview Drive, City of Hamilton

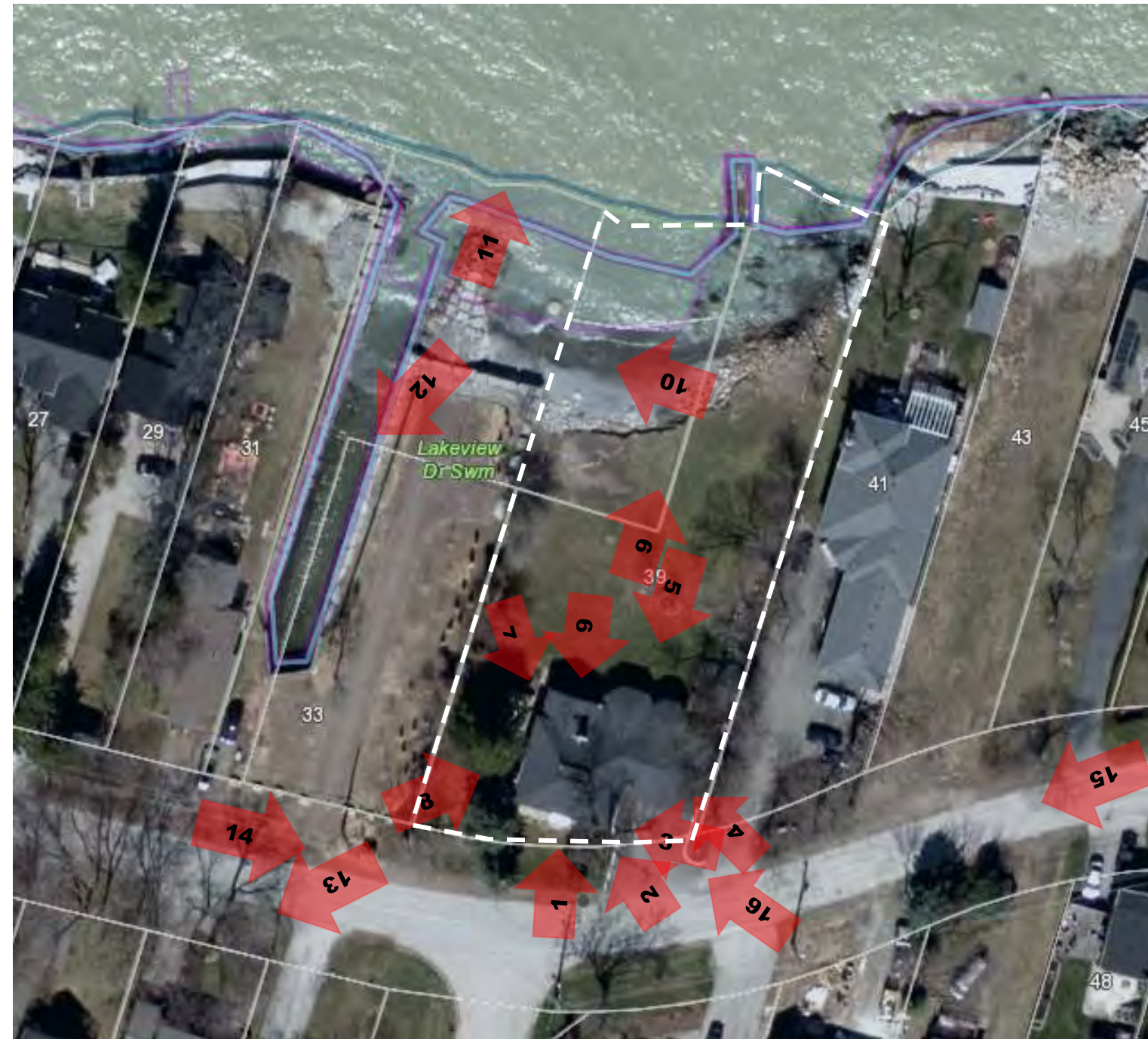


Figure 1: Aerial photo of the context of the subject lands noting location of photographs taken. Approximate location of the subject lands noted with white dashed line. (Source: City of Hamilton Interactive Map, accessed 2022)



Plate 1 & 2: (left) View of front (south) façade of dwelling at 39 Lakeview Drive, looking north towards Lake Ontario. (right) View of south and east elevations of dwelling, looking north-west. (Source: MHBC, 2021)



Plate 3 & 4: (left) View of east elevation of dwelling and garage, looking west. (right) View of garage, looking north-west towards Lake Ontario. (Source: MHBC, 2021)



Plate 5 & 6: (left) View of north (rear) elevation of dwelling and additions, looking south towards Lakeview Drive. (right) View of north elevation of rear brick addition, looking south. (Source: MHBC, 2021)



Plate 7 & 8: (left) View of west elevation of dwelling, looking east. (right) View of west and south elevations of dwelling looking north-east from Lakeview Drive. (Source: MHBC, 2019)



Plate 9 & 10: (left) View of Lake Ontario looking north from rear yard of subject property. (right) View of shore of Lake Ontario, looking west towards City of Hamilton water channel. (Source: MHBC, 2021)



Plate 11 & 12: (left) View of Lake Ontario, looking north from City of Hamilton property (west of the subject property). (right) View of water channel located west of the subject property, looking south towards Lakeview Drive. (Source: MHBC, 2021)



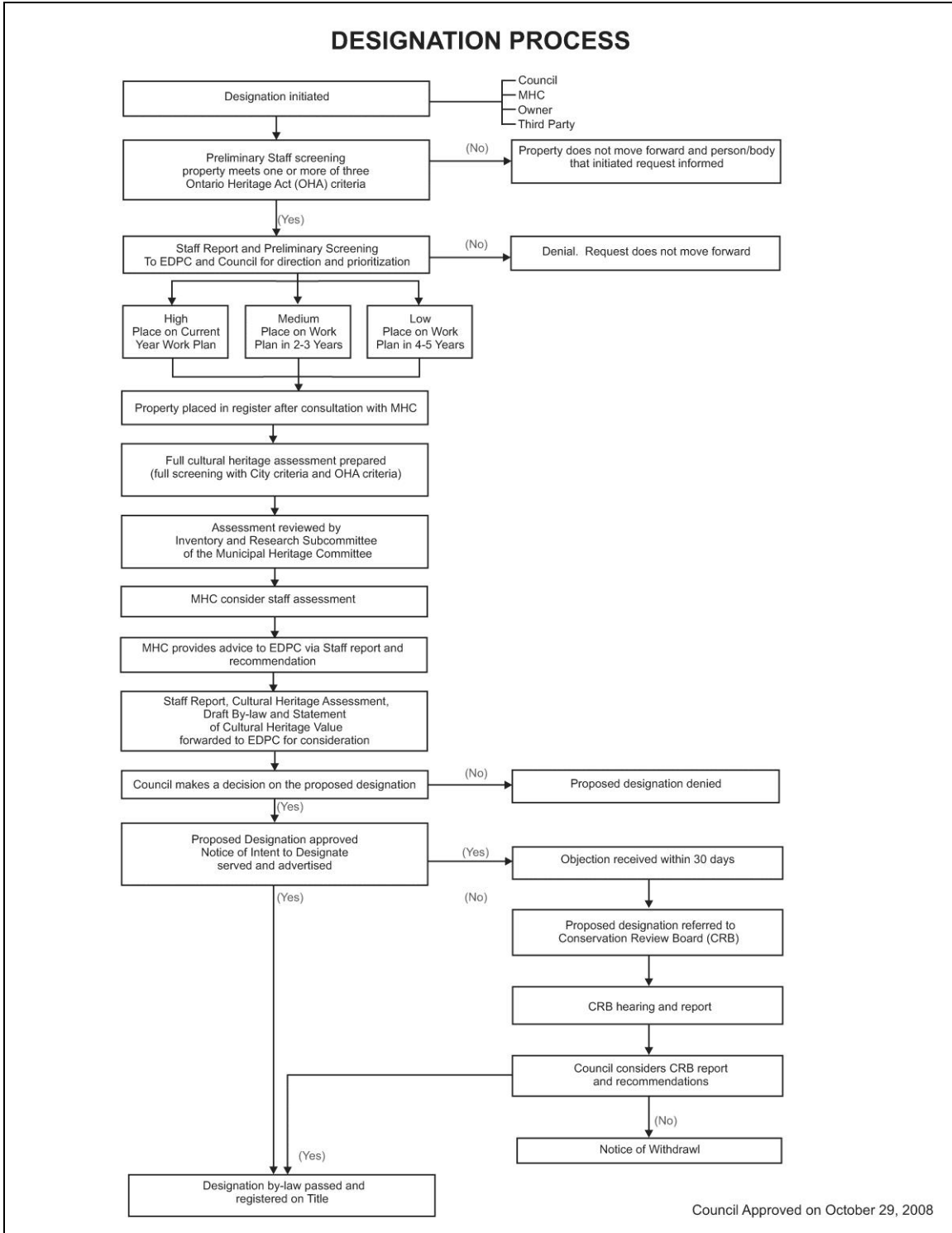
Plate 13 & 14: (left) View of residential dwellings within the context of the subject property at 34 and 32 Lakeview Drive, looking south-west. (right) View of Lakeview drive looking west from the City of Hamilton water channel property. (Source: MHBC, 2021)



Plate 15 & 16: (left) View of the context of the area, looking west along Lakview Drive towards the subject property, (right) View of dwelling and garage located on the subject property, looking north-west. (Source: MHBC, 2021)



MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

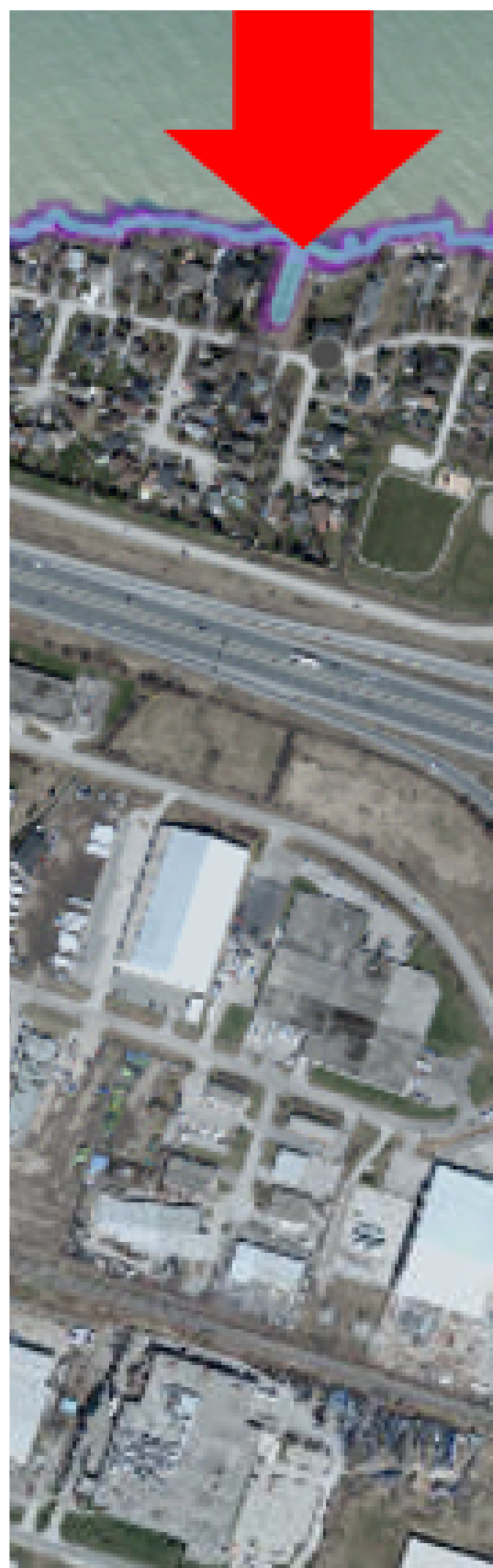


39 Lakeview Ave.

Cultural Heritage Evaluation Report



Location & Heritage Status



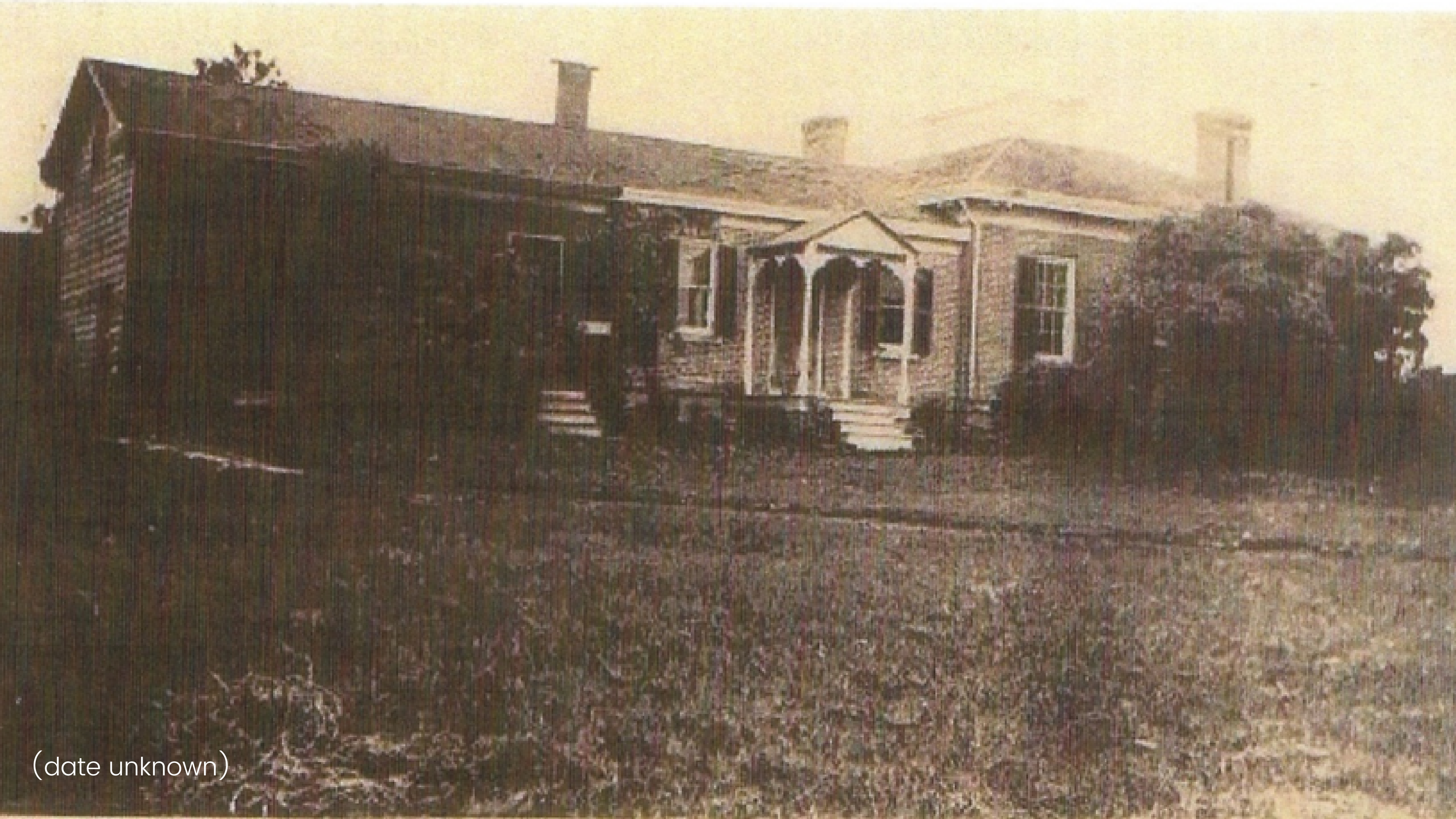
Brick Regency dwelling



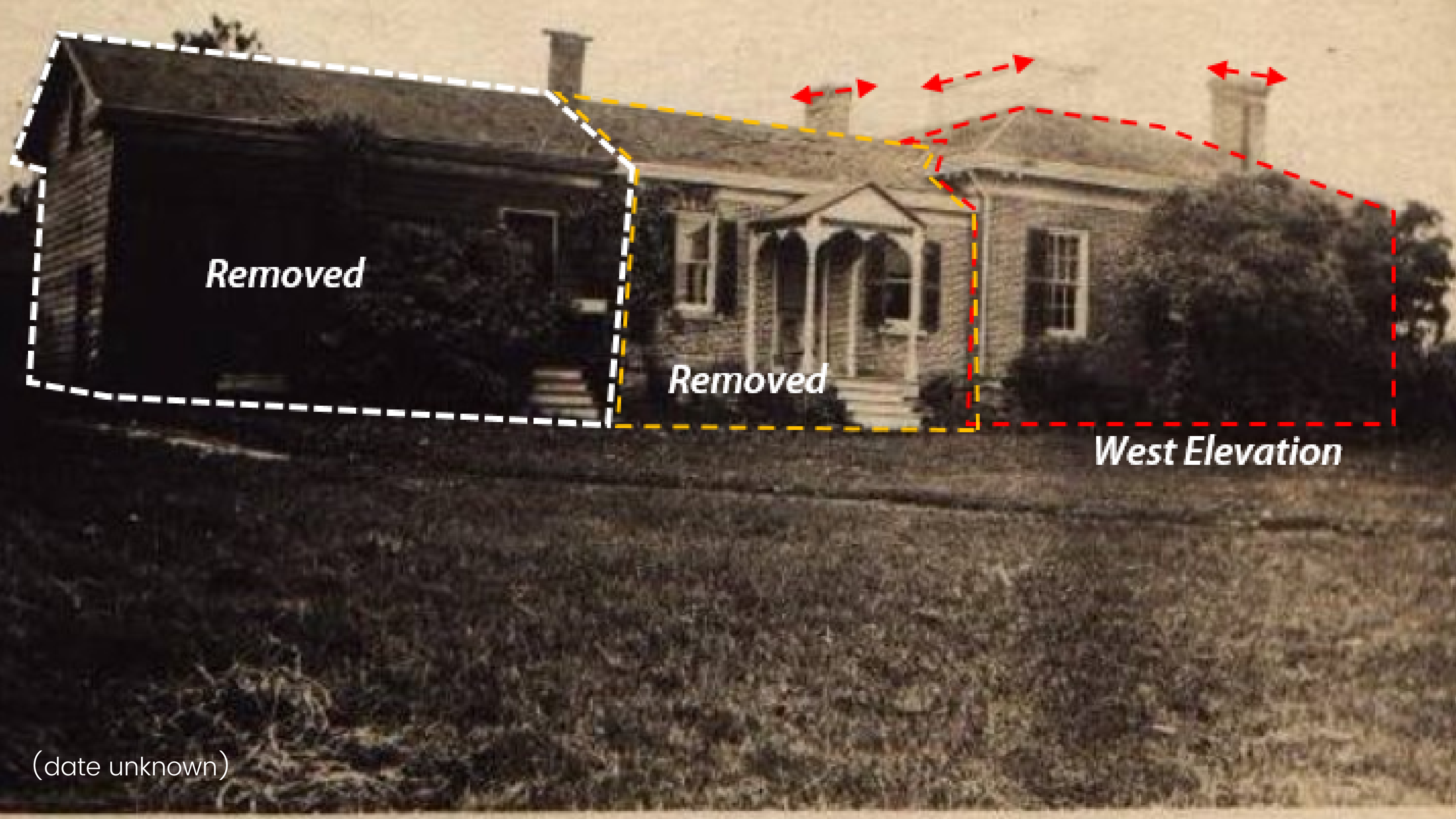
Thirty Nine

Building Morphology

Changes to the building over time



(date unknown)

