



**City of Hamilton**  
**HAMILTON MUNICIPAL HERITAGE COMMITTEE**  
**AGENDA**

**Meeting #:** 24-006  
**Date:** July 22, 2024  
**Time:** 12:00 p.m.  
**Location:** Room 264, 2nd Floor, City Hall (hybrid) (RM)  
71 Main Street West

Matt Gauthier, Legislative Coordinator (905) 546-2424 ext. 6437

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**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 24, 2024

**5. COMMUNICATIONS**

**6. DELEGATION REQUESTS**

**7. DELEGATIONS**

**8. STAFF PRESENTATIONS**

8.1 Recommendation to Designate 85 King Street East, Dundas, under Part IV of the Ontario Heritage Act (PED24124) (Ward 13)

8.2 Recommendation to Designate 7 Rolph Street, Dundas, known as the Lennard House / Mushroom House, under Part IV of the Ontario Heritage Act (PED24125) (Ward 13)

- 8.3 Recommendation to Designate 6 Websters Falls Road, Flamborough (Springdale), under Part IV of the Ontario Heritage Act (PED24122) (Ward 13)

## 9. CONSENT ITEMS

9.1 Heritage Permit Review Sub-Committee Meeting Minutes - June 18, 2024

9.2 Policy and Design Working Group Meeting Notes - June 17, 2024

9.3 Delegated Approval - Heritage Permit Applications

- a. Heritage Permit Application HP2024-015: Installation of a Sign at 158 James Street South, Hamilton (Ward 2) (By-law No. 86-21)
- b. Heritage Permit Application HP2024-016: Restoration of Front Wood Doors at 600-610 York Blvd, Hamilton (Ward 1) (Dundurn Castle, By-law No. 79-239)
- c. Heritage Permit Application HP2024-017: Front Door Replacement at 43 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)

## 10. DISCUSSION ITEMS

## 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.

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated, (NHS) National Historic Site

- 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)

Ancaster

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
- (2) 1021 Garner Road East, Lampman House (D) – S. Spolnik
- (3) 398 Wilson Street East, Marr House (D) – S. Spolnik

#### Dundas

- (4) 2 Hatt Street (R) – K. Burke
- (5) 216 Hatt Street (I) – K. Burke
- (6) 215 King Street West (R) – K. Burke
- (7) 219 King Street West (R) – K. Burke

#### Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

#### Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik
- (10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson
- (11) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (14) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch
- (15) 163 Jackson Street West, Pinehurst / Television City (D) – C.

#### Kroetsch

- (16) 108 James Street North, Tivoli (D) – C. Kroetsch
- (17) 98 James Street South, Former James Street Baptist Church (D) – C.

#### Kroetsch

- (18) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
- (19) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
- (20) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (21) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (22) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (23) 120 Park Street North (R) – C. Kroetsch
- (24) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (25) 100 West 5th Street, Century Manor (D) – G. Carroll

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

(Yellow = Properties that are undergoing some type of change, such as a

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change in ownership or use, but are not perceived as being immediately threatened)

#### Dundas

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

#### Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (9) 134 Cannon Street East, Cannon Knitting Mill (R) – C. Kroetsch
- (10) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (11) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (12) 54-56 Hess Street South (D) – C. Kroetsch
- (13) 1284 Main Street East, Delta High School (D) – G. Carroll
- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (16) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (R) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch

#### Stoney Creek

- (29) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

Dundas

- (1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll  
(3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas  
(4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch  
(5) 206 Main Street West, Arlo House (R) – C. Kroetsch  
(6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

Flamborough

- (7) 340 Dundas Street East, Eager House (R) – L. Lunsted

d. Heritage Properties Update (BLACK)

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

Ancaster

- (1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

**14. PRIVATE AND CONFIDENTIAL**

**15. ADJOURNMENT**



## HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES 24-005

12:00 p.m.

Monday June 24, 2024

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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**Present:** A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), A. Douglas, L. Lunsted, A. MacLaren and S. Spolnik

**Also**

**Present:** Councillor J.P. Danko

**Absent**

**With Regrets:** Councillor C. Kroetsch – Personal  
K. Burke

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

1. **Recommendation to Designate 340 Dundas Street, Flamborough (Eager House), under Part IV of the *Ontario Heritage Act* (PED24106) (Ward 15) (Item 8.1)**

**(Carroll/MacLaren)**

- (a) That the City Clerk be directed to give notice of Council's intention to designate 340 Dundas Street East, Flamborough (Eager House), shown in Appendix "A" attached to Report PED24106, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24106, subject to the following:
  - (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
  - (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider

the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**2. Recommendation to Designate 291 King Street West, Dundas, under Part IV of the *Ontario Heritage Act* (PED24116) (Ward 13) (Item 8.2)**

**(Douglas/Lunsted)**

(a) That the City Clerk be directed to give notice of Council's intention to designate 291 King Street West, Dundas, shown in Appendix "A" attached to Report PED24116, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24116, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**3. Update on Bill 139, Schedule 14, *Less Red Tape, More Common Sense Act*, 2023, and Amendments to the *Ontario Heritage Act* and the Heritage Permit Requirements for Alterations to Part IV Designated Properties for Alterations to Part IV Designated Properties with Buildings Used for Religious Practices (PED23253(a)) (Item 9.4)**

**(Douglas/Lunsted)**

That Report PED23253(a) respecting an Update on Bill 139, Schedule 14, *Less Red Tape, More Common Sense Act*, 2023, and Amendments to the *Ontario Heritage Act* and the Heritage Permit Requirements for Alterations to Part IV Designated Properties for Alterations to Part IV Designated Properties with Buildings Used for Religious Practices, be received.

**CARRIED**

**4. Bill 200, Schedule 2, *Homeowner Protection Act*, 2024, and Proposed Changes to the *Ontario Heritage Act* for Properties Listed on the Municipal Heritage Register (PED24127) (City Wide) (Item 9.5)**

**(MacLaren/Spolnik)**

That Report 24127 respecting Bill 200, Schedule 2, *Homeowner Protection Act*, 2024, and Proposed Changes to the *Ontario Heritage Act* for Properties Listed on the Municipal Heritage Register, be received.