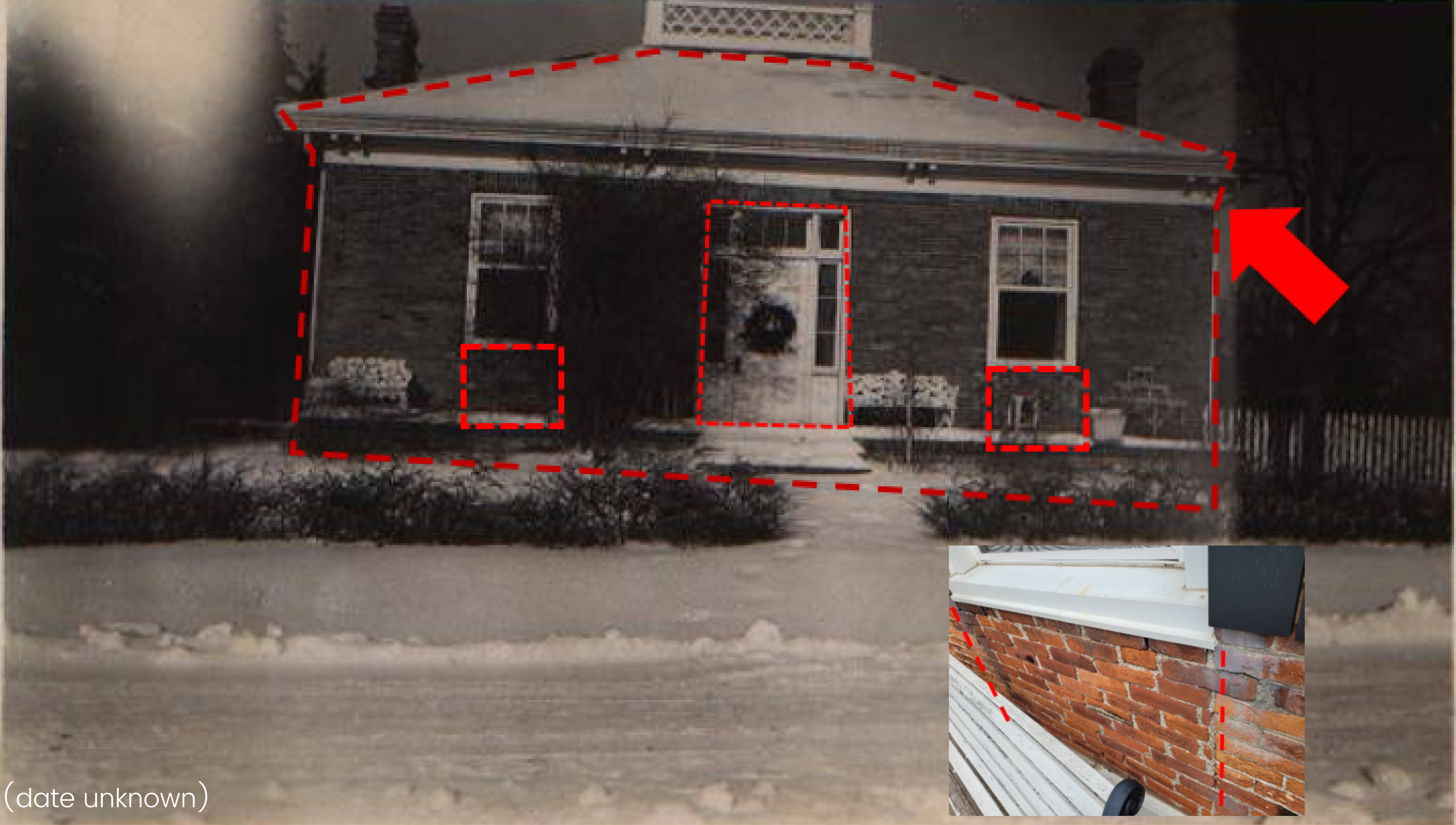


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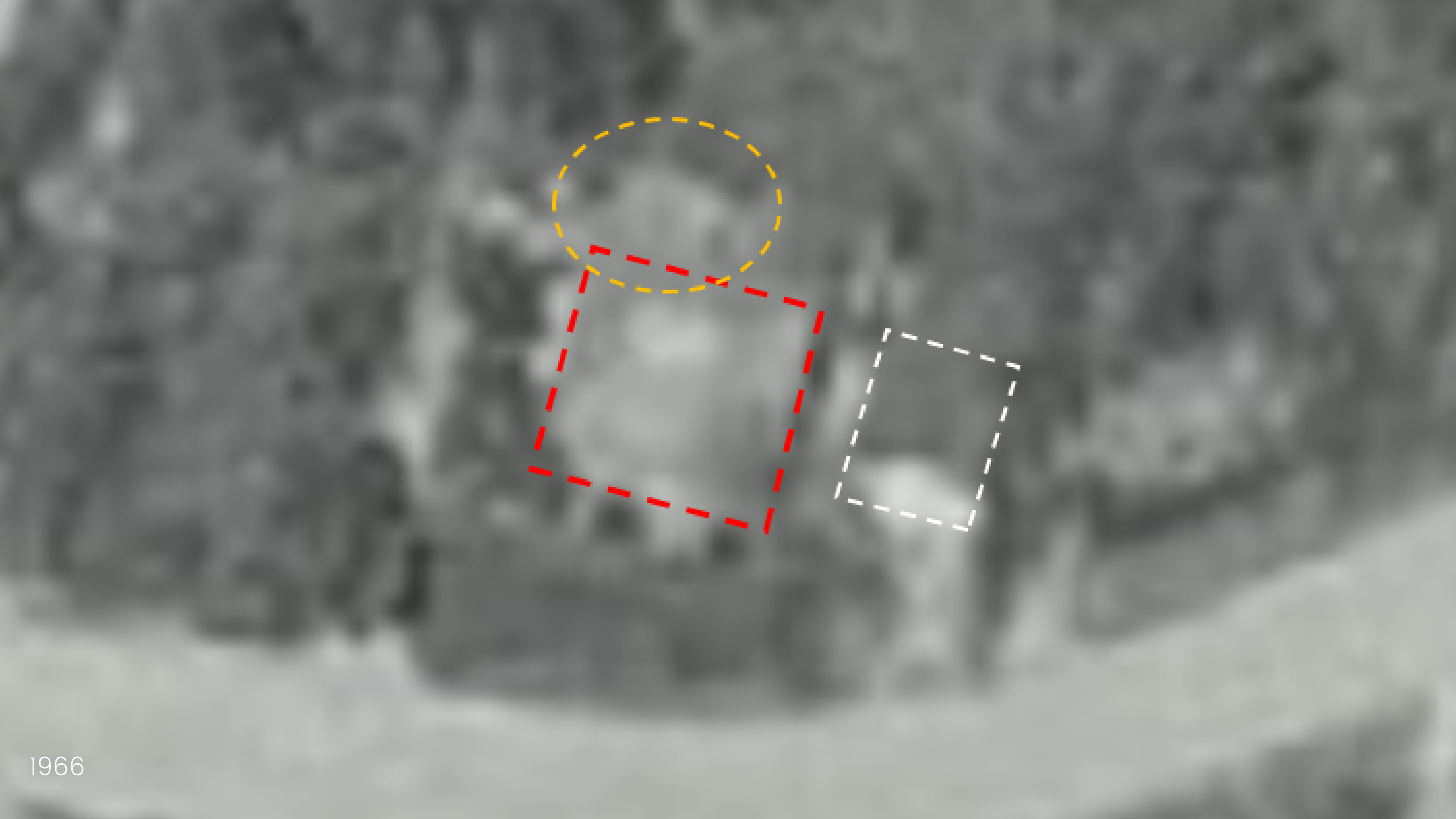
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West Elevation

(date unknown)



(date unknown)





1990



Current

Front E

Ontario

Identifier	Description	Date of Construction
A	Brick Dwelling	1850 – 1870s
B	Brick Addition	Likely late 19 th century
C	Attached garage	Post 1966
D	Rear wood frame addition	1990s (constructed by current owner)

Condition Review

Issues which are visible from the exterior (informal visual analysis)



Severe masonry issues

A close-up photograph of a hand holding a piece of crumbling mortar from a brick wall. The mortar is light-colored and crumbly, contrasting with the reddish-brown bricks. The background is a dark, circular graphic overlay.

Severe masonry issues



**Severe
masonry
issues**

O-Reg 9/06

Evaluation of Cultural Heritage Value or Interest

CHVI

Design/Physical

Early (1850s), Regency architectural style,

Historical/Associative

Directly assoc. with James Hill and his descendants, early Euro-Canadian settlement of the Twp.

Contextual

Scenic value (Lake Ontario), no longer part of a unifying 19th century built form – context has changed considerably. No longer part of a farm complex.

Condition & Integrity

Integrity compromised – no longer representative (alterations over time). Issues with condition.

"Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property."

"For example, a building that is identified as being important because it is the work of a local architect, but has been irreversibly altered without consideration for design, may not be worthy of long-term protection for its physical quality."

OHTK (2006)



Recommendations

- CHER provides potential options;
- If designation is pursued, it is recommended that the list of attributes be significantly scoped;
- CHER identifies the preferred alternative where long-term conservation is not recommended due to condition & integrity;
- Recommend that the building remain listed;
- Should a demolition be pursued in the future, mitigation should include documentation & commemoration.



Questions?

Inventory & Research IRWG (IRWG)

Meeting Notes

April 25, 2022 (6:00pm-8:00pm)
City of Hamilton WebEx Virtual Meeting

- Present:** Janice Brown (Chair); Lyn Lunsted; Graham Carroll; Alissa Denham-Robinson; Chuck Dimitry
- Staff Present:** Chloe Richer (Cultural Heritage Planner); Stacey Kursikowski (Cultural Heritage Planner);
- Regrets:** Jim Charlton; Brian Kowalesicz; Alissa Golden (Heritage Project Specialist)

RECOMMENDATION

THE INVENTORY & RESEARCH WORKING GROUP RECOMMENDS THE FOLLOWING TO THE HAMILTON MUNICIPAL HERITAGE COMMITTEE:

- ~~1. The Inventory & Research Working Group recommends that **16 Steven St., Hamilton (The Pearl Company)** be added to the Municipal Heritage Register due to its physical/design value as an early example of Hamilton's industrial architecture. (For further analysis and supporting documentation, consult the May 28, 2021 CHIA for this property).~~
- ~~2. The Inventory & Research Working Group recommends that **115-117 George Street, Hamilton**, be added to Staff's Work Plan (low priority) for designation, with the intent on achieving Part IV Designation under the *Ontario Heritage Act* when construction is complete (See Appendix for supporting documents).~~

It is further recommended that:

- ~~a. Staff be directed to work with the Property Owner during the development and construction process to conserve heritage attributes and use appropriate zoning procedures and site plan policies for conservation.~~
 - ~~b. Staff be directed to work with the Property Owner; who should be encouraged to maintain a high level of property standards throughout the duration of the project to ensure the property is secured, protected and maintained to avoid demolition by neglect.~~
- ~~3. The Inventory & Research Working Group recommends that **374 Jerseyville Road West, Ancaster (Ancaster High School)** should not be added to the Register, nor should it be added to Staff's Designation Workplan, as the property does not appear to meet the criteria as a cultural heritage landscape.~~

The following item was deferred at the June 10, 2022 Hamilton Municipal Heritage Meeting:

4. The Inventory & Research Working Group recommends that **39 Lakeview Avenue, Stoney Creek**, be removed from Staff's Designation Work Plan, and that the property maintain its current status to remain on the Register.

NOTES

1. Chair's Remarks

Welcome to all.

2. Declarations of Interest

None.

3. Review and Approval of Meeting Notes – March 28, 2022

Meeting notes were approved by general consensus.

In follow-up to the previous meeting, Janice requested an update on a few items:

- a. Timing for the Copley designation: Stacey confirmed that this property will be coming before HMHC at their May 13th meeting in order to meet Bill 108 deadlines to complete outstanding NOIDs by July 1st, 2022. Stacey will be taking over for Amber Knowles on this file and will be contacting the consultants and working with Ken to complete the work.
- b. Early Designations: Ken Coit to provide an update when time allows. This is a project that can be on-going during the election period when Council is in recess.

4. Staff Presentation – Chloe Richer: 16 Steven St. for addition to the Municipal Heritage Register (P&D Recommendation)

Chloe provided a brief description of the above property.

IRWG discussed the Statement of Cultural Heritage Value and/or Interest and the heritage evaluation from the report and recommends that 16 Steven St. (The Pearl Company) be added to the Municipal Heritage Register as a non Designated property.

Where this property is an early example of Hamilton's industrial architecture, and where original interior and exterior attributes remain, the IRWG generally accepts the recommendations outlined in the CHA.

From the group's discussion, although the report provides an overview of design and historical value it is recommended that further research should be added to establish a better understanding of the contextual value of the property.

5. Staff Presentation – Chloe Richer: CHA for 115-117 George Street and 220-222 Main Street West, Hamilton

Chloe provided a brief description of the above property. The Owner has submitted a Re-Zoning Application.

The IRWG reviewed the Heritage Evaluation and Statement of Significance from the February 4, 2022 Cultural Heritage Impact Assessment (CHIA) Addendum for 115-117 George Street and 220-222 Main Street West, Hamilton. This is an updated document to the CHIA previously received and reviewed by the IRWG a year ago. Since then, the Consultant has received comments and feedback and has been able to review the property more closely, as the development plans have evolved.

The Consultant has provided their 9/06 Evaluation and a Statement of Significance. The IRWG generally supports the Statement provided, although IRWG did note that no interior attributes have been identified. It is recommended that staff discuss this item with the Heritage Consultant.

Based on the review, IRWG supports the conservation of the property within the development plan and as the property meets the requirements under regulation 9/06, IRWG would recommend that the property be added to Staff's Designation Work Plan (low priority), with the intent on achieving Part IV Designation when construction is complete. The IRWG would also recommend that Staff be directed to work with the Property Owner during the development and construction process to conserve heritage attributes and use appropriate zoning procedures and site plan policies for conservation.

IRWG did express some concern about the property sitting vacant and boarded up for an undefined length of time. The Owner should be encouraged to maintain a high level of property standards throughout the duration of the project to ensure the property is secured, protected and maintained to avoid demolition by neglect.

Re: Adjacent Properties 206 Main St. W. (Arlo House) and 231 Main St. W.

It was also noted that the Policy & Design IRWG has reviewed the property as part of the Re-Zoning process and recommended that this item be brought to IRWG to see if adjacent Registered properties 206 Main St. W. (Arlo House) and 231 Main St. W. should be reviewed and potentially recommended as additions to Staff's Work Plan for Designation.

Due to limited volunteers and limited access to local archives for research, Chloe will look at the City files available to see what information is already on-file. Chloe will connect with Janice to review at a later date.

6. Staff Presentation – Stacey Kursikowski:

.1 CHA for 374 Jerseyville Road West (Ancaster High School)

The IRWG reviewed the Heritage Evaluation from the March 2022 Draft Cultural Heritage Assessment (CHA) for 374 Jerseyville Road West. This was the second CHA prepared for the subject property, the first being prepared by ARA, dated September 2020 which was previously reviewed by the I&RWG on August 24, 2020. The report did not support designation under Part IV.

ASI has been retained through the City's Roster Program to prepare a second (2nd) report. Heritage Planning Staff confirmed that they provided the Heritage Consultant with a well-rounded list of stakeholders for engagement. Under their review process, ASI has also concluded that designation is not supported under Part IV.

However, ASI has suggested that there may be some merit in upgrading the property's heritage status by focusing on the landscape and the property's contextual value within the area. ASI has provided Heritage Planning Staff with a list of adjacent properties and the Consultant is recommending placing 374 Jerseyville Rd. W. on the Inventory of Cultural Heritage Landscapes.

After some discussion the IRWG members highlighted the fact that this is the second time that the IRWG is being asked to review a CHA for this property. It is also the second time that a Heritage Consultant has not provided strong or significant evidence to support Designation under the Ontario Heritage 9/06 criteria.

Based on the lack of documented evidence, IRWG does not support adding the property to the Register; nor do they support adding the property to Staff's Workplan for Designation. The property does not appear to meet the criteria for a cultural heritage landscape, as a majority of the criteria have been identified by the Heritage Consultant as "not meeting". The property (and surrounding sites) are also not publicly perceived as a cultural heritage landscape.

Where the Heritage Consultant does note that the subject property "partially meets" the listed 9/06 criteria, these items appear to be linked to the associative value of adjacent properties and not directly related to 374 Jerseyville Rd. W.. Therefore, IRWG can not support these 'partially met' criteria. The stated 9/06 criteria should be identified as either meets or does not-meet.

Although the IRWG does not see this item as an urgent matter for review, Heritage Planning Staff confirmed that this report will be coming forward to HMHC's June 10th 2022 meeting. This meeting is tentatively scheduled to be HMHC's first in-person meeting back at City Hall since Covid 19 Pandemic Protocols were implemented and meetings were moved to a virtual format. Delegates and Members of the Public may be able to attend this meeting in person as well.

.2 CHA for 39 Lakeview Avenue, Stoney Creek

The IRWG reviewed the Heritage Evaluation and Statement of Significance from the April 20, 2022 Cultural Heritage Assessment (CHA) on 39 Lakeview Avenue in Stoney Creek.

This property is currently Registered and on Staff's Designation Workplan; at the request of the daughter of the previous owner. The property has since been sold. The current owners of the property have been eager to reach an answer as to the property's heritage status. They have been in contact with Heritage Planning Staff, their local Councillor. Due to the property's status on the Designation Workplan, the City has retained the professional services of MHBC Planning through the City's Roster Program, to complete the CHA.

Stacey visited the property with the Heritage Consultant, to review both the exterior and interior features and provided the following description of the existing condition of the home:

- The property has been significantly altered over time,
- No original doors and windows remain,
- Only some interior casings remain of any original architectural features,
- Exterior brick work is not salvageable, and the integrity of the structure is questionable due to the poor condition of the existing brick; which is showing signs of deterioration,
- Overall, the home does not contribute to heritage context of the community.

Based on staff's observations and the documentation provided by the Heritage Consultant, IRWG recommends that the property be removed from Staff's Work Plan, as the property is not considered a candidate for designation. IRWG members generally agreed with this statement; however, they recommend that the property maintain its current status and remain on the Register. At such a time in the future, should a request to demolish be received by the City, a Documentation and Salvage Report should be provided.

Stacey noted that this item will be going forward to HMHC's June 10th 2022 Meeting.

7. Staff Presentation – Alissa Golden: POW (Places of Worship Project) – Old City Wards 6,7 & 8

This item will be brought forward to the May Meeting of Inventory and Research.

8. New Business

- .1 PowerPoint Presentations: Chloe and Stacey informed IRWG that moving forward, staff will no longer be presenting PowerPoint presentations with an overview of each property. These presentations are more typical to Policy & Design Working Group when reviewing CHIA's. IRWG members should review documents provided in advance of the meeting and then come prepared with questions and comments for group discussion during the meeting.

9. Meeting Adjourned: 7:35 PM

Next Meeting: Monday May 30, 2022 (6pm – 8pm)



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	July 7, 2022
SUBJECT/REPORT NO:	Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Chloe Richer (905) 546-2424 Ext. 7163
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That no action be taken in response to the Notice of Intention to Demolish the existing residential building located at 345 Mountain Brow Road, Flamborough, a property included in the City's Register of Property of Cultural Heritage Value or Interest;
- (b) The property located at 345 Mountain Brow Road, Flamborough, be removed from the Register following demolition of the existing residential building.

EXECUTIVE SUMMARY

On June 22, 2022, SmpI Design Studio c/o Lindsey Bruce, on behalf of the owner, submitted a Notice of Intention to Demolish the existing dwelling (Braehill; Braden Home) and detached garage located on the subject property, 345 Mountain Brow Road, Flamborough (see Appendices "A" and "B" attached to Report PED22168). In the Notice, the owner states, "The current layout, design and size of the dwelling is not suitable for the needs of our family" and provides further information on the following factors considered in submission of the Notice:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 2 of 9

- Age of dwelling;
- State of disrepair;
- Location on the lot;
- Functionality; and,
- Family needs.

The subject property was included as a non-designated property in the City's Register of Property of Cultural Heritage Value or Interest by Council in November 2021 as part of the Waterdown Village Built Heritage Inventory project. Section 27(9) of the *Ontario Heritage Act* provides that the owner of a non-designated property on the Register shall not demolish a building or structure on the property unless Council is provided at least 60 days' notice in writing of the owner's intention to demolish the building or structure. This provision of the *Ontario Heritage Act* is intended to provide Council with the opportunity to prevent demolition or removal through designation of the property under Part IV of the *Ontario Heritage Act* or to discuss other options with the proponent.

The subject property is comprised of representative example of a vernacular home influenced by the Georgian Revival style of architecture, constructed circa 1940. The building features include the two-and-a-half storey massing, side gable roof with a Palladian-style window below the gable, three-bay front facade with central ground floor entrance, brick facades laid in Common bond, flat-headed window openings with (concrete) lug sills and a two-storey rear wing. A detached garage also remains.

The subject property also has historical value or associative value as the circa 1940 vernacular home is believed to have been built for renowned hydroplane driver Bill (Will) Braden, the first driver of the original Miss Supertest boat, and contextual value as the property is visually, historically and functionally linked to its surroundings.

Through the Waterdown Village Built Heritage Inventory initiative, the property was classified as a Character-Defining Resource (CDR) and was not recommended for designation under Part IV of the *Ontario Heritage Act*. Though the property contains cultural heritage value or interest (CHVI), Cultural Heritage Planning staff do not recommend pursuing Part IV designation to prevent demolition or removal of the residence and garage. The existing dwelling is significantly set back from Mountain Brow Road and not visible from the public realm. Cultural Heritage Planning staff have photographic documentation of the property obtained from the 2021 real estate listing. Staff will reach out to the applicant to suggest the retention of the brick entry gates, which refer to the property as "BRAEHILL", to commemorate the history of the Braden family and mitigate the loss of CHVI through demolition of the dwelling.

Alternatives for Consideration – See Page 8

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 3 of 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: Continued inclusion in the City's Register of Property of Cultural Heritage Value or Interest under Section 27 (3) of the *Ontario Heritage Act* requires that Council be given 60 days' notice of the intention to demolish or remove any building or structure on the property. Council must consult with the Municipal Heritage Committee prior to including a non-designated property in the Register or removing reference to a property from the Register under Section 27 (4) of the Act.

HISTORICAL BACKGROUND

The property located at 345 Mountain Brow Road, Flamborough, includes a vernacular home influenced by the Georgian Revival style of architecture, constructed circa 1940. The subject property was added to the City's Register of Property of Cultural Heritage Value or Interest ("the Register") in November 2021 as part of the Waterdown Village Built Heritage Inventory project.

As a Notice of Intention to Demolish for the subject property was submitted to the Cultural Heritage Planning staff on June 22, 2022, the 60-day notice will be reached on August 21, 2022.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement, 2020:

Section 2.6 of the Provincial Policy Statement pertains to Cultural Heritage and Archaeology, and applies to this decision:

"2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

The recommendations of this Report comply with this statement as the residential building located on the subject property are not considered to have sufficient cultural heritage value to warrant designation under the *Ontario Heritage Act*. As such, the residential building located on the subject property is not considered to be significant built heritage.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 4 of 9

Ontario Heritage Act:

Section 27 of the *Ontario Heritage Act* outlines requirement of a Municipality for the demolition or removal of a structure on a property included in the Register. The following applies to this decision:

“27 (3) In addition to the property listed in the register under Subsection (2), the register may include property that has not been designated under this Part but that the council of the municipality believes to be of cultural heritage value or interest and shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property. 2019, c. 9, Sched. 11, S. 6.

(4) If the council of a municipality has appointed a municipal heritage committee, the council shall, before including a property that has not been designated under this Part in the register under Subsection (3) or removing the reference to such a property from the register, consult with its Municipal Heritage Committee. 2019, c. 9, Sched. 11, s. 6.”

As the subject lands are included on the City’s Register Council must consider the designation within the 60-day notice period for a Notice of Intent to Demolish to prevent demolition of the building should it warrant designation.

Section 29 (1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where the property meets the criteria prescribed by Provincial regulation. The following policies, amongst others, apply:

“29 (1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,

(a) Where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria.

(2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under Subsection (1), consult with its Municipal Heritage Committee.”

As part of the Waterdown Village Built Heritage Inventory Project, the heritage value or interest of the subject property was evaluated. While it has been determined that the

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 5 of 9

property does have cultural heritage value or interest (CHVI), the property was not identified as a candidate for designation under Part IV of the *Ontario Heritage Act*.

The Hamilton Municipal Heritage Committee was consulted regarding the findings and recommendations of the Waterdown Village Built Heritage Inventory Project.

The recommendations of this report are consistent with these policies.

Urban Hamilton Official Plan:

Volume 1, Section B.3.4 - Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (UHOP) include the following:

“B.3.4.2.1 (a) The City of Hamilton shall, in partnership with others where appropriate, protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations;

B.3.4.2.1 (b) The City of Hamilton shall, in partnership with others where appropriate, identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources; and,

B.3.4.2.3 The City may by By-law designate individual and groups of properties of cultural heritage value under Parts IV and V respectively of the *Ontario Heritage Act*, including buildings, properties, cultural heritage landscapes, heritage conservation districts, and heritage roads or road allowances.”

The purpose of the above policies is to protect tangible cultural heritage through continuing process of inventory, survey, and evaluation. The subject property is not considered to have sufficient cultural heritage value to warrant designation under the OHA. As such, the recommendations of this Report comply with these policies.

“B.3.4.2.6 The City recognizes there may be *cultural heritage properties* that are not yet identified or included in the Register of Property of Cultural Heritage Value or Interest or designated under the *Ontario Heritage Act*, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 6 of 9

- B.3.4.2.7 The City shall ensure these non-designated and non-registered *cultural heritage properties* are identified, evaluated, and appropriately *conserved* through various legislated planning and assessment processes, including the *Planning Act*, R.S.O., 1990 c. P.13, the *Environmental Assessment Act* and the *Cemeteries Act*.
- B.3.4.2.8 To ensure consistency in the identification and evaluation of these non-designated and non-registered *cultural heritage properties*, the City shall use the criteria for determining cultural heritage value or interest established by provincial regulation under the *Ontario Heritage Act* and set out in Policy B.3.4.2.9.”