**CARRIED**

**FOR INFORMATION:**

**(a) CEREMONIAL ACTIVITIES (Item 1)**

**(i) HMHC Heritage Recognition Awards Celebration (Added Item 1.1)**

The Hamilton Municipal Heritage Committee presented Heritage Recognition Awards to the following recipient who could not make it to their awards ceremony held on June 13, 2024:

**HMHC Heritage Property Conservation Recognition Awards**

Donna and Jeff McCarty 67 Rosedene Ave., Hamilton, ON (c.1918)

**(b) CHANGES TO THE AGENDA (Item 2)**

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

**1. CEREMONIAL ACTIVITIES**

1.1 HMHC Heritage Recognition Awards Celebration

**13. GENERAL INFORMATION / OTHER BUSINESS**

13.2 HMHC Heritage Recognition Awards Celebration Held June 13, 2024 Update – Event Program & Presentation

**(Carroll/Douglas)**

That the agenda for the June 24, 2024, Hamilton Municipal Heritage Committee be approved, as amended.

**CARRIED**

**(c) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.



**(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) May 24, 2024 (Item 4.1)**

**(Spolnik/Lunsted)**

That the Minutes of the May 24, 2024, meeting of the Hamilton Municipal Heritage Committee, be approved, as presented.

**CARRIED**

**(e) STAFF PRESENTATIONS (Item 8)**

**(i) Recommendation to Designate 340 Dundas Street, Flamborough (Eager House), under Part IV of the *Ontario Heritage Act* (PED24106) (Ward 15) (Item 8.1)**

Scott Dickinson, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24106, Recommendation to Designate 340 Dundas Street, Flamborough (Eager House), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Lunsted/Carroll)**

That the presentation from Scott Dickinson, Cultural Heritage Planning Technician, respecting Report PED24106, Recommendation to Designate 340 Dundas Street, Flamborough (Eager House), under Part IV of the *Ontario Heritage Act*, be received.

**CARRIED**

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

**(ii) Recommendation to Designate 291 King Street West, Dundas, under Part IV of the *Ontario Heritage Act* (PED24116) (Ward 13) (Item 8.2)**

Maryssa Barras, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24116, Recommendation to Designate 291 King Street West, Dundas, under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Spolnik/Carroll)**

That the presentation from Maryssa Barras, Cultural Heritage Planning Technician, respecting Report PED24116, Recommendation to Designate 291 King Street West, Dundas, under Part IV of the *Ontario Heritage Act*, be received.

**CARRIED**

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

**(f) CONSENT ITEMS (Item 9)**

**(i) (Douglas/Spolnik)**

That the following Consent Items, be received:

**(a) Heritage Permit Review Sub-Committee Meeting Minutes (Item 9.1)**

- (i) April 16, 2024 (Item 9.1(a))
- (ii) May 21, 2024 (Item 9.1(b))

**(b) Working Group Meeting Notes**

- (i) Policy and Design Working Group - April 15, 2024 (Item 9.2(a))
- (ii) Policy and Design Working Group - May 27, 2024 (Item 9.2(b))

**(c) Delegated Approval: Heritage Permit Applications (Item 9.3)**

- (i) Heritage Permit Application HP2024-008: Masonry Repairs at 262 MacNab Street North, Hamilton (Ward 2) (By-law No. 18-127) (Item 9.3(a))
- (ii) Heritage Permit Application HP2024-011: Bell Tower Repairs and Repointed at 3989 Governors Road, Flamborough (Ward 12) (Lynden United Church, Part IV, By-law No. 84-127-H) (Item 9.3(b))
- (iii) Heritage Permit Application HP2024-012: To Facilitate Redevelopment of Property at 115-117 George Street, Hamilton (Ward 2) (By-Law No. 23-125) (Item 9.3(c))
- (iv) Heritage Permit Application HP2024-013: Stained Glass Window Repairs at 157 Mill Street North, Flamborough (Ward 13) (Waterdown Mill Street HCD, Part V, By-law No. 96-34-H) (Item 9.3(d))
- (v) Heritage Permit Application HP2024-014: To Comply with a Property Standards Order at 54 Hess Street South, Hamilton (Ward 2) (By-Law No. 24-010) (Item 9.3(e))

**CARRIED**

**(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

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

Committee members provided brief updates on properties of interest.

**(Carroll/Douglas)**

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)

Ancaster

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
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(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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#### Stoney Creek

- (29) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

- (c) Heritage Properties Update (GREEN):  
(Green = Properties whose status is stable)

#### Dundas

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- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll
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#### Flamborough

- (7) 340 Dundas Street East, Eager House (R) – L. Lunsted

- (d) Heritage Properties Update (BLACK):  
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

(1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated,  
(NHS) National Historic Site

**CARRIED**

Chair A. Denham-Robinson relinquished the Chair to Vice-Chair G. Carroll in order to introduce the following items.

**(ii) HMHC Heritage Recognition Awards Celebration Held June 13, 2024 (Item 13.2)**

A. Denham-Robinson provided Committee with a verbal update respecting Hamilton Municipal Heritage Committee's Heritage Recognition Awards held on June 13, 2024.

**(Spolnik/MacLaren)**

That the verbal update from A. Denham-Robinson respecting Hamilton HMHC Heritage Recognition Awards Celebration Held June 13, 2024, be received.

**CARRIED**

**(iii) HMHC Heritage Recognition Awards (2024-25) – Call for Nominations by Deadline of September 15<sup>th</sup> (Item 13.3)**

A. Denham-Robinson provided Committee with a verbal update respecting the HMHC Heritage Recognition Awards (2024-25) – Call for Nominations by Deadline of September 15<sup>th</sup>.