Inclusion of non-designated property in the Register, established under Subsection 27 (3) of the *Ontario Heritage Act* requires that Council be given 60 days’ notice in writing of the intention to demolish or remove any building or structure on the property, and the demolition and removal of a building or structure is prohibited during this time period (subsection 27 (4) of the *Ontario Heritage Act*). Inclusion of a property on the Register does not automatically indicate a property should be designated under the *Ontario Heritage Act*. Rather, the intent is to provide Council with an opportunity to consider if the property should be designated to prevent demolition of the building and to issue the Notice of Intention to Designate (NOID) if designation is deemed appropriate or to discuss other options with the proponent.

The recommendations of this Report comply with the above policy as the heritage value or interest of the subject property was evaluated as part of the Waterdown Village Built Heritage Inventory Project and the property was not identified as a candidate for designation under Part IV of the *Ontario Heritage Act*.

RELEVANT CONSULTATION

The property owners have been informed by Cultural Heritage staff of the property’s listed heritage status and the requirements for the 60-day notice if the building or structure is proposed for demolition.

The Hamilton Municipal Heritage Committee was consulted regarding the findings and recommendations of the Waterdown Village Built Heritage Inventory Project to list properties on the Register of Property of Cultural Heritage Value or Interest on October 29, 2021.

Staff have advised the Ward Councillor of the recommendation made in this Report.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 7 of 9

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The intent of a designation under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of cultural resources. Once a property is designated, the municipality is enabled to manage alterations to the property through the Heritage Permit process and to ensure that the significant features of the property are maintained through the provision of financial assistance programs and the enforcement of Property Standards By-laws.

As outlined in the Preliminary Evaluation conducted as part of the Waterdown Village Built Heritage Inventory Project, the property may be classified as a Character-Defining Resource and contains cultural heritage value or interest (CHVI).

Preliminary Design Value: The property is a representative example of a vernacular home influenced by the Georgian Revival style of architecture, including the two-and-a-half storey massing, side gable roof with a Palladian-style window below the gable, three-bay front facade with central ground floor entrance, brick facades laid in Common bond, flat-headed window openings with (concrete) lug sills and a two-storey rear wing. The property may display a high degree of craftsmanship and artistic merit.

Preliminary Associative Value: The property is associated with a significant person in the history of the village (Bill Braden). The circa 1940 Georgian Revival home is believed to have been built for renowned hydroplane driver Bill (Will) Braden, the first driver of the original Miss Supertest boat. Bill Braden's biography, "A Taste For Speed" by John Joseph Kelly, chronicles the life and times of the Flamborough speedboat racer. Braden was a Hamilton native who married in December 1939 and settled down at 145 Kent Street in Hamilton while their new house was being built along the escarpment in Waterdown by his new stepfather-in-law, Francis Farwell. The couple moved into their new home on Mountain Brow Road shortly before Bill volunteered himself to fight the Nazis in World War II at the age of 26. The brick entry gates to the home at 345 Mountain Brow refer to it as "BRAEHILL". The property a few houses to the left at 265 Mill Street South is referred to as Braebourne. These properties may both have affiliations to the Braden family. Further research has the potential to yield information that contributes to an understanding of the Village's history and the significance of the Braden family.

Preliminary Contextual Value: The property is important in defining the character of the area. The property is visually, historically and functionally linked to its surroundings. The substantial home is located on a large lot off Mountain Brow Boulevard set back far from the road with a long driveway, is surrounded by mature trees and backs onto the Bruce Trail Conservancy lands.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 8 of 9

Though the property contains cultural heritage value or interest (CHVI), Cultural Heritage Planning staff do not recommend pursuing Part IV designation to prevent demolition or removal of the residence and garage. The existing circa 1940 vernacular dwelling is not significant architecturally. It has a deep setback from Mountain Brow Road and not visible from the public realm.

Cultural Heritage Planning staff have photographic documentation of the property obtained from the 2021 real estate listing. Staff will reach out to the applicant to suggest the retention of the brick entry gates, which refer to the property as “BRAEHILL”, to commemorate the history of the Braden family and mitigate the loss of CHVI through demolition of the dwelling.

Conclusion:

It has been determined that 345 Mountain Brow Road, Flamborough, does have cultural heritage value or interest (CHVI), however, it is not considered to have sufficient cultural heritage value to warrant Part IV designation under the *Ontario Heritage Act*. For the subject property, there are contemporary photographs of the dwelling proposed for demolition available that would sufficiently document the building. Staff will reach out to the applicant to suggest the retention of the brick entry gates, which refer to the property as “BRAEHILL”, to commemorate the history of the Braden family and mitigate the loss of CHVI through demolition of the dwelling.

ALTERNATIVES FOR CONSIDERATION

(1) Direct staff to Designate Subject Property

That staff be directed to designate the subject property under Part IV of the *Ontario Heritage Act*.

If it is decided to pursue designation, the City typically retains outside consultants to support the designation of the subject property immediately, incurring a cost of approximately three thousand dollars

(2) Direct staff to Remove Property from Municipal Heritage Register

That staff be directed to immediately remove the subject property from the City’s Register of Property of Cultural Heritage Value or Interest as a non-designated property.

SUBJECT: Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) - Page 9 of 9

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

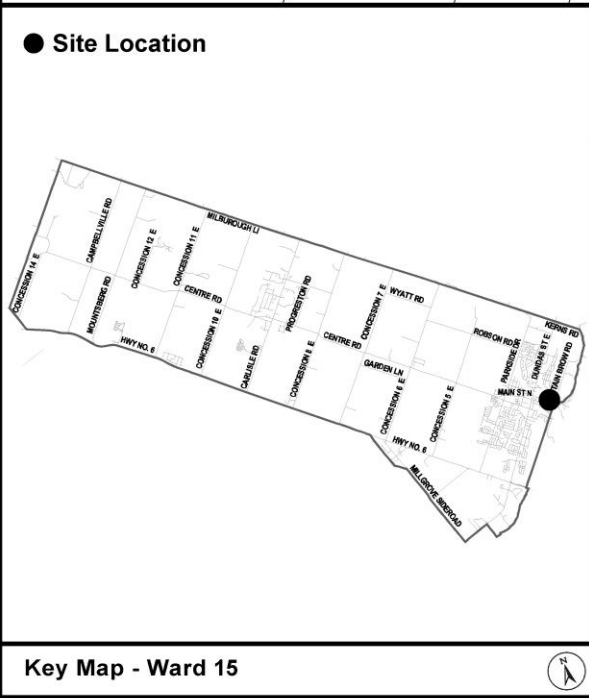
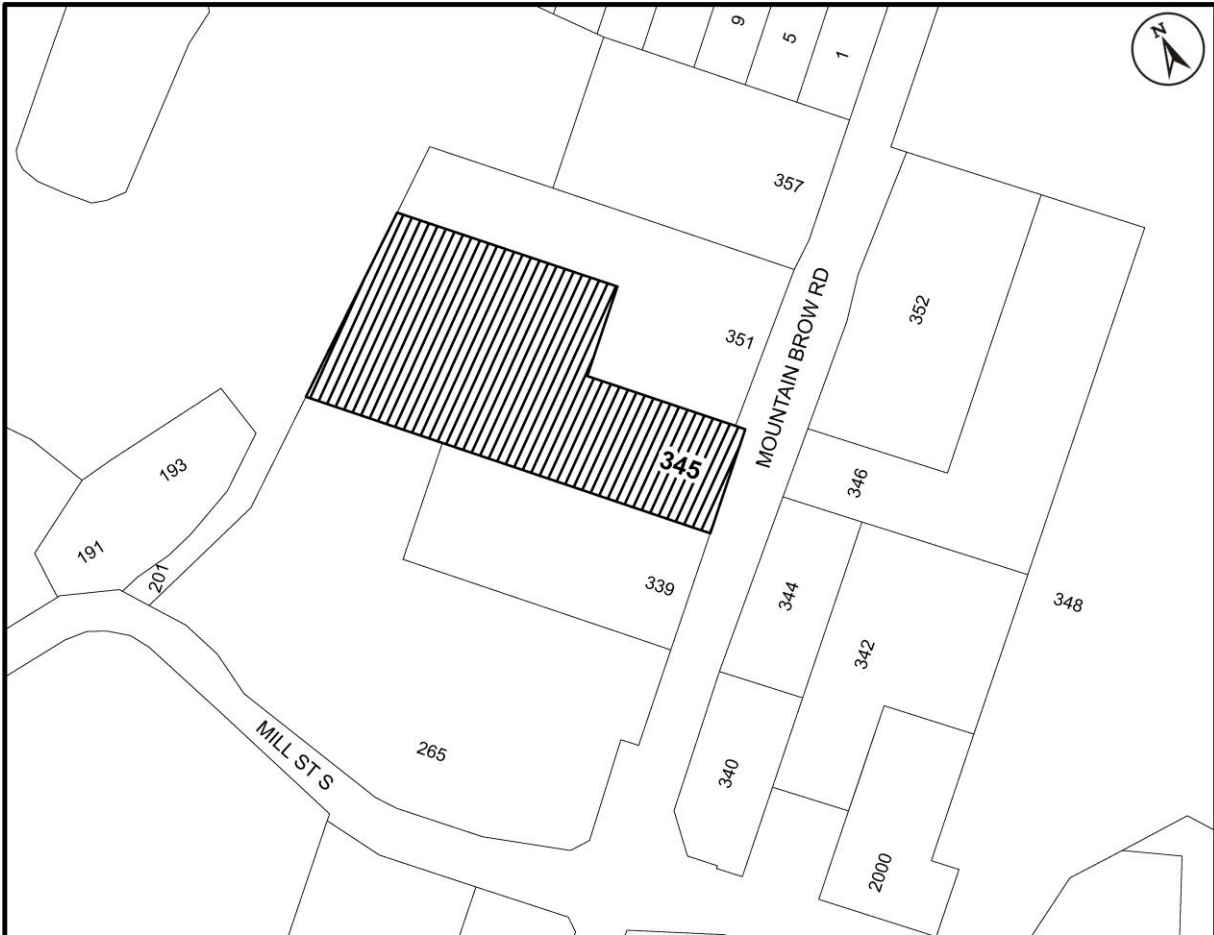
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22168 – Location Map

Appendix “B” to Report PED22168 – Notice of Intention to Demolish the Building
located at 345 Mountain Brow Road, Flamborough

CR:sd



Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
345 Mountain Brow Rd

Date:
June 29, 2022

Appendix "A"

Scale:
N.T.S

Planner/Technician:
CR/NB

Subject Property



345 Mountain Brow Road, Flamborough
(Ward 15)

June 22, 2022

Hamilton City Council
Hamilton City Hall
2nd floor – 71 Main Street West
Hamilton, Ontario L8P 4Y5

RE: Notice of Intent to Demolish a Heritage Registered Residential Dwelling

Dear Members of Council,

I am the landowner of the property municipally addressed 345 Mountain Brow Road, Waterdown also known as Part of Lots 4, 5, 6 & 7, Registered Plan M-11, in the Regional Municipality of Hamilton Wentworth. In November 2021 this property was Registered by municipal by-law to be of cultural heritage value or interest, as per Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18. The property is Non-Designated and after the City of Hamilton conducted the Waterdown Village Built Heritage Inventory it is not considered a Designation Candidate.

Section 34 (1) directs that the following is required in advance of demolition or removal:

“34 (1) No owner of property designated under section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:

- 1. Demolish or remove, or permit the demolition or removal of, any of the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.*
- 2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.”*

As per Ontario Regulation 385/21: General, Section 6. Prescribed Information and Material, (1) directs that specific information and material shall accompany this application. The following additional material is submitted for review:

1. Plan of Survey to accompany the municipal address;
2. Photographs of the existing dwelling to be demolished;
3. Sketch illustrating the proposed demolition and removal;
4. Drawing and written specification of the proposed demolition and removal;
5. Reasons for the proposed demolition and removal;
6. Waterdown Village Historic Context Statement – February 2021;
7. Waterdown Village Built Heritage Inventory Form; and,
8. Sworn declaration by the applicant of the accuracy of all information.

Understanding that a 60-day notice period is required in advance of the commencement of any demolition of the existing residential dwelling, please accept this letter as my formal application to Council as written intent to demolition the dwelling at 345 Mountain Brow Rd, Hamilton.

Sincerely,

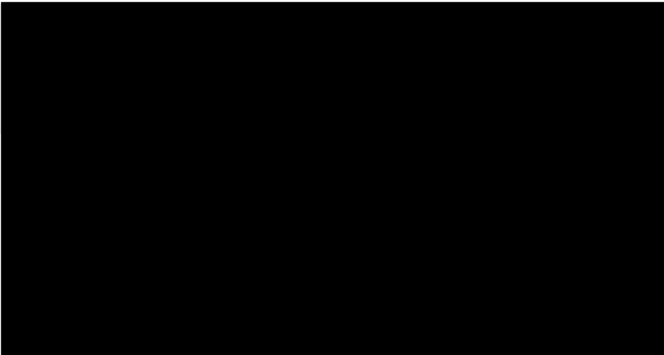
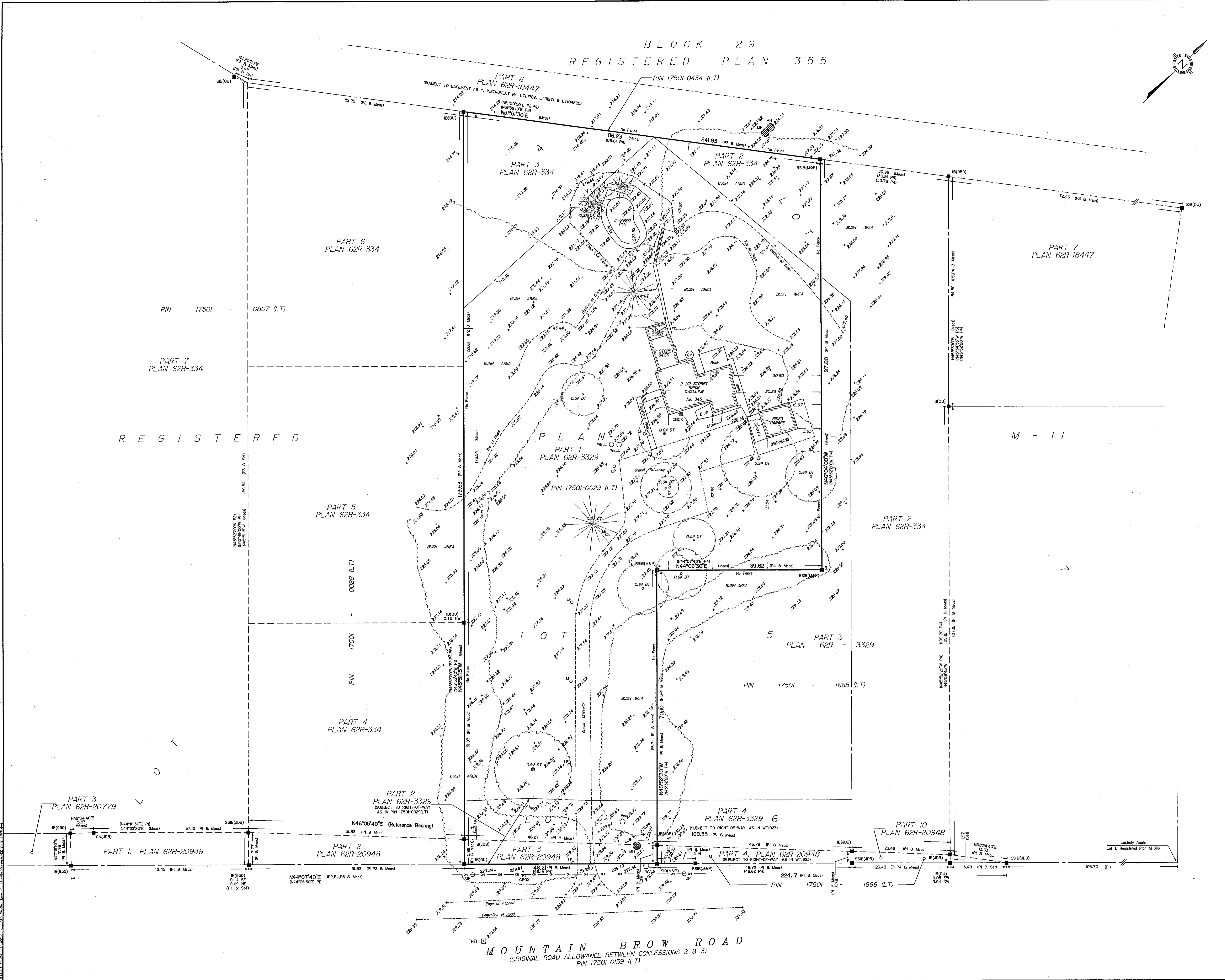
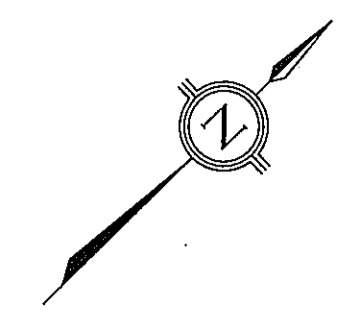


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5. Reasons for Proposed Demolition	Page 10
6. Waterdown Village Historic Context Statement	Page 11
7. Waterdown Village Build Heritage Inventory Form	Page 57
8. Sworn Declaration	Page 58

BLOCK 29 REGISTERED PLAN 355



SURVEYOR'S REAL PROPERTY REPORT
 PART 1
 PLAN WITH TOPOGRAPHIC DETAIL
 PART OF LOTS 4, 5, 6 & 7
 REGISTERED PLAN M-11
 IN THE
CITY OF HAMILTON
 SCALE & NOTES
 Scale 1:400

BARICH GRENKIE SURVEYING LTD.
 A DIVISION OF GEOMAPLE
 © COPYRIGHT 2022

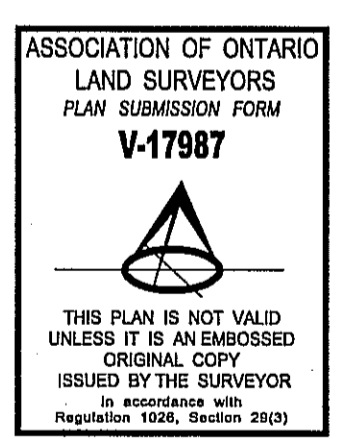
METRIC
 DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY 0.3048

ELEVATION NOTE
 ELEVATIONS ARE REFERRED TO THE CANADIAN GEODETIC VERTICAL DATUM (CGVD-1928:1978) AND ARE DERIVED FROM CITY OF HAMILTON BENCHMARK No. 01019910076 HAVING AN ELEVATION OF 218.123 m.

BEARING NOTE
 BEARINGS ARE GRID AND ARE REFERRED TO THE NORTHERLY LIMIT OF PARTS 1, 2, 3, 4 & 10 AS SHOWN ON PLAN 62R-20948 HAVING A BEARING OF N46°05'40"E.
 FOR BEARING COMPARISONS, A ROTATION OF 0°45'00" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P2, P4 & P5

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
CN	DENOTES	SURVEYORS NAIL SET IN WASHER
IP	DENOTES	IRON PIPE
RIB	DENOTES	ROUND IRON PIPE
OU	DENOTES	ORIGIN UNKNOWN
JDB	DENOTES	J. D. BARNES, O.L.S.
M&P	DENOTES	MACKAY, MACKAY & PETERS, O.L.S.
950	DENOTES	CUNNINGHAM MCCONNELL LTD., O.L.S.
P1	DENOTES	PLAN 62R-20948
P2	DENOTES	PLAN 62R-334
P3	DENOTES	PLAN 62R-18447
P4	DENOTES	PLAN 62R-3329
P5	DENOTES	REGISTERED PLAN M-11
MH	DENOTES	MANHOLE
LS	DENOTES	LIGHT STANDARD
UP	DENOTES	UTILITY POLE
OH	DENOTES	OVERHEAD UTILITY CABLES
DT	DENOTES	DECIDUOUS TREE
CT	DENOTES	CONIFEROUS TREE
WV	DENOTES	WATER VALVE
FF	DENOTES	FINISHED FLOOR ELEVATION
GF	DENOTES	GARAGE FLOOR ELEVATION
CBOX	DENOTES	CONCRETE BOX
TNFH	DENOTES	TOP NUT OF FIRE HYDRANT
GM	DENOTES	GAS METER



THIS PLAN WAS PREPARED FOR DONNA RANGER & CRAIG MIDDAGH AND THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
 PART 2
 DESCRIPTION SUMMARY - LANDS DESCRIBED IN PIN 17501-0029 (LT).
 PART OF LOT 4, 5, 6, & 7, REGISTERED PLAN M-11

REGISTERED EASEMENTS/RIGHTS-OF-WAY - SUBJECT TO RIGHT-OF-WAY AS IN PIN 17501-0029(LT)

ADDITIONAL REMARKS - MAKE NOTE OF THE LOCATION OF FENCES AND RETAINING WALLS AS SHOWN ON THE FACE OF THE PLAN.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS - THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BYLAWS

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON MARCH 29, 2022.

APRIL 13, 2022

ERIC G. SALZER
O.L.S., O.L.I.P.