**(MacLaren/Lunsted)**

That the verbal update from A. Denham-Robinson respecting HMHC Heritage Recognition Awards (2024-25) – Call for Nominations by Deadline of September 15<sup>th</sup>, be received.

**CARRIED**

A. Denham-Robinson assumed the Chair.

**(iv) Ontario Heritage Conference Update (Item 13.4)**

G. Carroll provided Committee with a verbal update respecting the Ontario Heritage Conference.

**(Spolnik/Lunsted)**

That the verbal update from G. Carroll, respecting the Ontario Heritage Conference, be received.

**CARRIED**

**(i) ADJOURNMENT (Item 15)**

**(Carroll/Spolnik)**

That, there being no further business, the Hamilton Municipal Heritage Committee, be adjourned, at 12:42 p.m.

**CARRIED**


Respectfully submitted,

Alissa Denham-Robinson  
Chair, Hamilton Municipal  
Heritage Committee

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Planning Division

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	July 22, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 85 King Street East, Dundas, under Part IV of the <i>Ontario Heritage Act</i> (PED24124) (Ward 13)
<b>WARD(S) AFFECTED:</b>	Ward 13
<b>PREPARED BY:</b>	Maryssa Barras (905) 546-2424 Ext. 6126 Meg Oldfield (905) 546-2424 Ext. 7163
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council’s intention to designate 85 King Street East, Dundas, shown in Appendix “A” attached to Report PED24124, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24124, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (b) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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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.



## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resource located at 85 King Street East, Dundas, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Inventory of Heritage Properties. Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "B" to Report PED24124. The owner of the property requested its designation and is supportive of the staff recommendation.

### **Alternatives for Consideration – See Page 7**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

## **HISTORICAL BACKGROUND**

The subject property located at 85 King Street East, Dundas, shown in Appendix "A" attached to Report PED24124, is comprised of a one-storey stone structure built circa 1846-48 and two frame outbuildings built in the twentieth century. The subject property was first surveyed for potential heritage interest in the 1970s.

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**SUBJECT: Recommendation to Designate 85 King Street East, Dundas, under Part IV of the *Ontario Heritage Act* (PED24124) (Ward 13) - Page 3 of 8**

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Between 1979 and 1980, the subject property was a focal point for community heritage organizations and the issue of designation was discussed by the Dundas Town Council. In 1981 the Local Architectural Conservation Advisory Committee of Dundas identified the subject property as a property of interest and issued a notice expressing interest in designating the property. A recommendation for designation document was completed by the Local Architectural Conservation Advisory Committee again in 1987 but was not acted on by the Town of Dundas.

On January 17, 2024, staff received a request from the owner to designate the property. Staff conducted a site visit of the property on March 12, 2024, at which time the owner expressed their continued interest in the designation of the property. On April 22, 2024, staff advised the owner of the recommendation to designate the property, provided them with a copy of the proposed Statement of Cultural Heritage Value or Interest and on May 27, 2024 staff advised them of the Hamilton Municipal Heritage Committee meeting that the recommendation would be considered.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendation of this Report is consistent with Provincial and Municipal legislation, policy and direction, including:

- Determining the cultural heritage value or interest of a property based on design/physical value, historical/associative value and contextual value criteria (*Ontario Heritage Act*, Ontario Regulation 9/06);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

### **RELEVANT CONSULTATION**

#### **External**

- Property Owner;
- Dundas Museum and Archives; and,
- Joanna Chapman.

In addition, on June 11, 2024, Cultural Heritage Planning staff emailed the Ward Councillor (Councillor A. Wilson) for Ward 13 to advise of the staff recommendation to designate the property.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained.

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 property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and Contextual Value. The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on March 12, 2024 (see photographs attached as Appendix “C” to Report PED24124) and available secondary and primary research sources (attached as Appendix “D” to PED24124). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets 5 of the 9 criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The property at 85 King Street East, Dundas, has physical value as a representative example of a nineteenth-century stone cottage influenced by the Regency style of architecture, and one of the earliest dwellings to have been constructed in the area. The property’s one-storey stone dwelling was constructed circa 1846-48 with a rear stone wing believed to have been the summer kitchen. The dwelling has an additional rear (northwest) brick addition housing stairs to the basement, which is believed to have originally dated to the nineteenth century before it was reconstructed in 1987 using reclaimed brick from the original extension. A sympathetic covered front porch was added in the early-twentieth century, sometime prior to 1930. Key features of the building include its: one-storey massing; rectangular footprint with rear wing; low hip roof with a brick chimney to the east and end-gable roof over the rear wing; cut-stone even-course front façade with corner quoins; broken-course fieldstone side and rear walls; symmetrical three-bay front façade; flat-headed openings with decorative brickmoulds with rounded trim, stone voussoirs and tooled stone lug sills; central front entrance with a four-panel solid wood door, four-pane wooden transom and flanking sidelights with three upper glass panes and wood panels below; six-over-six wooden sash windows with wooden storms and functional wood shutters; and a covered front porch with a low hip roof supported by Ionic wood columns atop concrete block piers.

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The property also features a modern detached accessory building constructed using reclaimed materials in 2016 to serve as an art studio and workshop. The frame accessory building features: a metal roof; a transom window over the doorway; wood shingle cladding; and sash windows.

2. The property does not display a high degree of craftsmanship.
3. The property does not demonstrate a high degree of technical or scientific achievement.

### **Historical / Associative Value**

4. The property has historical value for its association with prominent contemporary and historical Dundas community members, organizations, and events.

The stone dwelling on the property was originally built for John Fairgrieve (circa 1813/1811-1875), a Scottish immigrant who is believed to have come to Canada in 1832. Fairgrieve obtained the property at 85 King Street East circa 1846-48, with the earliest confirmed records of his presence on the property dating to 1848 at which point the present-day stone building had already been constructed. Fairgrieve was an active citizen in the area, working as a wharfinger likely with an interest in the Desjardins Canal and who served as a Town Councillor for Dundas in 1850. By the mid-1850s Fairgrieve had moved to dissolve his business interests in the Desjardins Canal and moved to Hamilton. It is believed Fairgrieve did this in response to the development of a rail line passing through Hamilton, which was completed in 1855 and led to Hamilton surpassing Dundas as a shipping and distribution centre. By 1855, Fairgrieve had left the property and was renting it to a tenant, eventually selling it in 1856 to a miller.

In 1859 the property was sold to Margaret Grafton (1807-1890) who was affiliated with a prominent Dundas business, Grafton & Co. Ltd. department store, as the mother of the store's co-founder James Beatty Grafton (1826-1909). Margaret's other son, who was also a Grafton & Co. Ltd. business partner, John Stewart Grafton (1828-1906), was also a prominent historic businessperson is also listed in city directories at this address in the 1870s before the sale of the property in 1880. The property continued to be affiliated with Grafton & Co. Ltd until it was sold in 1880.

85 King Street East was sold several times in the mid-twentieth century before being purchased by Yield Investments in 1977 as part of a block from 79-85 King Street East to allow for the construction of a 44-unit residential building. This proposed development, which included the demolition of three historic buildings, became a central concern for community heritage advocates. Community advocates affiliated with the Architectural Conservancy of Ontario, the Dundas

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Heritage Association, and the King Street East Citizens Group were active in their efforts to preserve the properties and the green space they provide, proposing alternative designs to Yield Investments. Members of these groups wrote many opinion editorials, participated in town council meetings, and hosting several community meetings, even drawing the attention of notable Canadian Historian Pierre Burton who made an appearance in Dundas to express support for saving the properties. Following the demolition of 79 King Street East, Joanna Chapman (born 1939) purchased 85 King Street East from Yield Investments in 1980 for \$60,000 with intent to preserve and protect the property. Chapman, who is a prominent Dundas resident who served on Dundas's town council from 1980-1985, owned Chapman and Prince Booksellers (a local bookstore), founded the Urquhart Butterfly Garden, and has been active in Dundas's environmental and historic conservation movements, purchased the property with intent to conserve and maintain the historic dwelling. Chapman has been an important figure in the conservation of historic Dundas structures, with her bookstore being located at 11 Cross Street, another significant heritage resource in Dundas. Chapman never lived on the property, but instead rented it to Catherine Gibbon (1949-2021), who was a notable community advocate, landscape artist, student and teacher at the Dundas Valley School of Art, and co-founder of the Carnegie Gallery.

Catherine Gibbon first moved into 85 King Street East in 1980 and cared for the property for the next 41 years, until her death in 2021. Gibbon eventually purchased the property from Chapman in 1988 or 1989 and was responsible for the reconstruction of the dwelling's rear brick extension sometime around 1987. In 2016 Gibbon had an accessory building constructed using reclaimed materials constructed to serve as her art studio, where she produced many of her works near the end of her life.

5. The property has the potential to yield information that contributes to an understanding of the Desjardins Canal's impact on nineteenth-century business in Dundas, of the nineteenth-century business community, and of twentieth-century Dundas community organizing and heritage conservation movements.
6. The property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant in the community.

### **Contextual Value**

7. The property at 85 King Street East has contextual value due to its proximity to the Desjardins Canal, relationship as part of town development connected with the early Cootes Survey, and wooded character with mature trees, and is important in defining the character of this area. The nineteenth-century stone dwelling is located on King Street East, called North Street in the nineteenth

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century, and is connected to the town planning initiated by the early Cootes Paradise Survey. The area surrounding 85 King Street East and the Cootes Paradise Survey was originally intended to develop as Dundas's urban core, centred around the Desjardins Canal. The Desjardins Canal's full potential was never realized as the nineteenth-century expansion of rail diverted shipping and travel routes away from water routes, and as a result Dundas's urban core developed further west around its emerging industrial and manufacturing businesses. As one of the oldest remaining dwellings in the east end of Dundas, the stone building at 85 King Street East contributes to the historic industrial landscape connected to the development of the Desjardins Canal and early town planning centred around it.

The unique topography of the site, including the deep setback of the stone dwelling located towards the back of the property at the top of an incline, and the wooded character of the property with an abundance of mature trees, maintains the historic character of the area as an early settlement area. 85 King Street East is not immediately visible from the public right of way, but it defines the historic character of its immediate surroundings with its well-preserved stone façade, which stands out as an immediately recognizable nineteenth-century heritage structure.

8. The property is visually and historically linked to its surroundings due to its proximity to the Desjardins Canal, relationship as part of town development connected with the early Cootes Paradise Survey, and its status as the oldest building in the immediate historic streetscape.
9. The property is not considered to be a local landmark.

Based on the foregoing, staff have determined that 85 King Street East, Dundas is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Heritage attributes of value include contextual attributes and the exterior of the building as seen from the public right of way, as outlined in Appendix "B" to Report PED24124. Staff recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24124.

## **ALTERNATIVES FOR CONSIDERATION**

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property, or decline to designate property.

## **Decline to Designate**

By declining to designate, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City's financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