Barich Grenkie
Surveying Ltd.
297 HWY No. 8 (Hwy 101) - STONEY CREEK, ON
L6G 1E6 (905) 592-6767

DWN BY: EWA
CHK BY: EGS
JOB No. 22-2962

MOUNTAIN BROW ROAD
(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3)
PIN 17501-0159 (LT)

Braden Home

Photograph No. 1



Braden Home

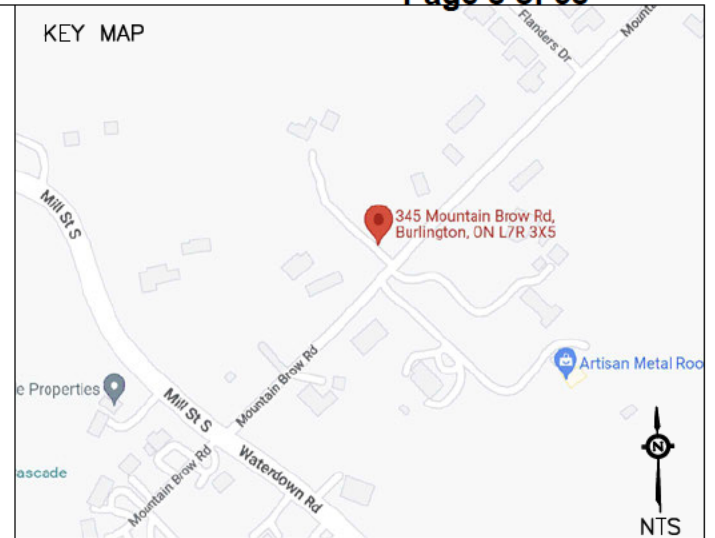
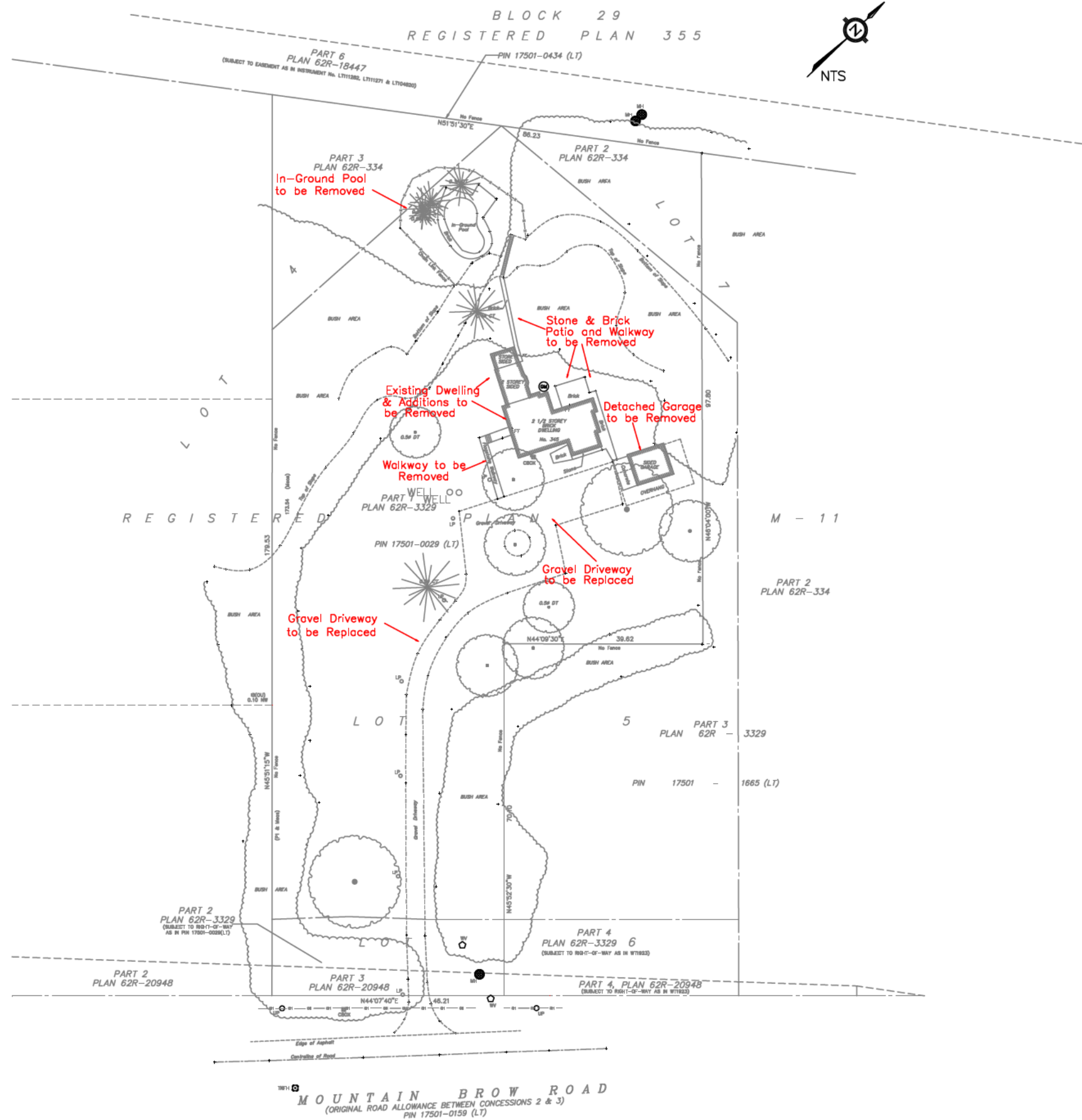
Photograph No. 2



Braden Home

Photograph No. 3

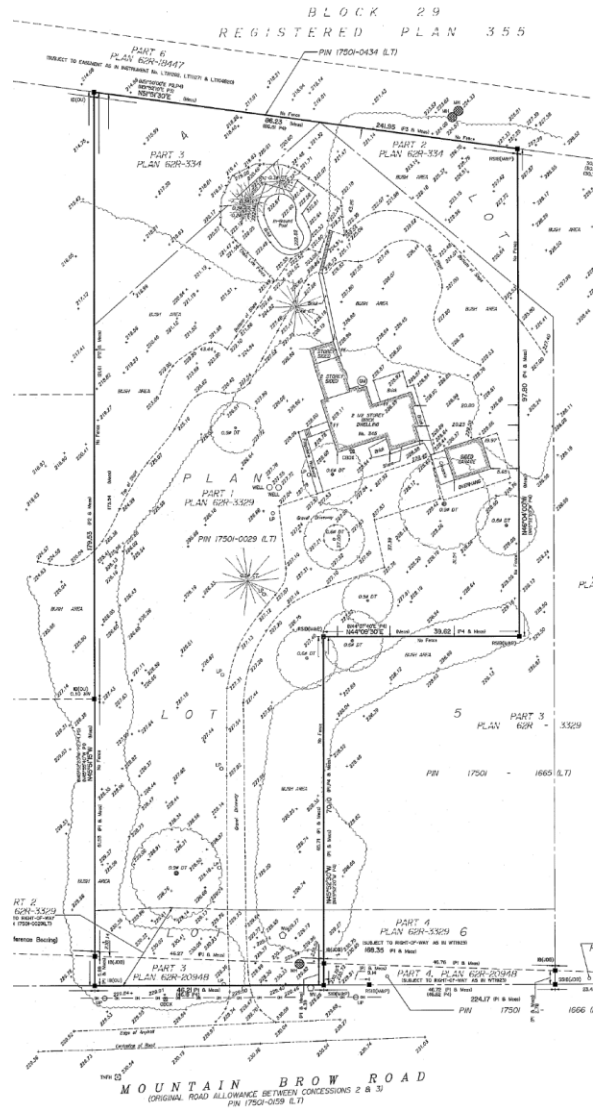




SKETCH
Demolition & Removals

345 Mountain Brow Road
Hamilton, ON L7R 3X5

4. Drawing & Written Specification of the Demolition and Removal



Not less than 60 days from the submission of our formal written Notice to Council, a demolition permit will be obtained for the demolition of the original detached brick dwelling and all additions, the detached sided garage and pool, and portions of the existing driveway.

There remains sufficient access to and space within this large lot such that there is no anticipated impact to the daily functioning of Mountain Brown Road. Sufficient erosion and soil containment methodologies will be employed, such as silt fencing around the perimeter and mud mats at the entrance, to mitigate disturbance to neighbouring properties and to the municipal right-of-way.

The demolition and removal operation will be carried out as per industry standards. All remnant materials as a result of this demolition will be removed from the site and appropriately disposed of. Demolition and removal activities will be carried out under the supervision of our General Contractor.

5. Reasons for the Proposed Demolition and Removal

As the property owner of the lot municipally addressed 345 Mountain Brow Road in the City of Hamilton, it is my intent to demolish the existing 2.5 storey brick dwelling, 1 and 2 storey siding additions, detached garage and pool, and construct a new single family dwelling with integrated garage, new septic system and outdoor amenity space

Several factors were considered in the decision and are summarized and outlined as follows:

- Age of dwelling
- State of disrepair
- Location on the lot
- Functionality
- Family needs

The existing dwelling was originally built in 1940 and has not been sufficiently maintained over the years. The home has been vacant and is now in a state of structural disrepair and requires significant reconstruction and maintenance. In addition, the principal dwelling has undergone successive additions over the years and the result is a disjointed home that does not function well from an architectural perspective. The current layout, design and size of the dwelling is not suitable for the needs of our family. I have invested a significant amount of money into this property and I am not willing to take the financial risk of trying to restore this building when in the end, it may not meet the needs of my family.

The residence in its current form and location does not do justice to the beauty of the natural landscape surrounding the home. My family purchased this property to build our dream home and we want to take advantage of the beautiful views and create indoor / outdoor connectivity so we can truly enjoy this property, and the current home doesn't provide this.

The existing dwelling is setback significantly from Mountain Brow Road and is not visible to the public from the street, therefore it's removal will not have a negative impact on the surrounding neighbourhood or overall heritage value of the village of Waterdown.

My intent is to have a new home designed and situated on this beautiful lot such that the views to the surrounding natural areas are captured, and the dwelling becomes part of a visually cohesive streetscape. An architecturally modern residence will be proposed with a layout that meets our needs and that showcases the beauty of this area while contributing to the overall aesthetic of this neighbourhood.

Historic Context Statement

February 2021

Waterdown Village Historic Context Statement

The Village of Waterdown, incorporated in 1878, is a significant historic settlement area in the community of Flamborough in the City of Hamilton. Located in the former Township of East Flamborough, Waterdown's early Euro-Canadian settlement was influenced by the construction of the military road, known as Dundas Street, and the area's natural topography.

The area now known as Waterdown was first developed in the early-nineteenth century as a thriving industrial and agricultural area. It functioned as an important transportation centre for the flow of people and goods by providing a gentle route up the Escarpment, acting as a hub for early stage coach routes and connecting to water transport at Brown's Wharf (now LaSalle Park in the City of Burlington). The village continues to play an important role in the interconnected Greater Toronto Hamilton Area, resulting in significant volumes of pass-through traffic. Though many of Waterdown's residents no longer work in the village, many of the commercial, residential industrial and institutional buildings on which the village was founded remain, as does its historic character and charm.

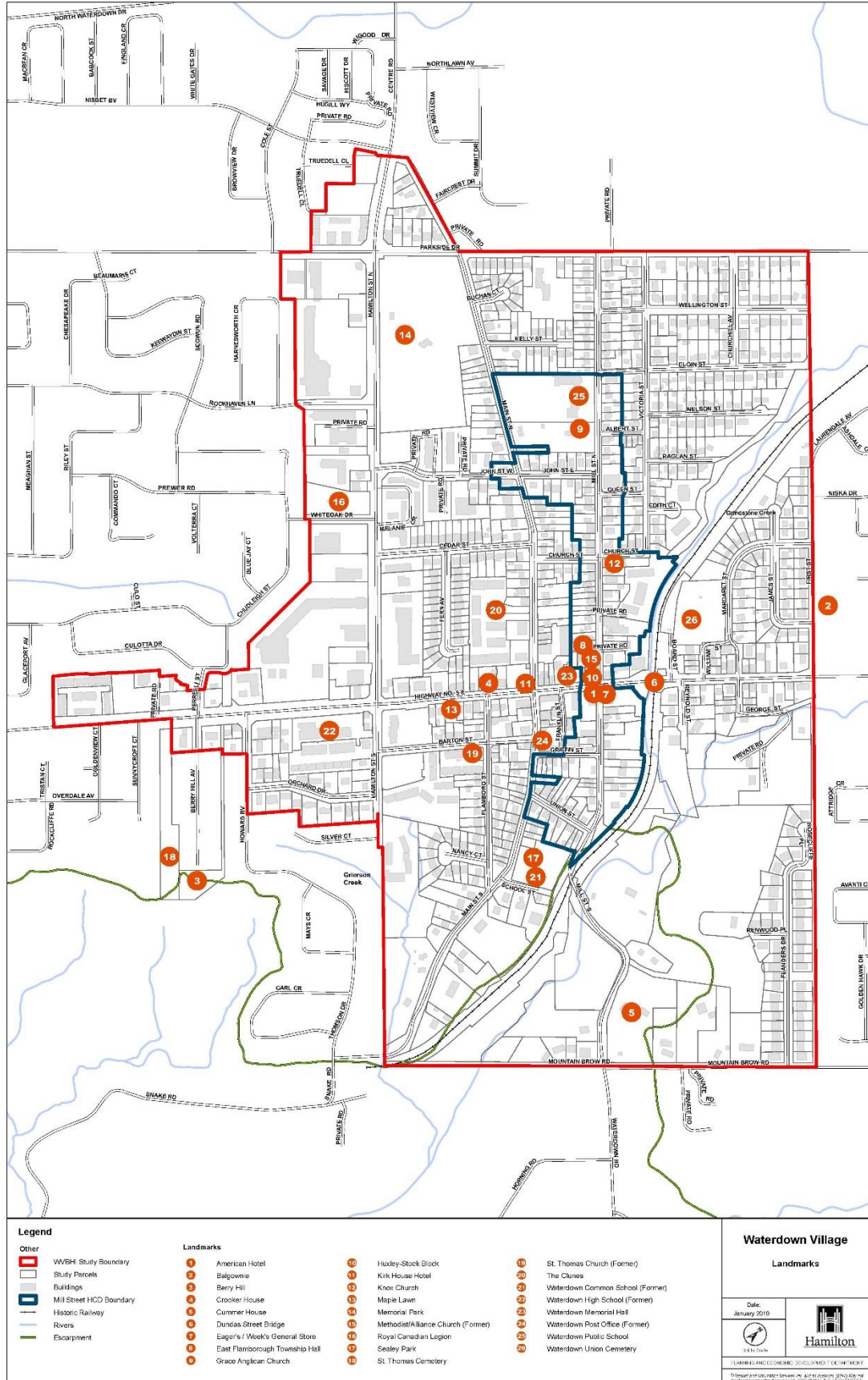
Village residents have continued to demonstrate their commitment and interest in conserving their collective history through the adaptive reuse and preservation of historic structures, an active and involved historical society and local heritage advocacy group, and the creation of the heritage conservation district in the core of Waterdown.

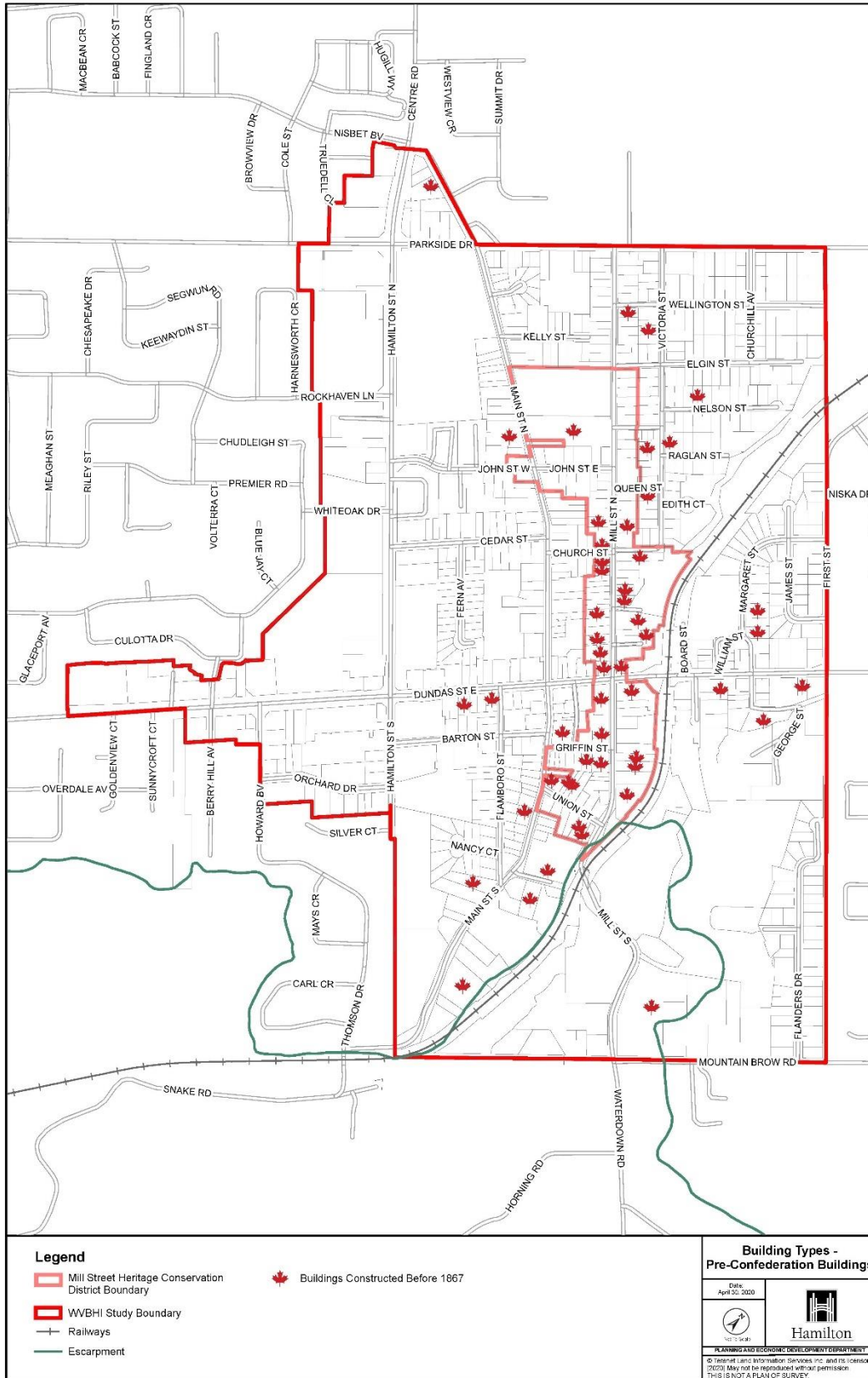
Heritage Attributes

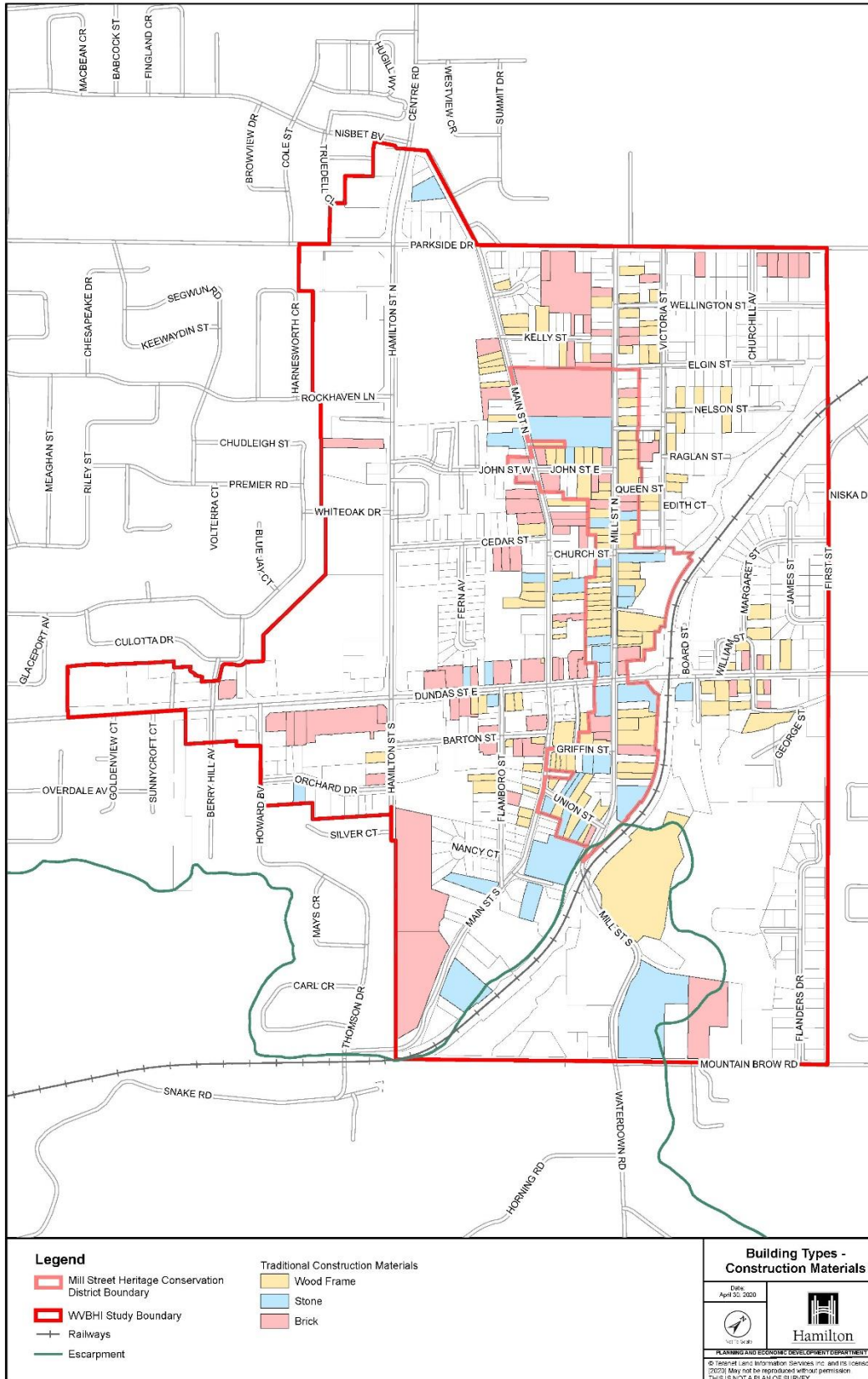
The tangible attributes that help contribute to, and define, the historic character of the Village of Waterdown include the:

- Natural topography of the Escarpment and its relation to the river valley and Grindstone Creek, including the Great Falls, the Upper Falls and Spring Creek, which provided power for the industrial development of the village;
- Human intervention of the natural topography and water ways, including the realignment of Grindstone Creek for the railway, the creation of dams and raceways for the mill sites;
- Mature tree canopy consisting of historic trees that remain from the early Euro-Canadian settlement period and early-twentieth century plantings;
- Dundas Street corridor, laid out by Lieutenant John Graves Simcoe as an early military road;
- Historic transportation corridors that responded to the natural topography of the area, such as Mill Street and Main Street;

- Historic alignment of the railway and its bridges;
- Early surveys and residential areas, such as the Griffin Survey, McMonnies and Stock Survey, Creen Survey, Kelly Survey and Vinegar Hill, and their lotting patterns (see map on **page 20**);
- Village landmark buildings and spaces that have an important role in the village's history (see map on **page 3**);
- Waterdown Memorial Hall and Waterdown Memorial Park, commemorating the role of Waterdown residents in the First and Second World Wars, respectively, and their impact;
- Eclectic mix of historic nineteenth and early-twentieth century buildings reflecting the evolution of the village, including:
 - A significant concentration of pre-Confederation buildings (see map on **page 4**);
 - Vernacular workers cottages associated with the village's early development;
 - Residential buildings influenced by, and representative of, architectural styles such as the Ontario Cottage, Ontario Farm House, Georgian, Regency, Romanesque Revival, Gothic Revival, Italianate, Queen Anne Revival, Second Empire, Edwardian Classicism, Craftsman and Cottage Bungalow, and early-twentieth century Period Revivals (Tudor, Colonial, Neo-Gothic, Cape Cod);
 - Original or historic accessory structures and coach houses;
 - Commercial buildings in the village core, such as the intersections of Dundas at Mill and Dundas at Main Streets;
 - Remaining historic industrial buildings from the nineteenth century;
 - Remaining historic institutional buildings from the nineteenth and early-twentieth centuries, including churches, schools and township buildings;
 - The use of traditional construction materials, such as stone, brick, and wood, and traditional cladding materials such as historic stucco - pebble dash and rough cast - and wood siding - clapboard and board-and-batten (see map on **page 5**); and,
- Contemporary natural and recreational areas, including Smokey Hollow and the Bruce Trail.







Historical Overview



Figure 1: Waterdown circa 1905, entering Smokey Hollow from the southwest (Flamborough Archives, BW 2166, Will Reid Collection)

The Village of Waterdown is located within the physiographic region known as the Niagara Escarpment, at a point where the escarpment meets the Norfolk Sand Plain and the Horseshoe Moraine. The Niagara Escarpment has greatly influenced land use in Southern Ontario, its rocky outcroppings limiting agricultural opportunities in certain areas and concentrating the construction of roads, railways, and urban settlements into the escarpment's few breaks and valleys. For settlers, the escarpment served as an important source of building material such as cut stone, lime, and shale, and its numerous streams and waterfalls facilitated early industry, including eight former mill sites in the village along what is now known as the Grindstone Creek.