## **APPENDICES AND SCHEDULES ATTACHED**

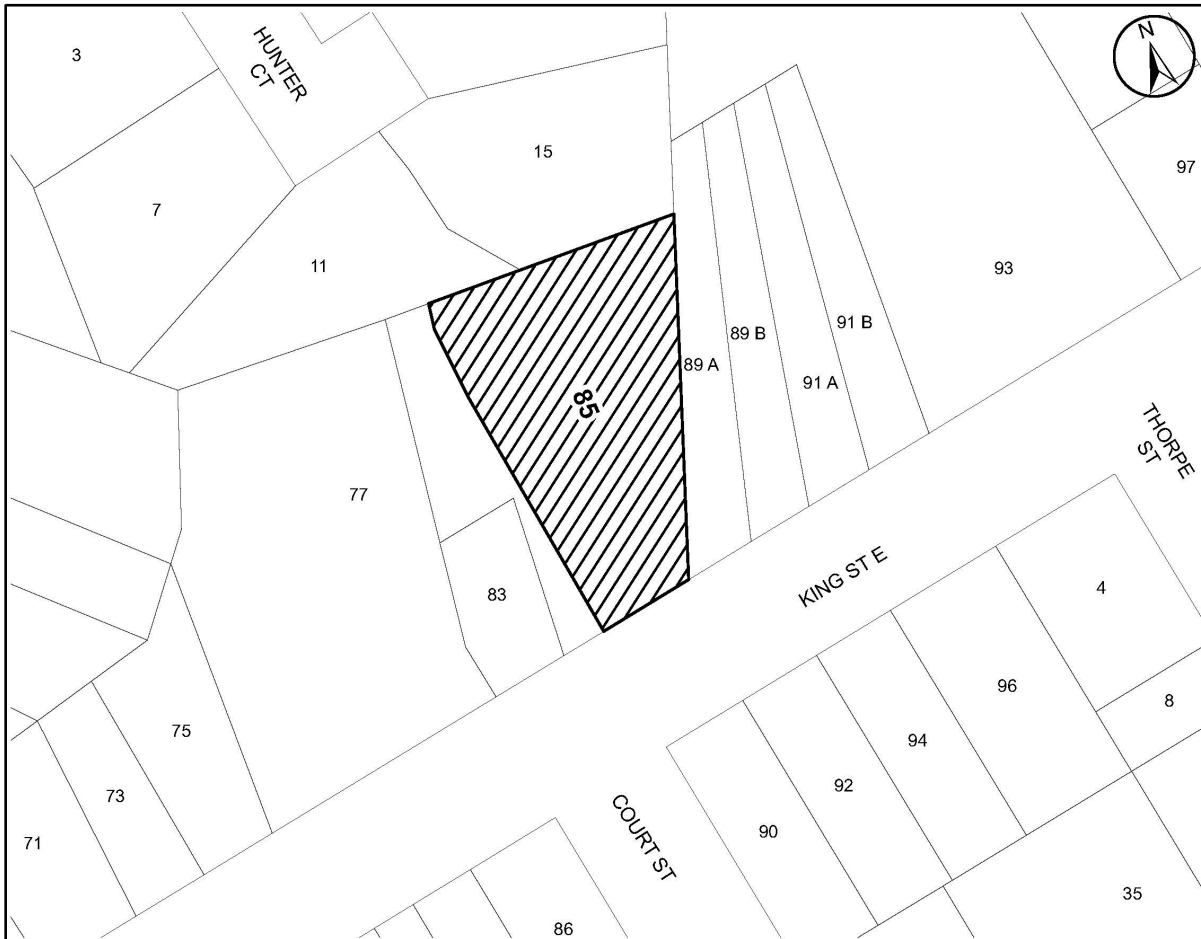
Appendix "A" to Report PED24124 – Location Map

Appendix "B" to Report PED24124 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix "C" to Report PED24124 – Photographs

Appendix "D" to Report PED24124 – Research Sources

MB/MO:sd



● Site Location



Key Map - Ward 13

## Location Map



Hamilton

Planning and Economic Development Department

File Name/Number:

85 King St E

Date:

April 9, 2024

Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
MB/AL

### Subject Property



85 King Street East



## STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

### Description of Property

The irregular polygonal-shaped 0.154 hectare property municipally-addressed as 85 King Street East, Dundas, is comprised of a one-storey stone structure built circa 1846-48 and two frame outbuildings built in the twentieth century. It is located on the north side of King Street East in Dundas, between the intersection of Court Street to the west and Thorpe Street to the east, in the community of Dundas, in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The one-storey building located at 85 King Street East, Dundas, was originally constructed circa 1846-48. The property has physical value as a representative example of a nineteenth-century stone cottage influenced by the Regency style of architecture. The property has historical value for its associations with prominent Dundas residents, including John Fairgrieve, Margaret Grafton, Joanna Chapman and Catherine Gibbon, and the early heritage conservation movement in Dundas.

The stone dwelling at 85 King Street West was originally built prior to 1848 for John Fairgrieve (circa 1813/1811-1875), who worked as a wharfinger with business interests in the Desjardins Canal, served on Dundas’ town council in 1850. By 1855, Fairgrieve dissolved his business interests in the Desjardins Canal and moved to Hamilton. In 1859 Margaret Grafton, the mother of the historically prominent business of Grafton & Co. Ltd.’s co-founder James Beatty Grafton (1826-1909), purchased the property and it was affiliated with the Grafton family until it was sold in the 1880s.

In the late-1970s, the property was part of a campaign to prevent the demolition of several significant heritage properties including 79-85 King Street East, to facilitate the construction of a residential building. The Architectural Conservancy of Ontario, the Dundas Heritage Association, and the King Street East Citizen’s Group were active in their efforts to preserve the properties and the green space they provided. Advocates were able to negotiate for the sale of 85 King Street East to conserve it, and in 1980 Joanna Chapman (born 1939) purchased 85 King Street East to rent it to Catherine Gibbon (1949-2021). Joanna Chapman is a prominent Dundas resident who has served on Dundas’s town council, owned Chapman and Prince Booksellers (later Chapman Books), founded the Urquhart Butterfly Garden, and has been active in Dundas’s environmental and historic conservation movements. Catherine Gibbon, a notable community advocate, landscape artist, student and teacher at the Dundas Valley School of Art, and co-founder of the Carnegie Gallery resided at 85 King Street East from 1980-2021, having purchased the property from Chapman in 1988 or 1989.

The property at 85 King Street East is important in defining the historic industrial character of the surrounding area and is historically and visually connected to the development of the Desjardins Canal. The nineteenth-century stone dwelling is one of

the oldest existing dwellings in the east end of Dundas and is connected with the early town development planned in the Cootes Paradise Survey. The well-preserved stone façade, which stands out as an immediately recognizable nineteenth-century heritage structure in the surrounding streetscape, combined with the unique topography and wooded character of the property maintains the historic character of the early settlement area.

### Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative example of a nineteenth-century stone dwelling with Regency influences, and its long-standing association with prominent residents and the heritage conservation movement in Dundas, include the:

- Front (south), and side (east and west) elevations and roofline of the circa 1846-1848 stone dwelling, including its:
  - One storey massing;
  - Low hip roof with a side (east) brick chimney and projecting eaves;
  - Rear rectangular field-stone summer kitchen wing with an end-gable roof;
  - Symmetrical three-bay front façade;
  - Cut-stone even coursed front façade with corner quoining;
  - Broken-course fieldstone side and rear walls;
  - Covered front porch with a low hip roof supported by Ionic wood columns atop concrete-block piers;
  - Flat-headed window and door openings with decorative rounded brickmoulds, stone voussoirs and tooled stone lug sills;
  - Six-over-six hung wood windows with wooden storms and functional wood shutters; and,
  - Central front entrance with its:
    - Four-panel solid wood door and original hardware, including letter slot, doorbell, and doorknob;
    - Four-pane wooden transom; and,
    - Flanking sidelights with three upper glass panes and wood panels below.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of King Street East and Dundas, include its:

- Deep setback from the public right-of-way;
- Location fronting onto King Street East;
- Proximity to the Desjardins Canal;
- Siting of the stone dwelling on the raised topography; and,
- Wooded character with mature trees.

**Photographs**

All images taken by City of Hamilton Staff on August 28, 2023.



Image 1: Front (southern) elevation from the edge of the property showing the property's deep setback.



Image 2: Front (southern) elevation.



Image 3: Front (southern) elevation from a western vantage point.



Image 4: Front (southern) elevation from an eastern vantage point.



Image 5: Western elevation from a northern vantage point.



Image 6: Image of a six over six sash window on the dwelling's eastern elevation.





Image 7: Eastern elevation from a southern vantage point.



Image 8: Front (southern) and western elevations of the artist's workshop accessory building.



Image 9: Front (southern) elevation of the artist's workshop accessory building.

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# Recommendation To Designate 85 King Street East, Dundas

July 22, 2024

Hamilton Municipal Heritage Committee



# 85 King Street East, Dundas

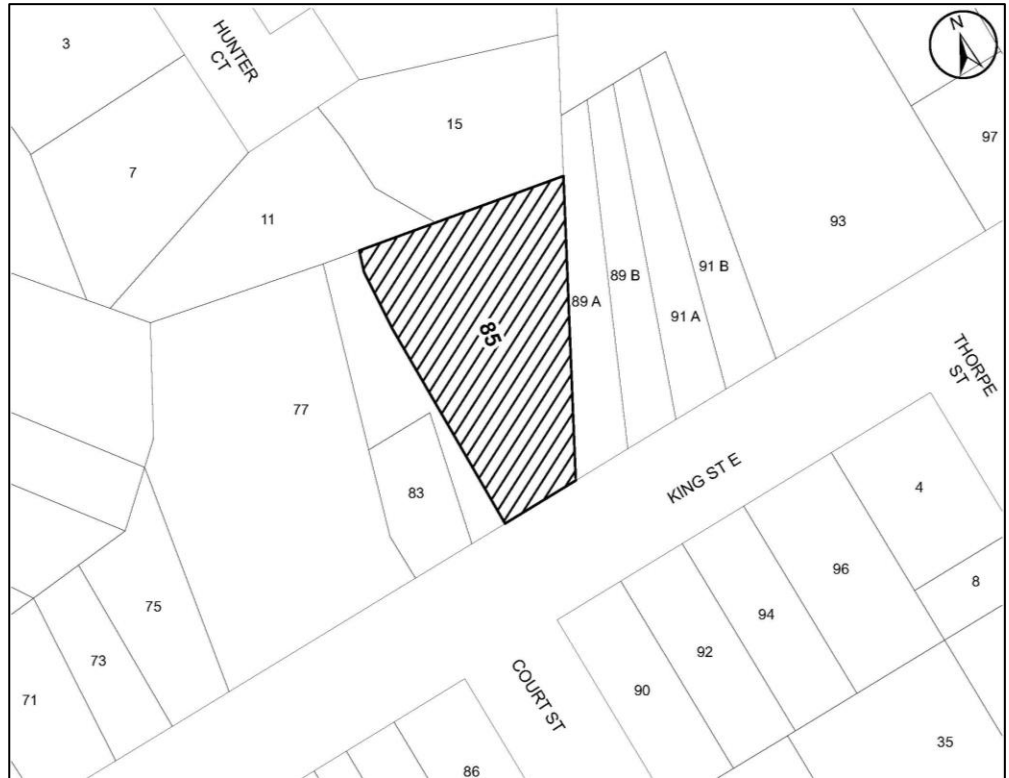


1970s – Surveyed for heritage interest

1979-80 – Considered for designation by the Town of Dundas

1981/1987 – Requests for designation

January 2024 – Staff receive request to designate property



# Recommendation for Designation Under Part IV of the OHA

85 King Street East, Dundas

*Ontario Regulation 9/06* Criteria (5 of 9)

- Design / Physical (Criteria #1)
- Historical / Associative (Criteria #4, #5)
- Contextual (Criteria #7, #8)



## Design / Physical Value

1. The property is a **representative example** of a nineteenth-century stone cottage influenced by the regency style of architecture.
2. The property does not display a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



# Heritage Evaluation

*Ontario Regulation 9/06 Criteria*



# Heritage Evaluation

*Ontario Regulation 9/06 Criteria*



### Historical / Associative Value

4. The property has **historical value for its association with prominent contemporary and historical Dundas community members including John Fairgrieve, Margaret Grafton, Joanna Chapman, and Catherine Gibbon, as well as organizations including the Dundas Heritage Association and the King Street East Citizens Group, and events.**
5. The property is not considered to have the potential to yield information that contributes to the understanding of a community or culture.
6. The property does not demonstrate the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.