The Indigenous history of the area is embodied in its natural topography, water features, the remaining historic transportation corridors that were based off of early trail routes, and the archaeological resources and sites that have been identified and commemorated, as well as those that have yet to be discovered. The record of registered archaeological sites indicate that the Waterdown area has been inhabited by Indigenous peoples for thousands of years, beginning by at least 7,500 B.C.E. (before the common era).

Euro-Canadian settlement of Waterdown Village is represented by the surviving built heritage and street and lotting patterns, including a significant concentration of pre-Confederation buildings, a variety of historical housing types and other historical buildings built for industrial, institutional and commercial uses.

Indigenous Presence (7,500 BCE – Late-17th Century)

There are various understandings of Indigenous presence and stewardship of land in the Waterdown area over time. The area encompassing the former Township of East Flamborough and the Village of Waterdown has attracted human settlement since long before their formal establishment. Historical information indicates that the original inhabitants of the Waterdown area included the Neutral Nation, a powerful chiefdom which traded extensively throughout present-day Ontario and New York. The Grindstone Creek runs south through Waterdown towards Hamilton Harbour (formerly Macassa Bay) and was central to an extensive trail network traveled by the Neutral People, which abounded with food and resources such as sugar maple and salmon. These trails, the origins of contemporary roads such as Snake Road and Old Waterdown Road, led the Neutrals from the base of the escarpment to their settlements north and west of present-day Waterdown.



Figure 2: Snake Road, date? (Flamborough Archives, BW 1920, Will Reid Collection)

The seventeenth century was dominated by the Beaver Wars, conflicts between various Indigenous Nations precipitated by the French and English's hunger for fur (particularly beaver pelts). Although alliances could change, generally the Indigenous Nations of the northern Great Lakes fought with the French, while the Haudenosaunee Confederacy had a strong relationship with the Dutch and British. As the population of fur-bearing animals diminished, Nations began encroaching on each others' territory. The Neutral Nation were caught in the middle of the conflict and collapsed by 1650. Only a few Neutral villages remained in the area afterwards and their inhabitants ultimately joined other nations.

The same fate befell the Wendat Hurons, who lived in other parts of present-day southern Ontario. Allied to the French, the Wendat were pushed off their lands by the Haudenosaunee Confederacy who were supplied with muskets by the Dutch and English. Other Indigenous groups to the north, the Anishinaabe and the Algonquian Nations, defended themselves from attacks and eventually succeeded in expelling the Haudenosaunee from what is now southern Ontario by 1700. The Mississaugas, an Anishinaabe nation who inhabited the lands east of the Neutrals, established settlement in the area following the Beaver Wars and were the predominant Indigenous group at the time of arrival by European settlers. In the late-seventeenth century, the Anishinaabe and Haudenosaunee nations established peace with the "Dish with One Spoon" Wampum promising that the two nations would share the bounty of the land (the dish) together (using one spoon). The lands on which Waterdown is located remain the traditional territory of the Mississaugas of the Credit First Nation and the Haudenosaunee Confederacy today.



Figure 3: Dish with One Spoon Wampum Belt reproduction (utoronto.ca)

Heritage attributes related to this period include:

- Snake Road
- Grindstone Creek (formerly known as Limestone Creek)
- Spring Creek
- Grierson Creek
- Great Falls (formerly known as Waterdown Falls and Palmers Falls)
- Arnold Falls (formerly known as Spring Creek Falls)
- Niagara Escarpment
- Registered archaeological sites with Indigenous affinities, including AiGx-373 (Archaic Period) and AiHc-277 (Pre-Contact Period)
- Areas of archaeological potential

Note: There are 13 other registered sites within 250 metres of the study area ranging from (Archaic to Woodland and Pre-Contact Periods)

There are no extant built resources related to this era in Waterdown's history.

Military Influence and Euro-Canadian Settlement (1700s – 1810s)

Beginning in the 1780s, Euro-Canadian settlement in the area superseded that of Indigenous populations. The American War for Independence greatly influenced settlement in the Flamborough and Waterdown area. Following the establishment of the United States of America in 1783, approximately 30,000 British Loyalists were displaced and sought refuge in Britain's remaining North American colonies. In response to this demand for settlement lands, fifteen land surrender treaties were negotiated between the Crown and the Anishinaabe peoples living in present day Southern Ontario between 1783 and 1812. The colonial government interpreted these treaties as giving them authority to survey and eventually distribute lands to Loyalists and other European settlers.

In 1788, to further facilitate the surveying of new settlement lands, the western extent of Quebec's District of Montreal was subdivided into four districts: Lunenburg, Mecklenburg, Nassau and Hesse. The area which would become East Flamborough, and subsequently the Village of Waterdown, was situated within the District of Nassau. In 1791, a portion of Quebec, including the new districts, was separated to establish the Province of Upper Canada.

Newly appointed Lieutenant Governor John Graves Simcoe (1752-1806) named Augustus Jones (1757-1836) Provincial Land Surveyor and directed him to travel west from the Niagara River to survey and lay out Townships. In 1792 Treaty No. 3, the Between the Lakes Purchase (**Figure 4**), was negotiated between the Crown and the Mississaugas, giving Upper Canada access to a vast swath of land between Lake Erie and Lake Ontario.

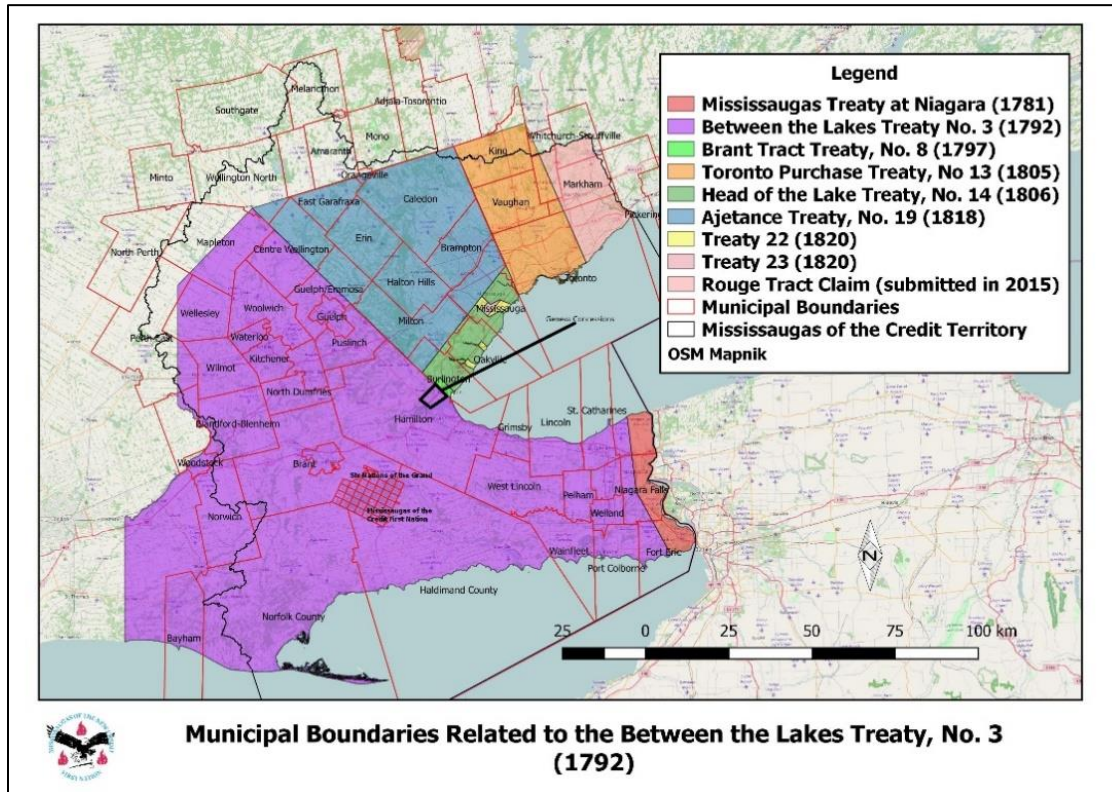


Figure 4: Between the Lakes Treaty No. 3 (1792) with present-day municipal boundaries (Mississaugas of the Credit First Nation, www.mncfn.ca)

The final component of Jones' initial survey was the Township of Geneva, four concessions along the broken front of Lake Geneva, now known as Burlington Bay. Geneva's concessions were surveyed from the "Indian Point", a line which divided the lands to the west purchased by the crown, and the lands to the east still claimed by the Mississaugas. Initially set out for refugees of the French Revolution, an additional ten concessions were surveyed to the north of Geneva and amalgamated with the Township and the lands surrounding the Town of Dundas to form the Township of Flamborough in 1793.

Construction began in 1793 on a highway commissioned by Lt. Governor John Simcoe, which initially ran westward from Burlington Bay to Joseph Brant's village on the Grand River (**Figure 5**). Subsequently, the previously established Land Board began accepting applications for property grants in Flamborough, awarding land mostly to members of the military and government officials who typically remained absentee landlords. In 1796, Lieutenant Alexander McDonnell was awarded approximately 3,000 acres including Lots 6 and 7 of Concession 3, the location of the original village core of Waterdown. Following boundary realignments and territorial renaming within Upper Canada between 1793 and 1798, the Township of Flamborough was split into the Townships of East and West Flamborough in 1798.

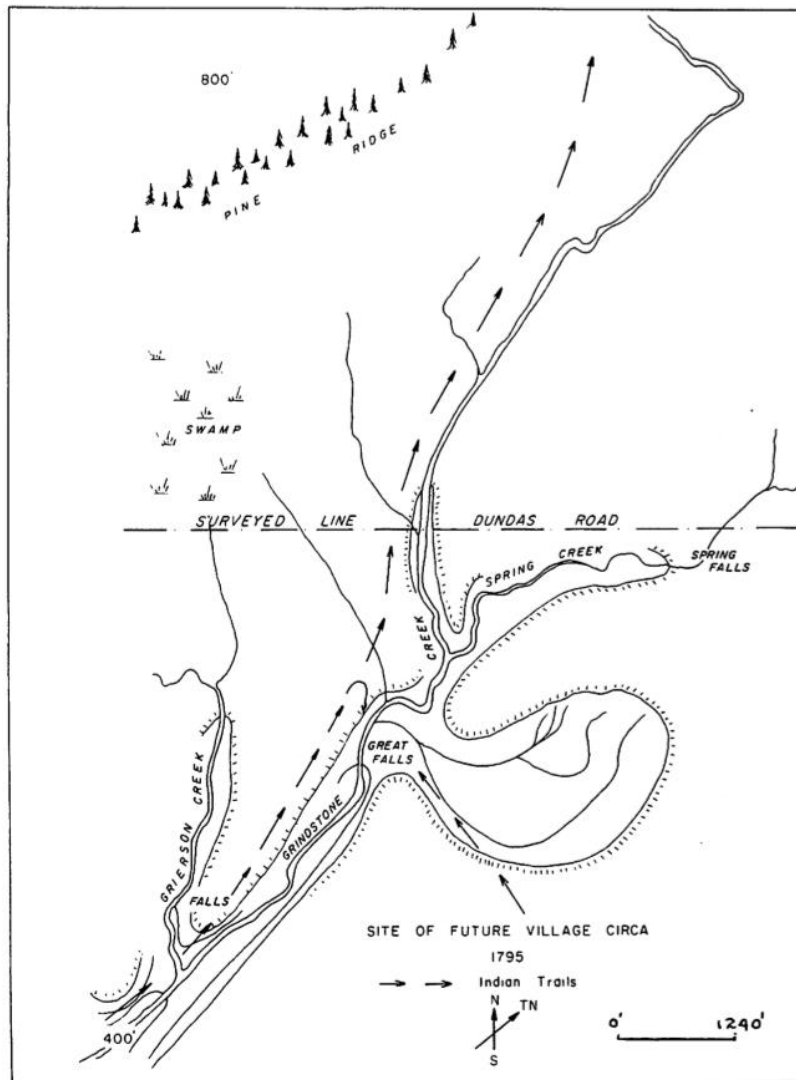


Figure 5: "Site of Future Village Area Circa 1795", showing supposed location of Indigenous trails (Donkin Thesis, page 31)

McDonnell's land went undeveloped and 800 acres were acquired by Alexander Brown (1776-1852), a retired official of the North West Fur Company, in 1805 who then established the area's first sawmill above the Great Falls at Smokey Hollow and the Grindstone Creek (**Figure 6**). That same year, Treaty No. 14, the Head of the Lake Treaty (**Figure 4**), was negotiated and the Crown acquired Mississauga lands east of East Flamborough, allowing for the easterly expansion of Lt. Governor Simcoe's highway, which would become Provincial Highway 5 and Dundas Street in Waterdown. While previously difficult to access and largely untouched, the road and potential for water power made settlement in East Flamborough appealing to many early Euro-Canadian settlers. Alexander Brown was responsible for early amenities constructed in the area following the War of 1812, including construction of the first school on the southwest corner of Mill and Dundas Streets (non-extant, where the American House is now) and establishing a stone quarry on his property at the head of the Grierson Creek near the southeast corner of Barton and Hamilton Streets, both circa 1815.



Figure 6: Map of the valley, properties, roads and mills south of Dundas Street circa 1800-1820 (Woods, p 24)

Important milestones from this period include:

- 1669 - French explorer Robert de la Salle travels through Flamborough
- 1700 – Anishinaabe and Algonquin Nations defend attacks by Iroquois, expel the nation from Southern Ontario
- 1760 – British conquest of New France
- 1763 – Royal Proclamation
- 1764 – Treaty of Niagara (Wampum at Niagara)
- 1775-1783 – American Revolutionary War
- 1791 – Upper and Lower Canada are formed
- 1792 – Between the Great Lakes Treaty (No. 3)
- 1793-1795 – Township Survey by Augustus Jones
- 1796 – Crown Grant of Lots 6 and 7, Concession 3 to Alexander McDonnell
- 1790s-1800s – Small pox and measles kill more than 1/3 of Mississauga of the Credit First Nation
- 1800 – Flamborough is divided into East and West
- 1805 - Mississauga Purchase, opened up the eastern portion of Dundas Street
- 1805 – McDonnell's Crown Land regranted to Alexander Brown – Brown builds sawmill on Grindstone near the Great Falls (Note: Brown would later build a second mill site at the Nelson Street Site in the 1830s)
- 1806 – Second phase of Dundas Street Construction
- 1812-1814 – War of 1812
- 1815 – Pledge of the Crown Wampum (Haudenosaunee)
- 1815 – First School built by Alexander Brown (where American House now stands)
- 1815 – A stone quarry is in operation on Brown's property at the head of the Grierson Creek (near the southeast corner of Barton and Hamilton Streets)

Heritage attributes related to this period include:

- Dundas Street
- Mill Street
- Township Survey boundaries defining historic village area (Concession 3, Lots 6 and 7)
- Physiography of historic quarrying activity at Barton and Hamilton Streets

There are no extant built resources related to this era in Waterdown's development.

Mill Development and Village Establishment (1820s – 1860s)

The 1820s brought the first division of Brown's property when he sold 42 acres of Lot 7, including the creek and the stone quarry, to his brother-in-law James Grierson (1760-1848). In 1823, Brown sold the remaining portion of his property in Lot 7 to Ebenezer Culver Griffin (1800-1847), shifting his interest to merchandizing by building Brown's Wharf (**Figure 10**) to the south at Port Flamboro (now LaSalle Park) and constructing a new stone house to the east of the village along Spring Creek with his wife Merren Grierson (1779-1863). The route from Mill Street in the village to Waterdown Road to Brown's Wharf was a key transportation corridor during this time. Research indicates that stagecoach routes were established along the Governor's Road by the 1820s and that the route passing through Waterdown that connected Ancaster to York (Toronto) was in place by the late-1820s. Dundas and Mill would have been the main crossroads of the settlement area, which most likely prompted the construction of the American Hotel on its southeast corner in 1824 (**Figure 11**).

Ebenezer Culver Griffin and his family are largely credited with establishing much of the Village of Waterdown. Ebenezer Griffin started a number of early businesses in the area, including a store at the corner of Mill and Dundas Street (**Figure 12**), a flour mill above the Great Falls (**Figure 13**), and a carding mill on Mill Street South. In the 1830s, Griffin had a village plan prepared and began to sell off lots. He also sold his mill operations at the Great Falls and received a grant to Concession 3, Lot 6.

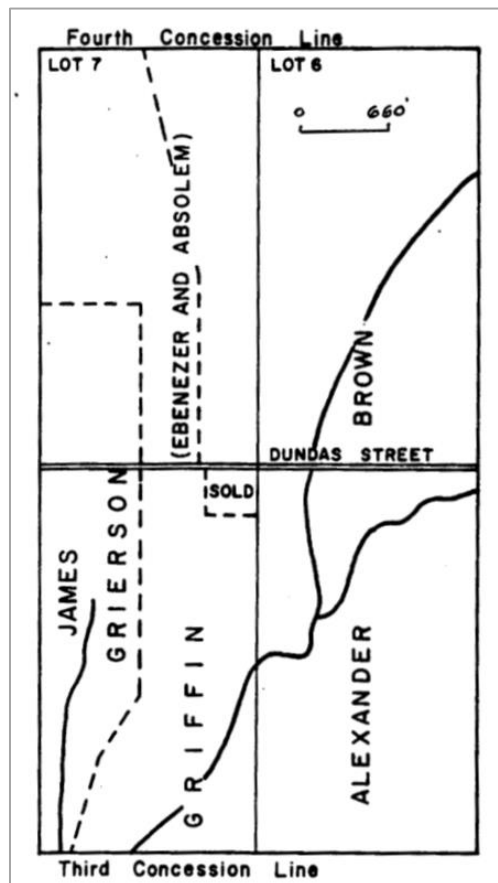


Figure 7: Land Ownership 1835 (Donkin Thesis, Map 5)

Settlement had begun along Dundas Street, particularly along what is known as Vinegar Hill (Figure 14), one of the oldest residential neighbourhoods of the village. This area is at the eastern entrance to Waterdown and is believed to be named after the smell from the fermentation of apples to create vinegar, which took place along this stretch of road where orchards were believed to have been prevalent. Following the establishment of Canada East and Canada West in 1841, the first assessment rolls for Flamboro East were drawn up. According to the records, the majority of the almost fifty households in the village were located in the Vinegar Hill area, which explains the creation of Union Cemetery (Figure 15) in this area.

Following Ebenezer Griffin's death in 1847, John Cummer bought the rights the Smokey Hollow (later the site of the Howland Flour Mill – Figure 20) and the remainder of Griffin's land was divided amongst his heirs and his estate was finally settled in 1856, shaping the character of the lands south of Dundas and what would become Main Street South (Figure 9).

The mid-nineteenth century saw the creation of many prominent institutional buildings in the village that still stand today, including the Methodist Church (Figure 16), the Waterdown Common School (Figure 17), the East Flamborough Township Hall (Figure 16), Knox Church, and the Anglican Church (Figure 18). The street network and regional connections also grew. Main Street (also known historically as Ransom Street, Snake Road and Gravel Road) was a well-travelled route before its allotment as a street. This route was impassable in bad weather until J.K. Griffin's construction of a toll road in its place providing the first direct connection from Carlisle to Hamilton. Griffin's home overlooking the road still stands (Figure 19). This road was used into the early-twentieth century as a stage coach route from Hamilton to Waterdown, Carlisle, Kilbride, Mountsberg and Milton.

The McMonies and Stock Survey, registered in 1856, was one of the earliest and largest surveys in the village after Griffin's (Figure 8). Much of the survey's original lotting pattern remains, generally laid out in blocks of uniform back-to-back rectangular lots that were 1 chain (66 feet) wide by 2.2 chains (145.2) feet deep, defining the character of the historic core of the village.

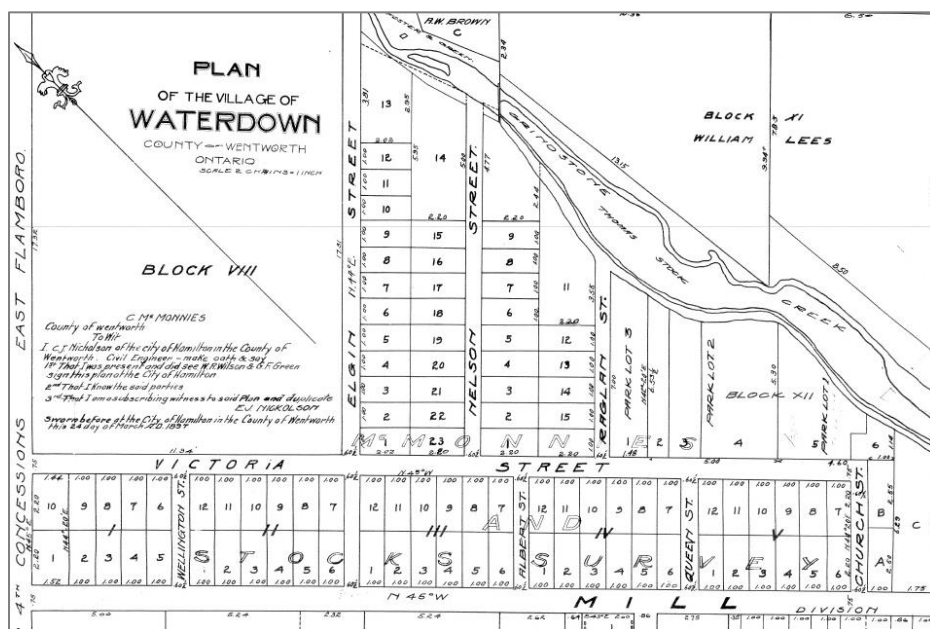


Figure 8: McMonies and Stock Survey, showing the lotting pattern along Mill, Victoria, Elgin, Nelson and Raglan Streets, as drawn in Registered Plan 355 from 1897

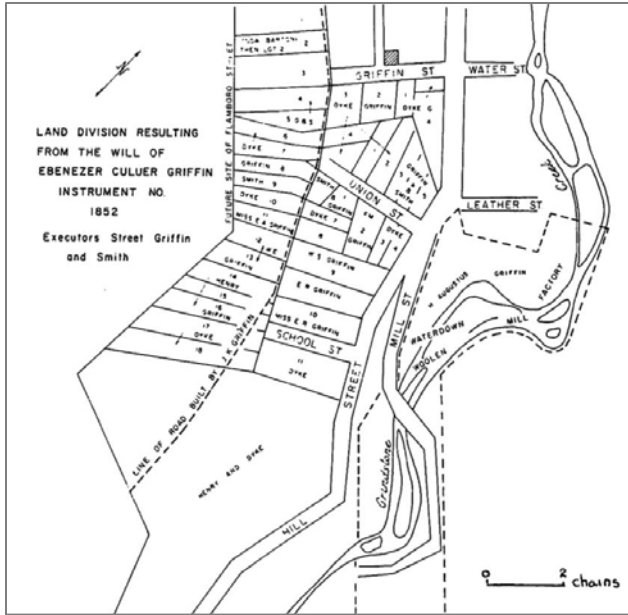


Figure 9: Land Division Resulting from the Will of Ebenezer Culver Griffin, 1852 (Donkin Thesis, Map 12)



Figure 12: American Hotel (right) and the General (Eager) Store (left) at the corner of Mill and Dundas Streets circa 1904 (Flamborough Archives, BW071, Will Reid Collection)



Figure 10: Brown's Wharf circa 1920 (Flamborough Archives, LP 6)



Figure 13: Winter scene of the mill site at the Great Falls (now known as Smokey Hollow), circa 1900s (Flamborough Archives, BW414, Will Reid Collection)



Figure 11: Horse-drawn wagon in front of the North American Hotel, unknown date (Flamborough Archives)



Figure 14: Vinegar Hill, looking west down Dundas Street to the bridge over Grindstone Creek, circa 1907 (Flamborough Archives, BW 2810)



Figure 15: Looking east at Union Cemetery over Grindstone Creek, pre-1911 (Flamborough Archives, BW2401, Will Reid Collection)



Figure 18: Grace Anglican Church circa 1908 (Flamborough Archives, BW238)



Figure 16: Methodist Church (left) and East Flamborough Township Hall (right) on Mill Street North circa 1915-1920 (Flamborough Archives, BW406)



Figure 19: J.K. Griffin Home circa 1977 (Flamborough Archives, BW579)



Figure 17: Waterdown Common School circa 1903 (Flamborough Archives, BW258)



Figure 20: Howland Flour Mill, established 1858, later Robertson's mill, pictured circa 1905 (Flamborough Archives, BW181)

By the end of the industrial boom, eight mill sites had been established in the village boundary along the Grindstone Creek, including: **Smokey Hollow**, established by Brown and subsequently owned by Ebenezer Griffin, Cummer and then Howland; **McNairn Corner** where Griffin also established a carding mill in late 1820s; **Upper Mill** north of Dundas where Griffin built a sawmill in the early 1830s; **Nelson Street**, established by Brown in 1832; **Dundas Street**, south of where Leander Hooper first built his dam and turning mill; **Water Street**, where carpenter Levi Hawk established his turning mill; and, **Leather Street**, established as a tannery by Henry Graham.