John Fairgrieve	1848, NO. 20
John Fairgrieve	1849, p. 1
John Fairgrieve	1853, NO. 26
John Fairgrieve	1854, NO. 7
John Fairgrieve	1855 p. 5 # 110
J. D. Thomas	1856 p. 10 # 207
J. D. Thomas	1857 p. 4 # 21
	1858
Mrs. Grafton	1860 p. 3 # 65
Mrs. M. Grafton	1868 p. 5 # 72
Mrs. Margaret Grafton	1869 p. 8 # 122
Mrs. Grafton	1870 p. 8 # 131
Mrs. Grafton	1874 p. 10 # 172
Mrs. Grafton	1875 p. 11 # 177
Mrs. Grafton	1876 p. 11 # 155
Mrs. Grafton	1878 p. 9 # 150
Mrs. S. Grafton	1879 p. 9 # 150
Mrs. S. Grafton	1880 p. 11 # 150

# Heritage Evaluation

## Ontario Regulation 9/06 Criteria

**!! Citizens UNITE !!**

On Wednesday July 25<sup>th</sup> 1979  
the Committee of the Whole of Dundas Town Council

**UNANIMOUSLY DENIED**

the application for a zoning change which would permit the construction of a 44-unit apartment building on a site presently occupied by homes at 79-83-85 King Street East (this includes two of the oldest homes in Dundas, they date from the heyday of the Desjardins Canal!)

Now  
the Dundas Town Council  
has INVITED the developer to RESUBMIT

HIS ORIGINAL PLANS

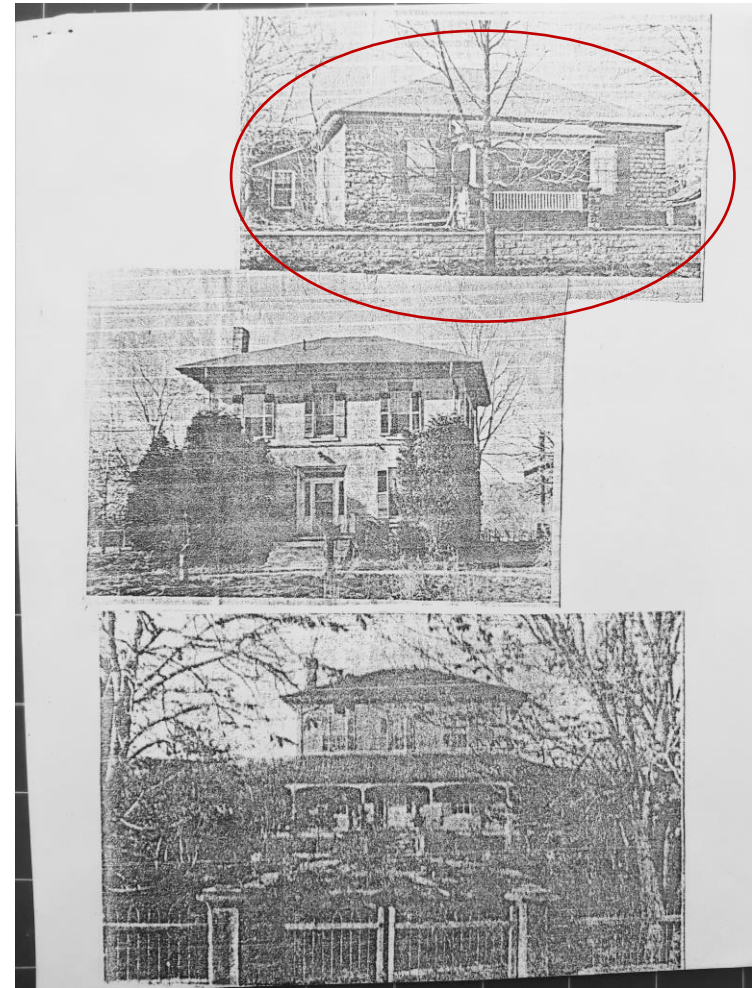
?!?

**ATTEND**

The Planning Committee Meeting  
Council Chambers, Dundas Town Hall

Wednesday  
September 26<sup>th</sup>

7:30<sup>PM</sup>





PAGE 12 Dundas Star Journal Wednesday October 3, 1979

### Give Heritage a Break says Pierre Berton to crowd of delegates at Dundas meeting

Canada is well down the list when it comes to the total number of public holidays a year. We have eight. Italy has nine. Germany has eleven. The United States has nine. No major western European country has fewer holidays than Canada. Several have more.

That's part of the reason Pierre Berton, the national chairman of Heritage Canada was in Dundas last Saturday, promoting a national holiday to be called Heritage Day for the third Monday in February.

Mr. Berton feels, "A holiday ought to be more than just a day off. Just as July 1 celebrates our political heritage, so Heritage Day ought to celebrate our non-political heritage - those aspects of our cultural and environmental past which help form our roots as Canadians - our landscapes, views, streetscapes and historic buildings."

The Heritage movement in Canada is not a new one. The name emerged in a resolution at a political convention in Sept. 1973. In Oct. of the same year Heritage Canada took up the idea with the government of Canada, proposing that Heritage Day be observed annually in mid-February. Within two months the Standing Committee on Justice and Legal Affairs presented a report to the House of Commons recommending that a holiday be established the third Monday of February and that it be named Heritage Day.

Heritage Canada, in full support, started then organizing the first celebration for Heritage Day 1974. The bill actually got through two readings before it was arrested, supposedly due to the current economic trend.

However, the observation of the day itself continued to gain strength in 1978 and 1979 even though it was not a holiday. Actually Mr. Berton pointed out at Saturday's meeting that "the general public pays as much attention to Heritage Day as donut day."