The establishment of new stagecoach routes played a significant role in the area's development. Stagecoach routes brought travelers and travelers brought business leading to the need for more businesses to support the accommodation (hotels) and supply needs (general stores) of visitors to the village. Hotels, in particular, were needed for travelers to rest at stagecoach stations with as many as six in operation at one time during the heyday of the stagecoach routes (1860s-1870s). During the 1860s, these hotels included the American Hotel, Crown Inn, Royal Hotel, Boadicea House, and the Union Hotel.

Important milestones from this period include:

- 1820 – The first division of Lot 7 took place and Brown sold 42 acres to James Grierson, including the creek and stone quarry
- 1823 – Ebenezer Culver Griffin purchases over half of Alexander Brown's property, including the lower portion of Grindstone Creek and the Great Falls
- 1824 – Griffin builds a store at southeast corner of Dundas and Mill Streets (which would later become Eager's Store then Week's Store)
- American Hotel is built
- 1827-28 – Griffin builds a mill at the Great Falls and also builds a mill at the McNairn Corner mill site
- 1829 - Stagecoach service through Waterdown begins, connecting Ancaster to York (Toronto)
- 1830 – Union Cemetery opens (First annual meeting of the cemetery company doesn't take place until 1878)
- 1830s – Brown's Wharf is established
- 1830-1831 – Griffin Village Survey is drawn (but not registered until 1854)
- 1832-3 – Griffin builds a sawmill north of Dundas Bridge; Brown builds a mill at the Nelson Street site
- 1838 – Methodist Church built on Mill Street North (wood-frame)
- 1840 – First Post Office is established
- 1844 – Dr. John Murray, Waterdown's first doctor, began practicing
- 1847 – Ebenezer Culver Griffin dies and John Cummer buys the rights to Smokey Hollow
- 1852 - St. Thomas Catholic Church and Cemetery opens
- 1853 - Waterdown Public and Continuation School built (now the Scouts Hall in Sealey Park); J.K. Griffin enhances Snake Road and Main Street and institutes a toll gate at Valley Inn, which becomes an important stage coach route; Knox Church built (original stone portion)
- 1856 – East Flamborough Township Hall constructed; E.C. Griffin Estate settled, lands divided for heirs; McMonies and Stock Survey registered
- 1858 – Howland Flour Mill established in Smokey Hollow
- 1860 – Anglican Church built on Mill Street North
- 1865 - Hugh Carson & Sons quarry and construction business established; Griffin store at Mill and Dundas Streets sold to Joseph Culloden Eager; Wood-frame Methodist church on Mill Street North replaced with stone building
- 1867 – Confederation of Canada; Stone mill building constructed on Mill Street North at the Upper Mill site (later the Nicholson & Stetler Jam Factory)

Heritage attributes related to this period include:

- *Survey and residential areas and their lotting patterns, including Vinegar Hill, the Griffin Survey (1830-1), the McMonies and Stock Survey (1856) and the Kelly Survey (1856) (see **page 20**)*
- *Extant transportation corridors constructed during this period, including:*
 - *Board Street, Franklin Street, John Street (between Main and Mill Streets), Main Street (expanded and enhanced), Margaret Street, Mill Street (expanded), Reynold Street, Union Street*
- *Extant buildings constructed during this period, including:*
 - *Pre-Confederation buildings*
 - *Buildings of stone construction connected to early limestone quarrying*
 - *Landmark institutional, commercial and industrial buildings: American House (1824), Eager-Weeks General Store (1824), Methodist Church (1838), Post Office (1846), Reid's Harness Shop (1850), Common School (1853), Knox Church (1855), East Flamborough Township Hall (1856), Former Methodist Parsonage (1857), Former New Connexion Methodist Church (1859), Anglican Church (1860), Huxley-Stock Building (1860), Stone Mill Building (circa 1867)*
 - *Early settler homes: Magill House (1840), Read Baker House (1840), J.K. Griffin House (1844), Griffin Stone Cottage (1845), Cummer House (1846), Maplebank (1850), Terryberry Cottage (1850), Watson House (1850), Walnut Shade (1850), Robson Cottage (1850), Carson House (1850), Cummer Stone Row (1851), Creen House (1860), Raycroft Cottage (1860), Reid House (1860), Cook-Creen House (1865), Philip House (1867)*
- *Historic cemeteries that opened during this period, including Union Cemetery (1830) and the St. Thomas Cemetery (1852)*
- *Areas of archaeological potential with Euro-Canadian affinities, including:*
 - *Early mill sites along the Grindstone, including the Dundas Street Mill Site, Leather Street Mill Site, McNairn Corner Mill Site, Nelson Street Mill Site, Smokey Hollow Mill Site, Upper Mill Site, Victoria Mill Site and Water Street Mill Site*
 - *Non-extant transportation corridors including Leather Street, Spring Street, Water Street*
- *Registered archaeological site AiGx-306 of the former Brown homestead (located in Souharrisen Natural Area outside of village boundaries). The ruins of the former Brown homestead are now commemorated in the Souharrisen Natural Area.*

51 properties from this era make up 6% of Waterdown's extant built resources.

35 are already protected under the Ontario Heritage Act by registration or designation.

17 are recommended for listing on the Municipal Heritage Register.

7 are recommended for designation under the Ontario Heritage Act.

Village Incorporation and Stability (1870s – 1900s)

By the late-nineteenth century the mills were well-established, and Smokey Hollow was the industrial heart of Waterdown (**Figure 21**). The village's commercial core grew along Dundas Street between Mill and Main Streets, focusing on goods and services for villagers and local farmers, with the intersection of Main and Dundas Streets becoming the key intersection (**Figure 22**). The Village of Waterdown was incorporated in 1878 after community members petitioned to be incorporated as a separate political entity from the Township of East Flamborough. The first election was held in the former Bell House building on Dundas Street in the heart of the village (**Figure 23**). Charles Sealey - a farmer, a store and sawmill owner and owner of the Glenlee Park / Farm property (formerly the Grierson property at the western edge of the village) - was elected the first Reeve of Waterdown. Shortly afterwards, Sealey constructed his house, known as "Chestnut Grove" (**Figure 24**) on Dundas, believed to be named after the large number of horse chestnut trees that used to stand behind the house. Waterdown's first telephone was installed as part of the Hamilton-Toronto long distance line circa 1882 in J.T. Stock's general store on the northwest corner of Mill and Dundas Streets (**Figure 28**).

The second half of the nineteenth century saw a number of German speaking families arrive in Waterdown to find employment in the mills and factories, such as the Klodt, Metzger, Burkholder, Hasselfeldt, Kink and Slater families. Many settled in the north east corner of the village on Nelson and Raglan Streets close to the Nelson Street mill site, creating a small enclave that became known as Deutsche Town. They erected modest one-and-one-half storey worker cottages, built close to the streets, together with a German Evangelical Church on nearby Mill Street North.

As the village continued to develop its western limits shifted, changing from a farming area to residential, and several grand brick homes were constructed along Dundas Street, including the Carson House (**Figure 25**) and the Crooker House (**Figure 26**), as well as the southern corners of John and Main Streets. Houses in the village had well-tended gardens, fences separating front lawns from dirt roads, some of which had wooden sidewalks and street trees. Some of the previously-established hotels had since closed, and new ones opened, most notably the Kirk House Hotel (**Figure 27**), established by Patrick Kirk (1843-1894) circa 1888. The prominent brick hotel at Main and Dundas Streets is believed to have been built on the site of an earlier 1860s wood-frame hotel, known as the Right House Hotel, owned and run by William Heisse.

Waterdown's industrial sites experienced highs and lows during this period, including the loss of Read Baker's rake factory at the Leather Street mill site to fire in 1885 and the establishment of Ferdinand Slater's Lumber Mill at the Upper Mill Site that same year. By the early 1890s this industrial area contained over seventeen buildings, including the two stone mills of W.P. Howland, three houses and nine outbuildings.

Dr. John Owen McGregor (1850-1928) was a former village doctor, later elected Reeve in 1895, who moved to the village in 1885 and built his residence and office on Main Street North, a building which is believed to have been constructed by remodelling the former St. Andrew's Presbyterian Church manse. Later known as "The Clunes", the McGregor property was one of the largest private open spaces in the village and was the site of many public events and garden parties. In the 1890s, Frederick W. Crooker (1862-1927), son of successful merchant and druggist William Crooker, established a general store at the northeast corner of Main and Dundas Streets in what became known as the Crooker Building, an

impressive structure that was considered the finest and largest mercantile building in the village (**Figure 22**). Other important milestones from this period include: the first Flamborough and Waterdown Agricultural Society Fair held in 1882; registration of Plan 355 of the Village of Waterdown in 1887, which formalized Griffin's early village survey and combined it with the McMonies and Stock Survey; the establishment of the Waterdown Women's Institute in 1897; and, expansion of the Knox Church in 1901.



Figure 21: Smokey Hollow circa 1870 (Flamborough Archives, BW1679)



Figure 22: Looking north up Main Street past Dundas circa 1900; (L to R) Kirk House Crooker Building (Flamborough Archives, BW745)



Figure 23: Former Bell House building on Dundas Street circa 1900 (Flamborough Archives, BW230)

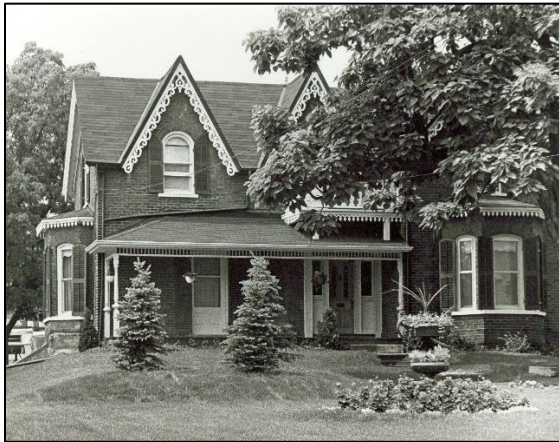


Figure 24: Chestnut Grove circa 1977 (Flamborough Archives, BW 461)



Figure 25: 288 Dundas Street East (Carson House) in the late-nineteenth century (Facebook, Posted by J. Vance, Oct 21, 2018)



Figure 26: Crooker House circa 1966 (Flamborough Archives, BW568)



Figure 27: The Kirk Hotel, Waterdown, circa 1920 (Flamborough Archives, BW 746)



Figure 28: Reid, Saddle and Harness Store circa 1900, previously Stock's Store (Flamborough Archives, BW 126)

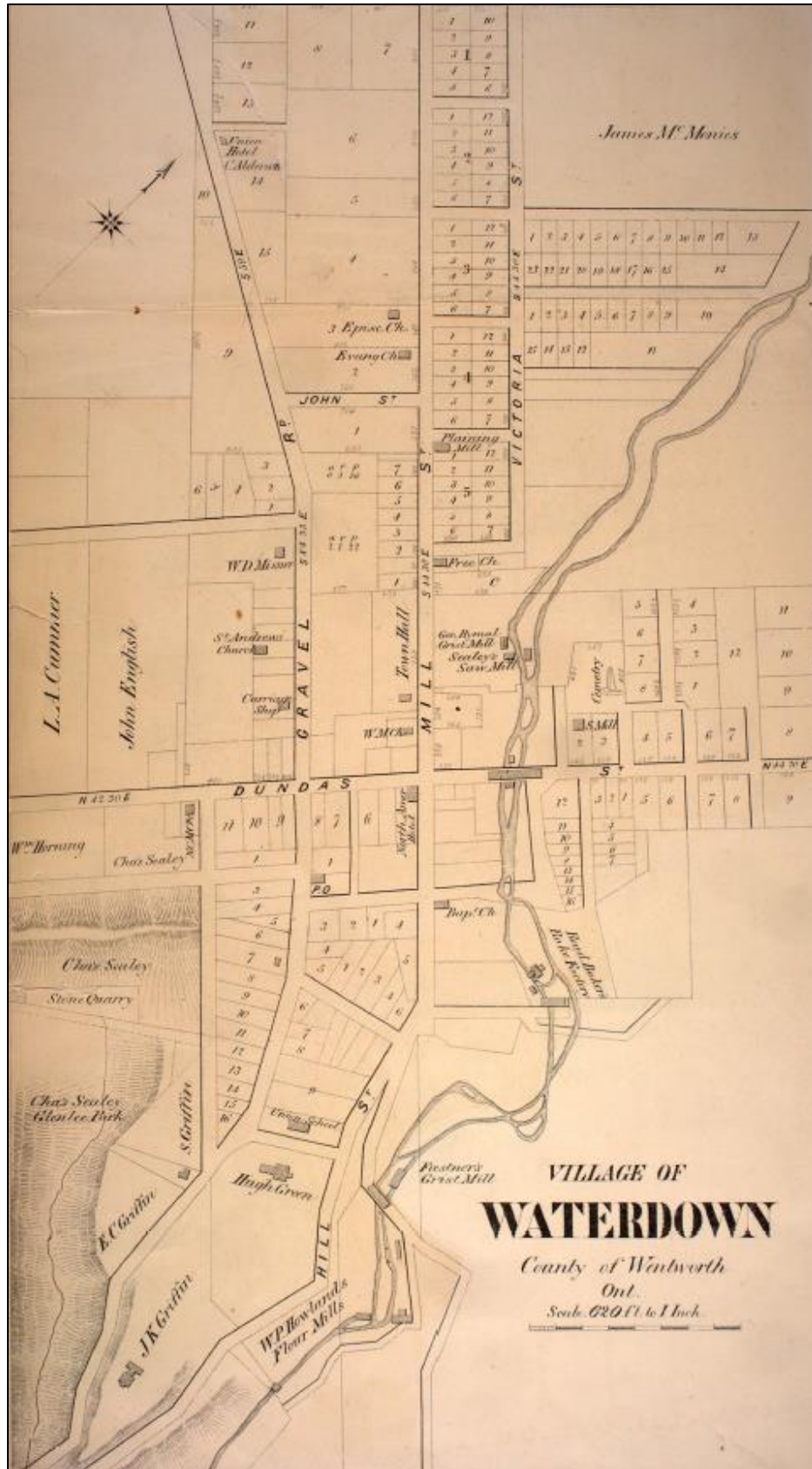


Figure 29: Village of Waterdown, Wentworth County Atlas Map, 1875

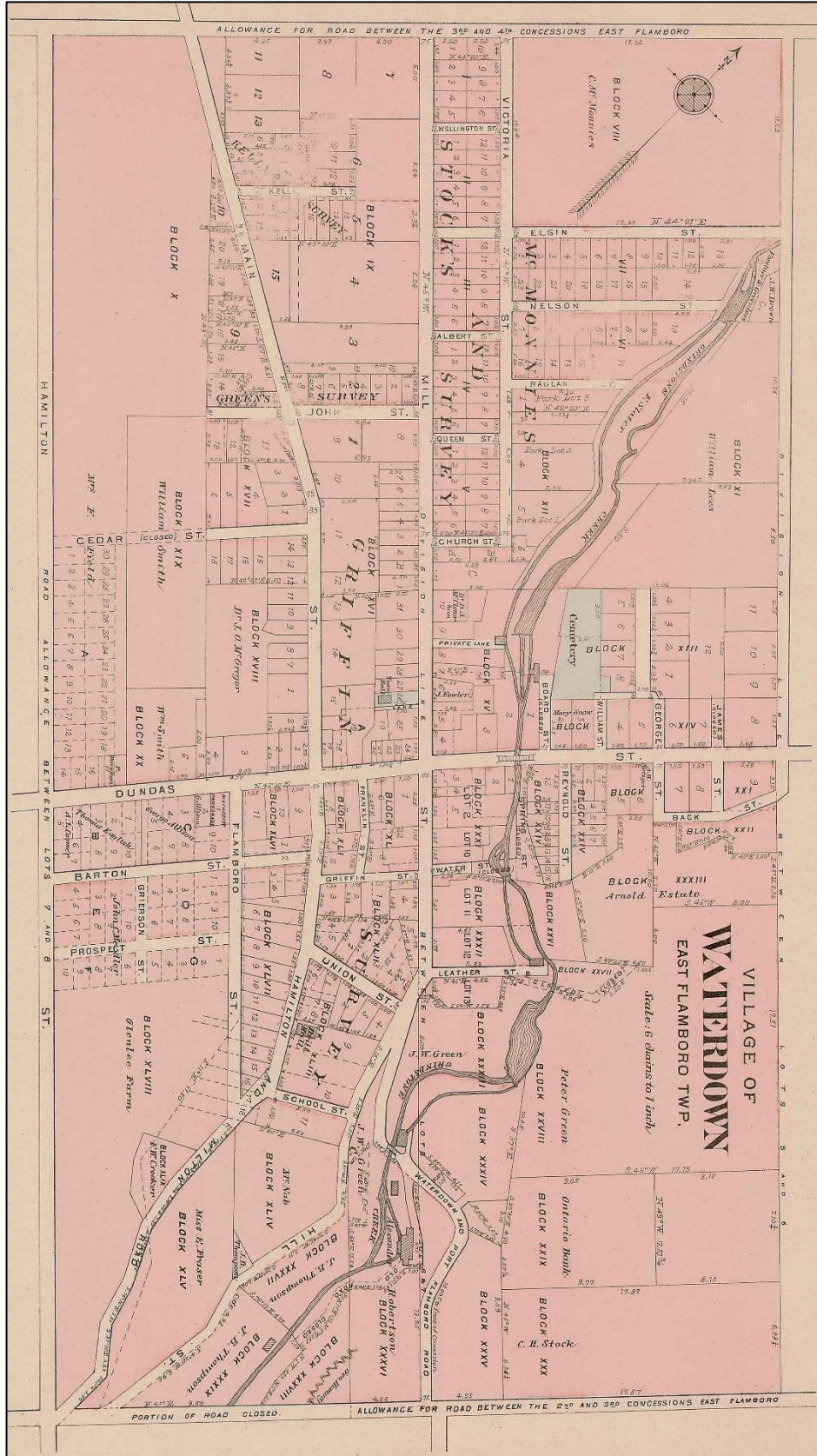


Figure 30: Village of Waterdown, Imperial Atlas, 1903

Important milestones from this period include:

- 1870 – Sealy House built (just west of village boundary, now on Orchard Drive)
- 1871 – Eager House built
- 1875 – Forstner's Mill established at the Upper Mill site (later the Slater Lumber Mill)
- 1878 - Incorporation of the Village of Waterdown; First election held in the former Bell House
- 1879 – Charles Sealey elected first Reeve of Waterdown
- 1880 – Charles Sealey moves into Chestnut Grove
- 1882 – First telephone exchange installed in Stock's General Store; First Flamborough and Waterdown Agricultural Society Fair
- 1885 – Leather Street mill site (Read Baker's rake factory) burns down; Dr. John Owen McGregor moves to Waterdown, builds his office and residence on Main Street North; Carson House built; Ferdinand Slater purchases the Upper Mill site, establishes Slater's Lumber Mill
- 1886 – Crooker House built
- 1887 - Plan 355 for the Village of Waterdown registered, which combined the Griffin and McMonnies and Stock surveys
- 1888 - Kirk House Hotel is established
- 1897 – Waterdown Women's Institute established
- 1900 – Dam below Dundas Street destroyed by a spring flood (never rebuilt)
- 1901 – Knox Church expansion (brick)

Heritage attributes related to this period include:

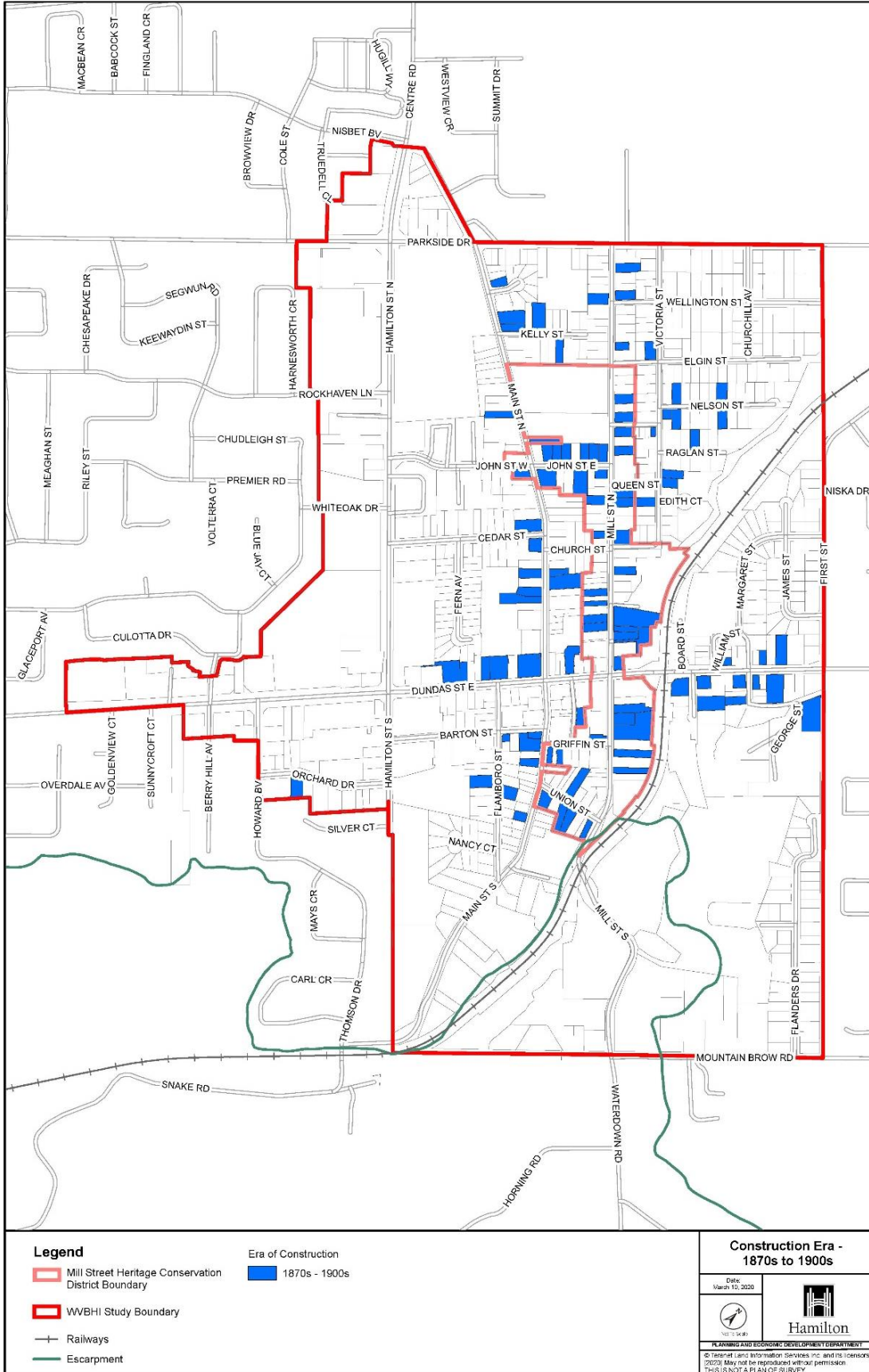
- Boundary of incorporated village (1878)
- Survey areas and their lotting patterns, including the Creen Survey (1870)
- Extant buildings constructed during this period, including:
 - Landmark residential and institutional buildings: Sealey House (1870), Eager House (1871), Chestnut Grove (1880), Carson House (1885), McGregor House (1885), Crooker House (1886), Kirk Hotel (1888), Griffin Farm House (1890), Knox Church expansion (1901)
 - Vernacular residences, including those influenced by, and representative of, architectural styles such as the Ontario Cottage and Ontario Farm House (see **pages 28 and 29**)
- Extant transportation corridors constructed during this period, including:
 - Albert Street, Barton Street, Cedar Street, Church Street, Elgin Street, Flamboro Street, Griffin Street, Kelly Street, Nelson Street, Queen Street, Raglan Street, School Street, Victoria Street, Wellington Street
- Areas of archaeological potential with Euro-Canadian affinities, including:
 - Non-extant transportation corridors including: Hill Street

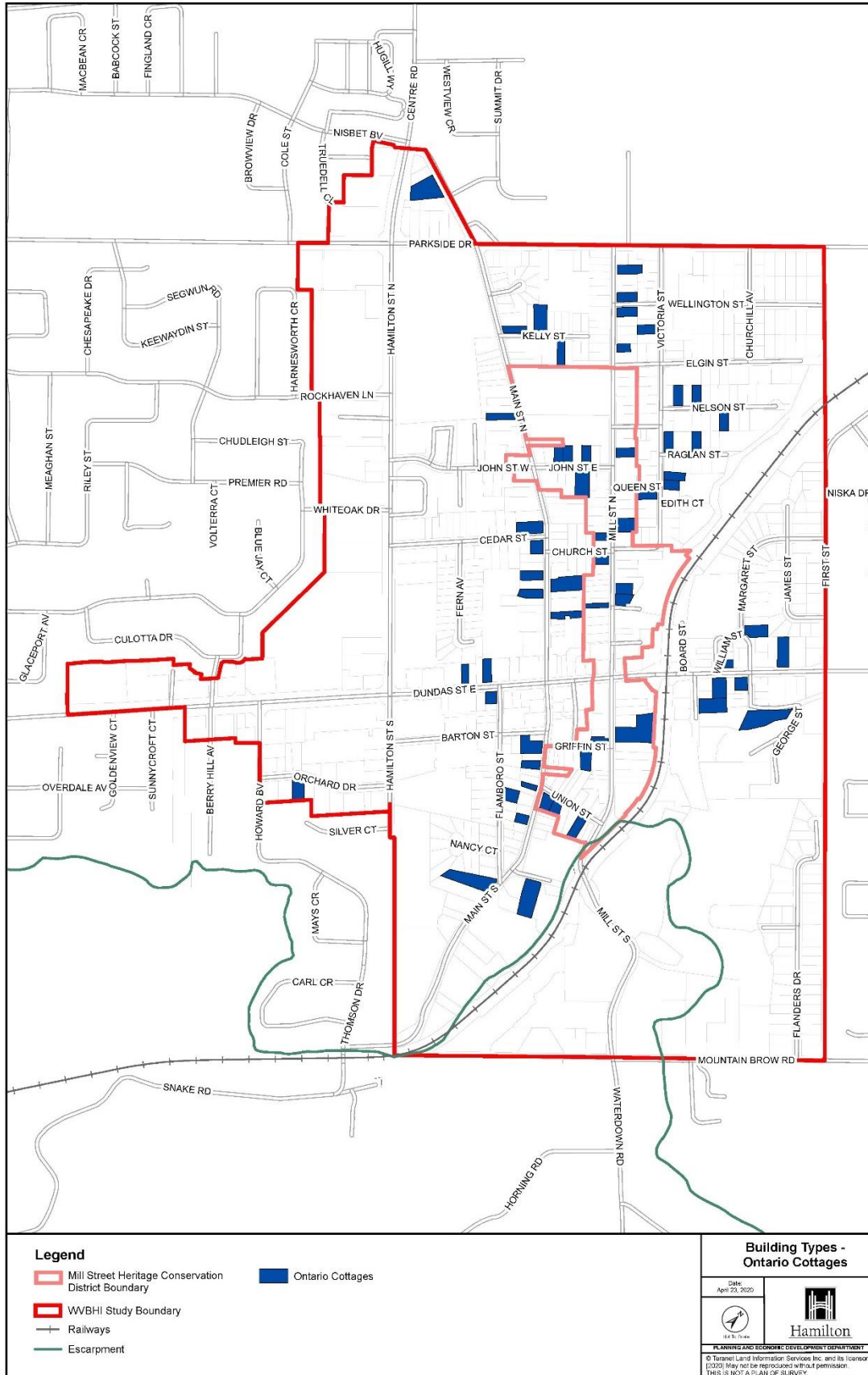
98 properties from this era make up 12% of Waterdown's extant built resources.

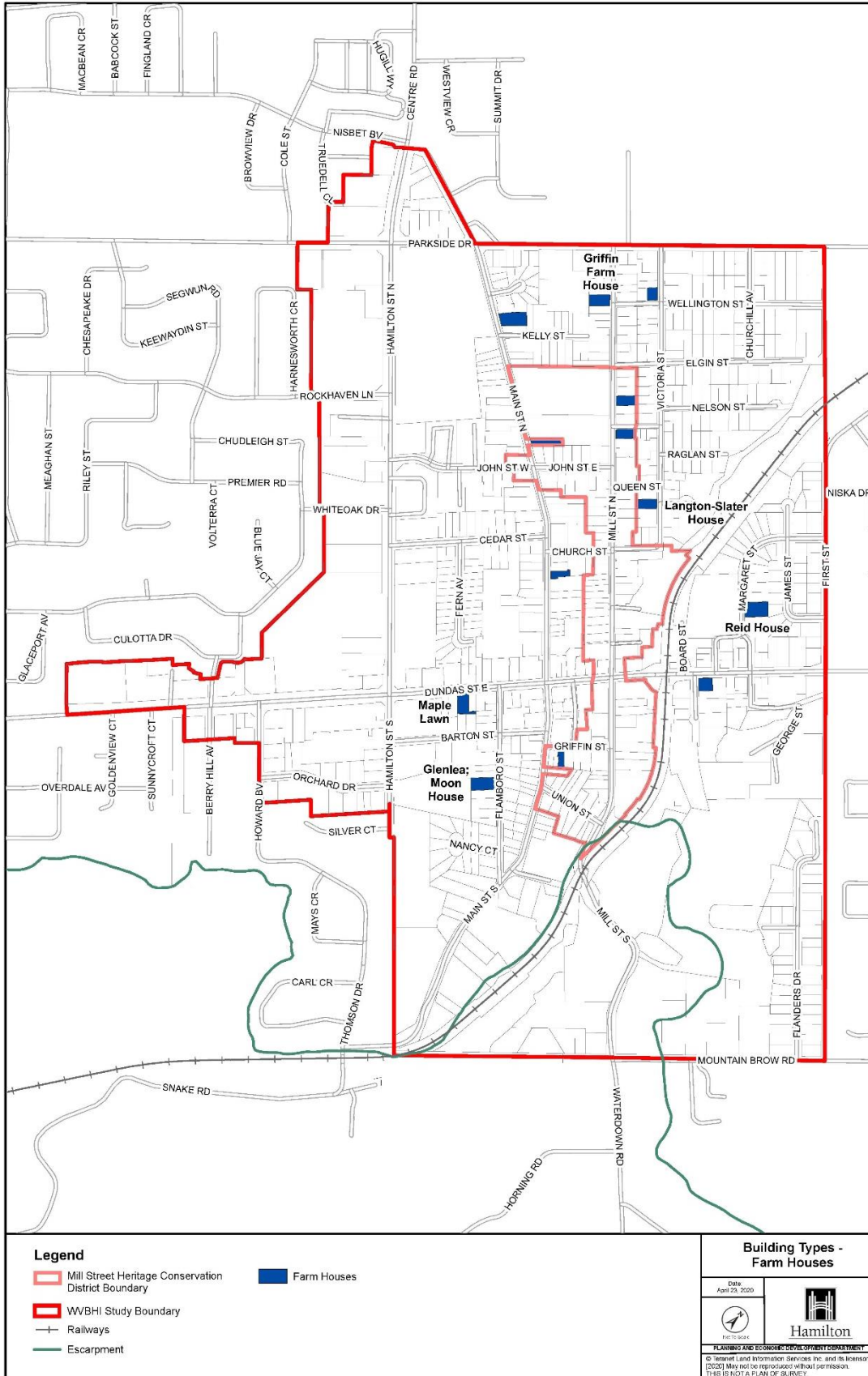
49 are already protected under the Ontario Heritage Act by registration or designation.

43 are recommended for listing on the Municipal Heritage Register.

4 are recommended for designation under the Ontario Heritage Act.







A Time of Unrest and Great Change (1910s – 1940s)

The early-twentieth century was a time of significant change in the village. By 1900, many industrial mills were non-existent, mainly due to fire, flood and drought (**Figure 31**). Notable is the 1910 fire that destroyed Robertson Mill (formerly Howland's Mill) in Smokey Hollow (**Figure 35**). The remaining mills relied on steam power due to the diminished water supply from the Grindstone Creek.



Figure 31: View of Smokey Hollow from Sealey Park showing construction of the railway and burned-out mills, circa 1912 (Flamborough Archives, BW 2461)

This period was defined by its two world wars, major fires in the heart of the village, significant public infrastructure investment and the beginning of post-war subdivision development. Electricity was first introduced in Waterdown in 1911. Around the same time, the Canadian Pacific Railway corridor was constructed between (circa 1911-1912), connecting the northern part of East Flamborough to Hamilton for passenger and commercial travel. The railway routing took advantage of the natural path of Grindstone Creek through and down the escarpment and with it came significant changes to the character of the river valley, including rerouting of the river and the elimination of most of the evidence of the former mills and mill raceways (**Figure 32**, **Figure 33**).



Figure 32: Railway under construction by Canadian Pacific Railway north of Dundas Street Bridge circa 1911 (Flamborough Archives, BW 94, Will Reid Collection)



Figure 33: Passenger Train at Waterdown South Railway Station, circa 1920 (Flamborough Archives, BW 1095)

Waterdown residents made a considerable contribution during World War I (1914-1918) for its population; 108 people in total with a higher than national average of women enlisting. During this time the 129th Battalion Waterdown Training Group used the Drill Shed on the former Common School grounds, now part of Sealey Park (**Figure 36**). Nearing the end of the First World War in 1918, the Waterdown Review also printed its first issue. The Waterdown Women's Institute spearheaded the construction of Memorial Hall in 1922 to honour those many villagers who served their country in World War I (**Figure 37**). The hall was officially dedicated at a Memorial Service on January 14, 1923.

By the early 1920s the Waterdown Public and Continuation School (Common School) was overcrowded and a new school was needed in Waterdown. Built on a property on Mill Street North that was previously used as a fairground (**Figure 38**), the new school opened in 1921 as the Waterdown and East Flamborough Union School Section No. 3, later renamed to Mary Hopkins School in honour of the first teacher in Waterdown (**Figure 39**). A new high school was built a few years later. The Waterdown High School, located on the southwest corner of Dundas and Hamilton Streets, opened in 1928 (**Figure 40**).

The village experienced a handful of damaging fires in the early-twentieth century (1906, 1915, 1918), but none as impactful as the Great Fire of 1922, so named because it is the biggest fire in Waterdown's history. It began the afternoon of May 23, 1922 at Davies' heading mill when sparks from a boiler landed in the sawdust that covered the floor. The heading mill only lost its roof but the adjacent roller rink (constructed entirely of dry wood) was completely demolished. The wind caused the fire to make a series of jumps along Dundas Street that would result in the destruction of eleven businesses and three private houses (**Figure 34**). The Waterdown fire department tried to gain control of the fire but were unable to do so. As a result, the Hamilton Fire Department was called in. Following the Great Fire, a waterworks system was installed in the village in 1926 and a water tower built on Main Street North in 1928. Waterdown received its first fire truck in 1932.



Figure 34: The aftermath of the Great Fire in 1922, looking southeast from the Kirk House roof (Flamborough Archives, BW 2165)

By 1929, the new Public School and High School had opened and the former Common School building was partially-demolished after a fire. What was left of the Common School was located on lands owned by William Oscar Sealey, one of Wentworth County's most prominent citizens who served as a Reeve in East Flamborough, was a member of Wentworth County Council, and, in 1908, was elected to the Dominion Parliament as a Liberal Candidate where he served until 1911. In 1931, William Oscar Sealey officially presented Sealey Park to the village, named in honour of his father Charles, first Reeve of Waterdown.

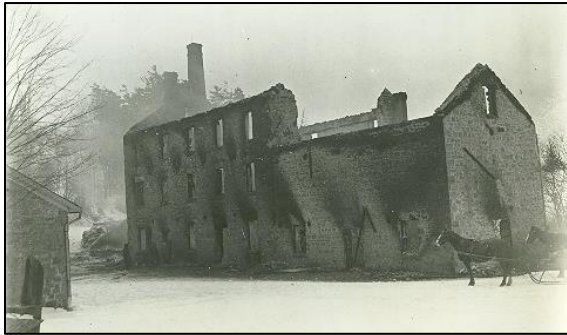


Figure 35: Robertson's Flour Mill the morning after it burned down in 1910 in Smokey Hollow (Flamborough Archives, BW 182, Will Reid Collection)



Figure 38: Waterdown Public School under construction in 1921 (Flamborough Archives, BW 186, C. A. Newell Collection)



Figure 36: 129th Battalion Waterdown Training Group on the old Common School grounds, circa 1915-1916 (Flamborough Archives, BW 2365)



Figure 39: Waterdown Public School on Mill Street North, circa 1950 (Flamborough Archives, BW 1745)



Figure 37: Memorial Hall, no date (Flamborough Archives)



Figure 40: Waterdown High School, circa 1928 (Flamborough Archives, BW 879)

The village grew conservatively during the 1930s, influenced by wartime austerity, with some infilling of homes and larger estate properties severed and subdivided for more modest housing. Following World War II (1939-1945), the village saw its first significant residential intensification effort with the registration of the Waterdown Heights Subdivision in 1945 (**Figure 41**). The subdivision was surveyed on the former McMories property in the northeast corner of the village and consisted of generous standardized lots for modest post-war homes and street names paying homage to the British, including Churchill Avenue and Wellington Street (**Figure 42**).

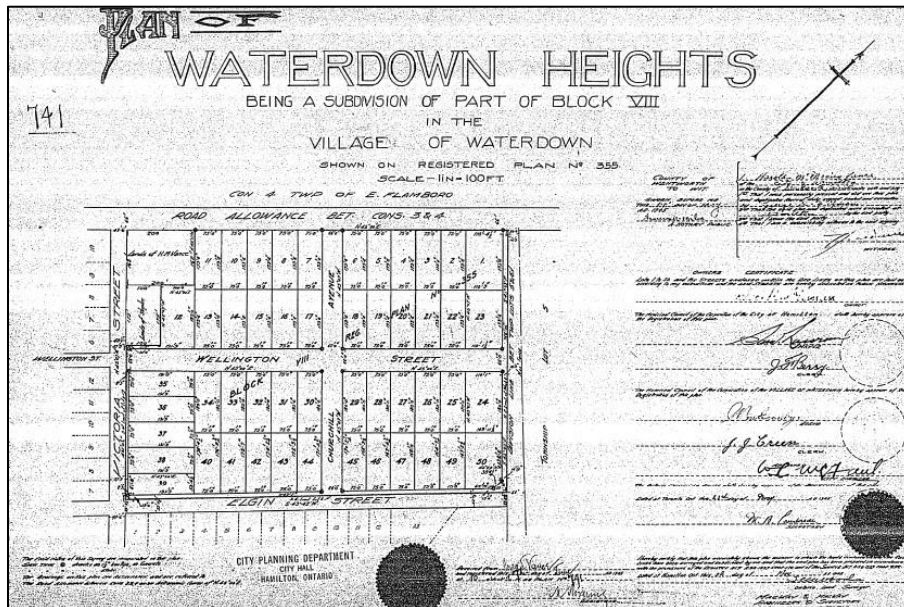


Figure 41: Plan of Waterdown Heights, Registered Plan 355 (City of Hamilton)



Figure 42: Photograph of Wellington Street from the 1951 Hamilton Spectator article "Waterdown Being Rapidly Built Up With New Homes" (Hamilton Public Library, Special Collections Image 32022189119932)

The decade ended with the village honouring those who lost their lives in World War II. Memorial Park began as a former sand and gravel quarry. The Waterdown Amateur Athletic Association, Waterdown Women's Institute and the Waterdown Board of Trade purchased the property and, joined by the Flamboro & Waterdown Agricultural Society, created Memorial Park. The Park was formally dedicated on August 18th, 1949. In 1950, the Canadian Pacific Railway discontinued passenger service to the Waterdown South Station.



Figure 43: Work starting on Memorial Park, circa 1946 (Flamborough Archives, BW 2405)

Important milestones from this period include:

- 1904 - Baptist Church burns down
- 1910 – Robertson’s Flour Mill (formerly the Howland Flour Mill) burns down
- 1911 - Electricity is turned on
- 1911-1912 – Canadian Pacific Railway corridor built through Waterdown, connecting the northern part of East Flamborough to Hamilton for passenger and commercial travel
- 1914 – St. Thomas Roman Catholic Church built
- 1914-1918 – World War I
- 1918 – Waterdown Review prints its first issue on May 17th, 1918
- 1921 – Waterdown Public School (now known as Mary Hopkins School) is built on Mill Street North; Hugh Carson & Sons quarry and construction business taken over by son Frederick Carson and renamed Fred Carson & Sons, focusing on construction
- 1922 – Waterdown Memorial Hall built; The Great Fire
- 1923 – Dundas Street paved
- 1924 – Weeks family takes over Eager's General Store
- 1926 – Waterworks system installed
- 1928 - Water tower constructed on Main Street North
- 1928 - Waterdown High School opens at Dundas and Hamilton Streets
- 1931 – Sealey Park established by W.O. Sealey, remnants of former Common School conserved
- 1932 - Waterdown receives its first fire truck
- 1939-1945 – World War II
- 1945 – Waterdown Heights Subdivision is registered
- 1949 - Memorial Park dedicated on August 18, 1949 as a tribute to those who lost their lives in World War II
- 1950 – Canadian Pacific Railway discontinues passenger service to South Waterdown Station

Heritage attributes related to this period include:

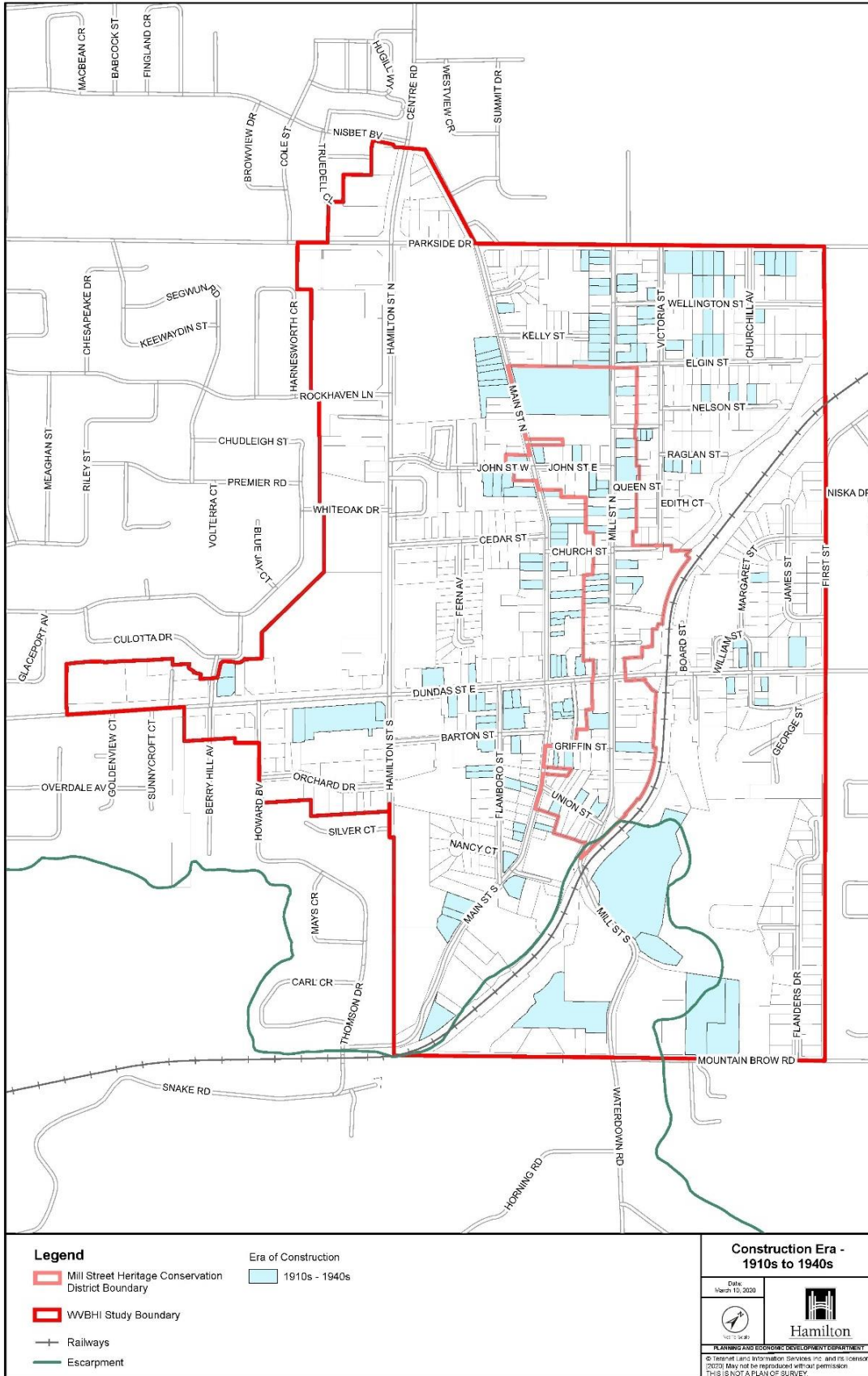
- *Waterdown Heights Subdivision (1945), including its streets, lotting patterns and extant homes*
- *Extant buildings constructed during this period, including:*
 - *Landmark institutional buildings: St. Thomas Roman Catholic Church (1914), Waterdown Public School (1921), Waterdown Memorial Hall (1922), Waterdown High School (1928)*
 - *Buildings constructed during World War I or World War II (see **page 37**)*
 - *Vernacular residences, including those influenced by, and representative of, early-twentieth century, wartime and post-war architectural styles*
- *Extant public spaces constructed during this period, including:*
 - *Sealey Park (1931)*
 - *Waterdown Memorial Park (1949)*
- *Extant transportation corridors and features constructed during this period, including:*
 - *Canadian Pacific Railway corridor (1911-1912)*
 - *Remnants of the 1916 spur line bridge over the Grindstone Creek (behind Edith Court)*
- *Areas of archaeological potential with Euro-Canadian affinities, including:*
 - *Site of former Drill Shed in Sealey Park*
 - *Site of the former Vance House / Waterdown South Train Station*

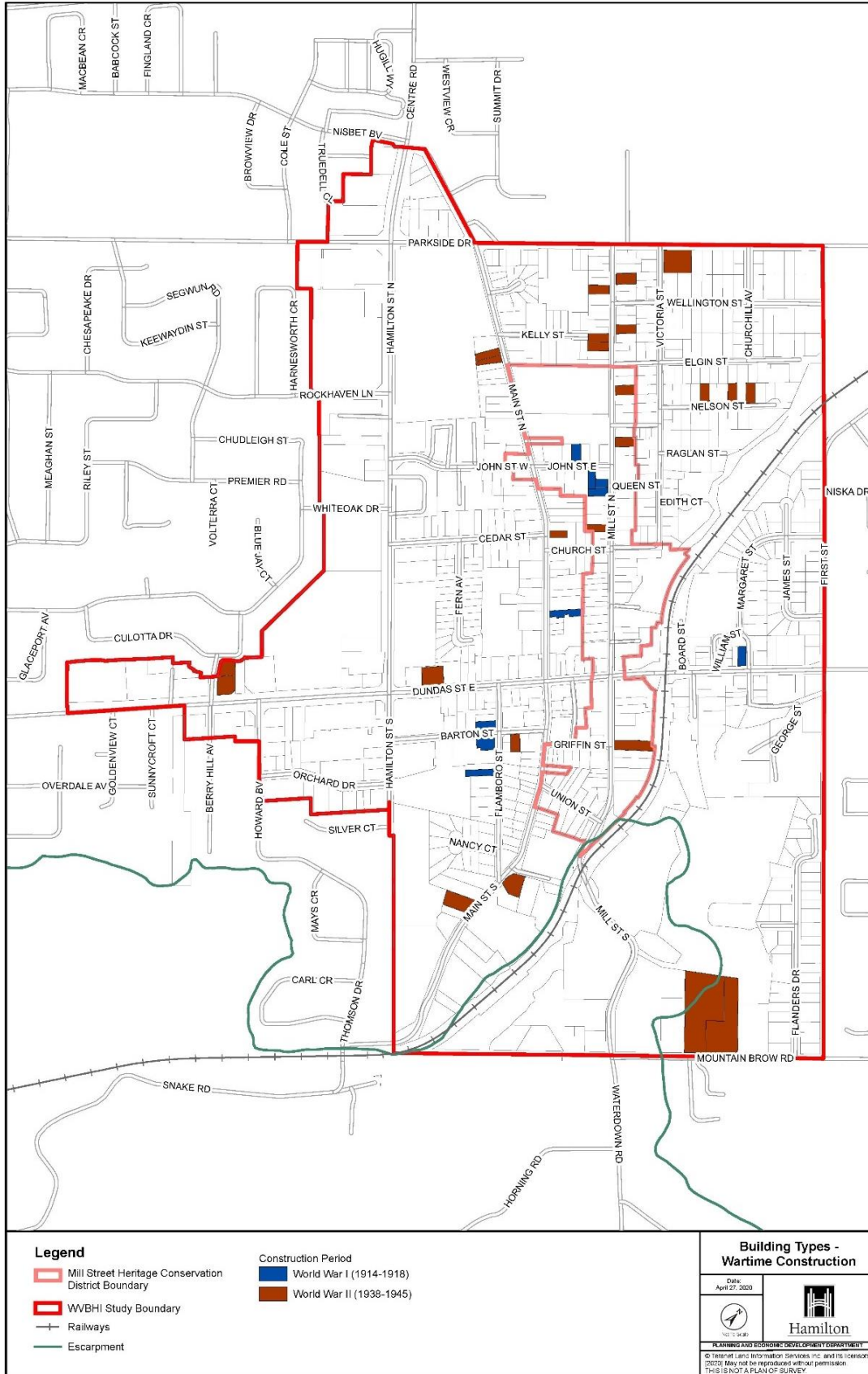
151 properties from this era make up 19% of Waterdown's extant built resources.

29 are already protected under the Ontario Heritage Act by registration or designation.

95 are recommended for listing on the Municipal Heritage Register.

0 are recommended for designation under the Ontario Heritage Act.





Residential Intensification (1950s – 1960s)

The construction of homes in the Waterdown Heights Subdivision continued into the 1950s. By the 1960s, the village's identity was very different than it was before the Second World War. Following Waterdown Heights, a number of larger properties and estates began to be subdivided across the village, including Hawksview Gardens (1952), Waterdown Gardens (1954) and Margaret Gardens (1958). In 1956, a building housing a municipal office and fire hall was built at Barton and Main Streets (**Figure 44**, **Figure 45**).

Residential growth in the mid-twentieth century came hand-in-hand with the rise of the automobile. Soon the stretch of Dundas Street (Highway 5) through Waterdown was slated for expansion, which was vehemently fought by residents at the time. By 1962 the Waterdown South train station closed altogether. The former station was burned down by arson a few years later. Auto-centric development came to the village with the construction of the Village Plaza strip mall on Hamilton Street in 1964. The seven-storey residential building at 100 John Street West was the first high rise constructed in the village and marked the start of its changing character following a 1966 by-law permitting apartments up to 10 storeys and the introduction of sanitary sewer systems in 1967. The mid-twentieth century also saw the introduction of significant community organizations and amenities in the village, including the Royal Canadian Legion Branch 551 in 1954 (**Figure 46**) and the Bruce Trail (1965).



Figure 44: Municipal Office and Fire Hall Building from Barton Street, 1956 (Flamborough Archives, BW 1858)



Figure 45: Municipal Office and Fire Hall from Main Street South, 1956 (Flamborough Archives, BW 1859)



Figure 46: Legion parade band on Dundas Street, 1957 (Flamborough Archives, BW 1842)

Important milestones from this period include:

- 1951 - St. Thomas Roman Catholic Public School opens
- 1952 - Hawksview Gardens Subdivision registered
- 1954 – Waterdown Gardens Subdivision registered; Royal Canadian Legion Branch 551 started
- 1955-56 – Dundas Bridge Work
- 1956 - Municipal Office and Fire Hall building built at Barton and Main Streets
- 1956 – Legion Hall built on Hamilton Street North
- 1958 – Margaret Gardens Subdivision registered
- 1961 – Highway 5 Expansion fought by residents
- 1962 - Berry Hill Court Survey registered
- 1962 – South Waterdown Canadian Pacific Railway Station closes
- 1964 - The Village Plaza on Hamilton Street North is built
- 1965 – Bruce Trail first runs through Waterdown
- 1966 – Old Waterdown South Station burns down; Kirk Family sells the Kirk House Hotel
- 1967 – Sanitary system begins to be installed in Waterdown
- 1968 – First high rise built / John Street West subdivision registered

Heritage attributes related to this period include:

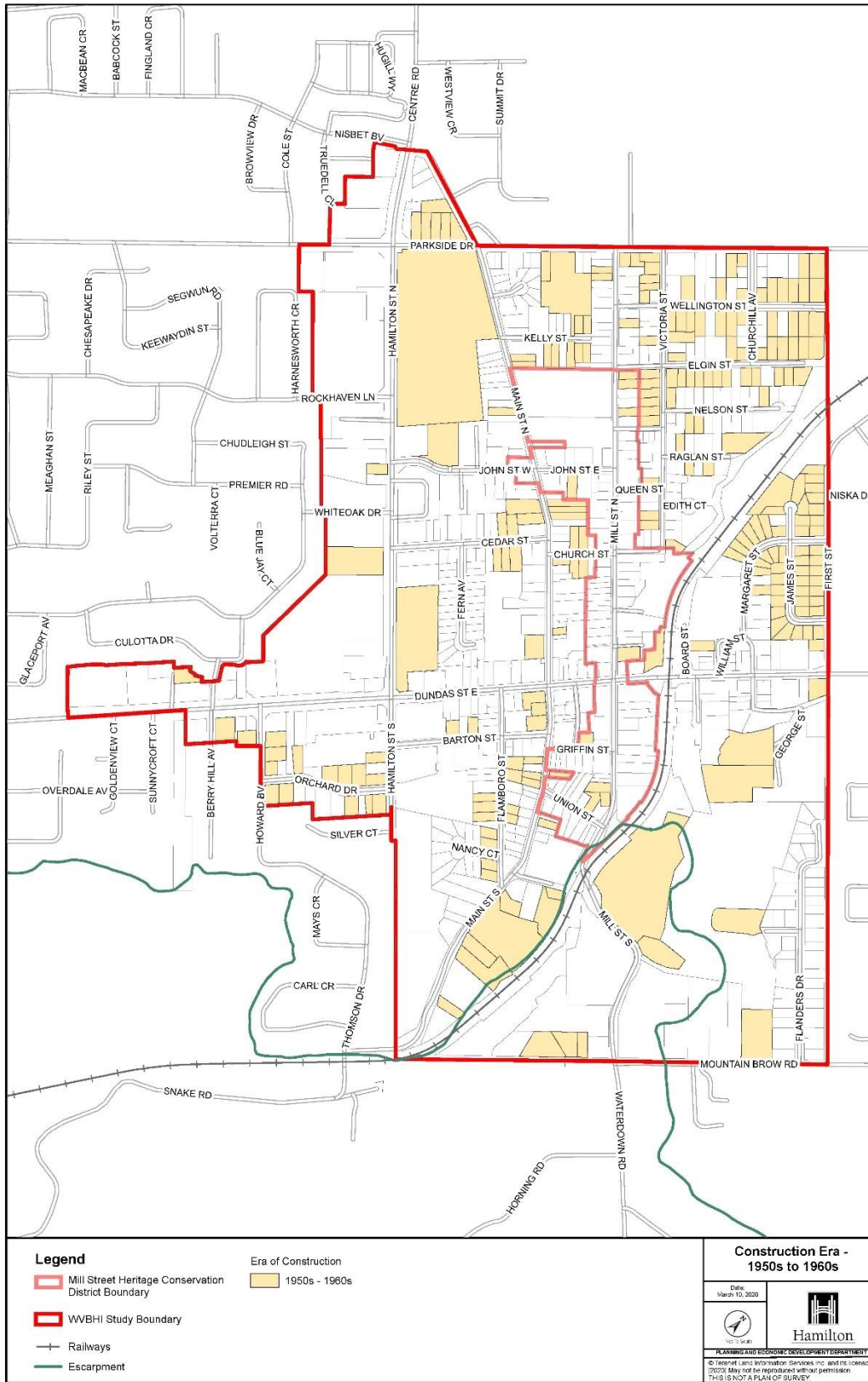
- Extant buildings constructed during this period, including:
 - Homes built in the Waterdown Heights Subdivision (1945)
 - Municipal Office and Fire Hall Building (1956)
 - Vernacular residences, including those influenced by, and representative of, post-war and mid-century architectural styles
- Bruce Trail route

233 properties from this era make up 29% of Waterdown's extant built resources.

9 are already protected under the Ontario Heritage Act by registration or designation.

54 are recommended for listing on the Municipal Heritage Register.

0 are recommended for designation under the Ontario Heritage Act.



Legend



- Mill Street Heritage Conservation District Boundary
- WWBHI Study Boundary
- Railways
- Escarpment

Era of Construction

- 1950s - 1960s

Construction Era - 1950s to 1960s

Date: March 13, 2020

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THIS IS NOT A PLAN OF SURVEY.

Development, Amalgamation and Identity (1970s – 2010s)

Following the construction of Waterdown's first high-rise building in 1968, two additional towers constructed in the complex on John Street West, known as Waterdown Towers. The Waterdown Towers project also included the construction of a quarter-mile of John Street West to Hamilton Street, which was previously unopened. Three other buildings were constructed during this high-rise boom, including Braeburn Apartments at 1 Hamilton Street South (1971), 2 Edith Court (1974) and 4 Edith Court (1976). The high-rise trend was curbed a few short years after it began when amendments were passed to restrict new apartment buildings to certain areas in the village and limited building heights to 35 feet along Dundas Street from Hamilton Street to the bridge east of Mill Street. Planners had predicted that if developers had taken advantage of the high rise apartment permissions in the zoning, the village population would have tripled in size.

In 1974, Waterdown was amalgamated with East and West Flamborough and Beverly Township to form the Township of Flamborough in the Regional Municipality of Hamilton-Wentworth. The year before in 1973 the Waterdown-East Flamborough Heritage Society was founded to ensure that the local history of the community would not be lost after amalgamation (**Figure 48**). In 1985 the Township of Flamborough became the Town of Flamborough.

In the late-twentieth century residential intensification continued in the remaining underdeveloped land in the village, including Buchan Court (1975), Melanie Crescent town home complex (1977) and Renwood Park (1981). During this time the Heritage Society and Local Architectural Conservation Advisory Committee (LACAC) worked diligently to protect many of the village's significant heritage properties under the *Ontario Heritage Act*, including the designation of the Mill Street Heritage Conservation District in 1996.

In 2001, Waterdown became a part of the new City of Hamilton when six municipalities, Hamilton, Dundas, Ancaster, Flamborough, Glanbrook and Stoney Creek, were amalgamated.



Figure 47: New water tower under construction, c. 1977 (Flamborough Archives, BW 1508)



Figure 48: Historic Waterdown walking tour outside of the Crooker House, 1979 (Flamborough Archives, BW 122)

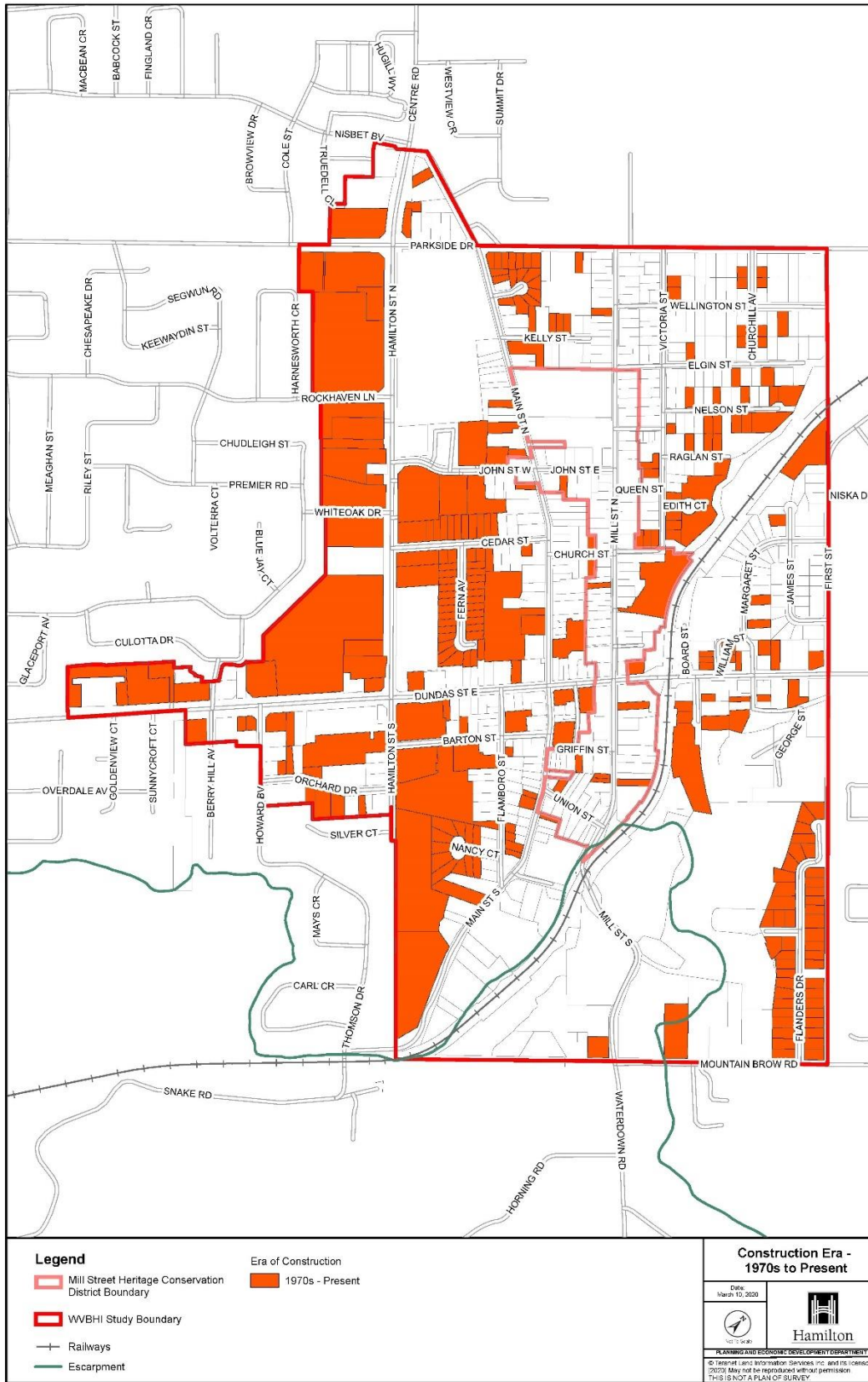
Important milestones from this period include:

- 1970 – Glenlea Survey registered
- 1971 – Edith Court Subdivision registered; Braeburn Apartments built at Hamilton and Dundas Streets
- 1972 – Waterdown passes zoning to limit new high rise development
- 1973 – East Flamborough - Waterdown Heritage Society formed
- 1974 – Township of Flamborough established
- 1975 – Buchan Court Subdivision registered
- 1976 – New Royal Canadian Legion Branch 551 constructed on Hamilton Street North
- 1977 - New water tower constructed off Main Street North (at Kelly Street)
- 1977 – Melanie Crescent town home complex constructed
- 1981 – Renwood Park Subdivision registered
- 1985 - Township of Flamborough becomes the Town of Flamborough
- 1992 – Dundas Street reconstruction; Fire Station 24 built on Parkside Drive
- 1995 – Royal Coachman established in the former Kirk House Hotel
- 1996 - Mill Street Heritage Conservation District established
- 2001 – Town of Flamborough amalgamated into new City of Hamilton

Heritage attributes related to this period include:

- *Mill Street Heritage Conservation District boundary*
- *Water Tower (1983)*
- *Legion Building (1976)*

***278 properties from this era make up 34% of Waterdown's extant built resources.
10 are already protected under the Ontario Heritage Act by registration or designation.
2 are recommended for listing on the Municipal Heritage Register.
0 are recommended for designation under the Ontario Heritage Act.***



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Maps

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Interviews

Wilf Arndt
Donald Buchan
Lyn Lunsted
Andy MacLaren
Dawn and Jamie Norris
Nathan Tidridge
Diane Woods
Jonathan Vance
Garth Wetherall
Sylvia Wray

Braehill; Braden Home

345 MOUNTAIN BROW RD

Heritage Status: Inventoried

Construction Date: 1940

Architect / Builder:

Original Owner: Will Braden

Architectural Style / Influence: Vernacular; Period Revival; Georgian Revival

Number of Storeys: 2.5

Construction Material: Brick



Preliminary Evaluation:

Classification: Character-Defining Resource (CDR)

Preliminary Design/Physical Value:

The property is a representative example of a vernacular home influenced by the Georgian Revival style of architecture, including the two-and-a-half storey massing, side gable roof with a Palladian-style window below the gable, three-bay front facade with central ground floor entrance, brick facades laid in Common bond, flat-headed window openings with (concrete) lug sills and a two-storey rear wing. The property may display a high degree of craftsmanship and artistic merit.

Preliminary Historical/Associative Value:

The property is associated with a significant person in the history of the village (Bill Braden). The circa 1940 Georgian Revival home is believed to have been built for renowned hydroplane driver Bill (Will) Braden, the first driver of the original Miss Supertest boat. Bill Braden's biography, "A Taste For Speed" by John Joseph Kelly, chronicles the life and times of the Flamborough speedboat racer. Braden was a Hamilton native who married in December 1939 and settled down at 145 Kent Street in Hamilton while their new house was being built along the escarpment in Waterdown by his new stepfather-in-law, Francis Farwell. The couple moved into their new home on Mountain Brow Road shortly before Bill volunteered himself to fight the Nazis in World War II at the age of 26. The brick entry gates to the home at 345 Mountain Brow refer to it as "BRAEHILL". The property a few houses to the left at 265 Mill Street South is referred to as Braebourne. These properties may both have affiliations to the Braden family. Further research has the potential to yield information that contributes to an understanding of the Village's history and the significance of the Braden family.

Preliminary Contextual Value:

The property is important in defining the character of the area. The property is visually, historically and functionally linked to its surroundings. The substantial home is located on a large lot off Mountain Brow Boulevard set back far from the road with a long driveway, is surrounded by mature trees and backs onto the Bruce Trail Conservancy lands.

6. Sworn Declaration

Sworn Statement of Craig Middaugh, owner of the property municipally addressed 345 Mountain Brow Road in the City of Hamilton.

Regarding the material submitted as part of this **Notice of Intent to Demolish a Heritage Registered Residential Dwelling**, I declare that, to the best of my knowledge and belief, the information herein is true and complete.