If a holiday was set aside as Heritage Day people will do a great number of things they would not otherwise do. Also, Mr. Berton emphasized that Canadians need a mid-winter break as a respite from the "February blahs".

To get the holiday, said Berton, "regional councils are extremely important in this area," and he urged appealing for their support. Although the Heritage movement is very active, he said, groups of non-Heritage people have to be set up as well. Mr. Berton's cross-country campaign is concentrating on these - womens' groups, social service, clubs, unions and so on.

The slogan of the new campaign "Give Heritage a Break" is being featured on posters, buttons and educational backup material.

**ENERGY AND WASTE**  
"We can not afford not to mark our heritage for reasons which have to do with energy and waste," he continued. "The emphasis in the construction boom is to tear down and waste, and we can't afford that energy and manpower. We will save an enormous amount of money, he said, emphasizing it is not necessarily cheaper to tear down than to preserve."

Heritage Canada will be slightly changing its name because it sounds too much like a government agency, said Mr. Berton. To be called Heritage Canada Foundation, the organization will recruit membership through its national magazine, Canadian Heritage, which is available on the newstands or by subscription. For an additional \$10 on top of the subscription rate you can become an automatic member which is expected to be a more efficient and economical way to do things. The magazine is published six times a year.

**WAR**  
When Mr. Berton opened the floor to questions at the morning business session of Heritage Canada, John Galt Society meet, Dr. Ernst Gadamer, a Dundas resident, arose and stated: "There is a war in progress in Dundas over the preservation of two historical structures on King St. East. The owner developer wants to demolish them and replace them with an apartment building. There is, however, internal discord within the Town. The Engineering Committee is against granting a demolition permit, and the Planning Committee overruled this and invited the developer to re-submit his application. The issue now sits in limbo and the forces are struggling against each other."

Dr. Gadamer then proposed a motion as follows: "Heritage Canada, at its regional meeting held in Dundas on Sept. 29, 1979, requests the Town Council or Dundas to protect the two historical buildings on King St. East in Dundas, currently earmarked for demolition." The motion, seconded by Mr. Berton himself, was adopted by the meeting.



Dundas Heritage Association's newly-initiated plaquing program began with a flourish Saturday, when the first presentation was made to members of the Carl Nielsen family by author, television personality and all round Canadian Pierre Berton. Mr. Berton, chairman of the day

Heritage Canada, awarded the first of the beautiful clay plaques to Mrs. Henny Neilson (at left). Just last year, Carl Nielsen completed impressive and elaborate restoration work to the building at 59-63 King Street West, which houses Coiffure de Paris and Lee and Lee law office.

### Joanna saves a cottage

DUNDAS — Joanna Chapman decided the “absolute only way” to save a heritage limestone cottage from the wrecking hammer was to buy it — and she did.

Mrs. Chapman told town planners last night that Bernie Walman of Yield Investments had accepted her offer to buy the controversial single-storey, limestone cottage at 85 King Street East.

The woman said she had agreed to pay Mr. Walman’s asking price of \$60,000 for the “heritage” cottage.

However, the offer is subject to the developer obtaining and paying for a severance on the irregular-shaped property, Mrs. Chapman said after the meeting.

In buying the property, Mrs. Chapman stressed she was acting on her own behalf, without the approval of the King Street East residents who have been fighting for months to save the cottage and



JOANNA CHAPMAN  
\$60,000 purchase

another two-storey brick of “Victorian” architecture from demolition.

“My aim is to preserve the building and have it designated under the Ontario Heritage Act,” Mrs. Chapman said.

By designating, the owner grants an easement on the facade.

And in a surprise move later, the planning committee denied a rezoning

that would allow the developer to build an apartment building, reduced in size from 44 to 32 units on the remainder of the property.

After confirming his clients acceptance of the offer to purchase the cottage, Ron Hayes of Gordon L. Sutin Limited had requested the committee allow the smaller apartment building on the remainder of the King Street East site.

For months, King Street East residents have been fighting a proposal by Yield Investments Ltd. to demolish three houses — 79, 83 and 85 King Street East to make way for a 44-unit, three-storey walk-up.

The residents have argued two of the old homes are valuable heritage property worth preserving even though they are not in prime condition.

### Contextual Value

7. The property is important in **maintaining** the residential character of the area.
8. The property is **historically and visually linked to its surroundings**.
9. The property is not considered to be a local landmark.



# Statement of Cultural Heritage Value or Interest (Summary)

The property at 85 King Street East, Dundas has physical value as a **representative example** of a nineteenth-century stone cottage influenced by the Regency style of architecture.

The property has historical value for its **associations with prominent Dundas residents**, including John Fairgrieve, Margaret Grafton, Joanna Chapman and Catherine Gibbon, **and the early heritage conservation movement** in Dundas.

The property is important in **defining the historic industrial character** of the surrounding area and is **historically and visually connected to the development of the Desjardins Canal**. The nineteenth-century stone dwelling is one of the oldest existing dwellings in the east end of Dundas and is connected with the early town development planned in the Cootes Paradise Survey.

# Description of Heritage Attributes (Summary)

Key attributes that embody the physical value of the one storey nineteenth century stone dwelling include its:

- One storey massing and low hip roof with brick chimney and projecting eaves;
- Rear field-stone summer kitchen wing;
- Cut-stone front façade with corner quoining and broken-course fieldstone side and rear walls;
- Covered front porch with Ionic wood columns atop concrete-block piers;
- Flat-headed window and door openings with decorative rounded brickmoulds, stone voussoirs and tooled stone lug sills;
- Six-over-six wood windows with storms and shutters; and,
- Central front entrance with four-panel wood door and original hardware, four-pane wooden transom, and flanking sidelights

Key attributes that embody the contextual value of the property as a defining feature of the historical character of King Street East and Dundas, include its:

- Deep setback;
- Proximity to the Desjardins Canal;
- Raised topography; and,
- Wooded character with mature trees.

# Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 85 King Street East, Dundas**, shown in Appendix "A" attached to Report PED24124, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24124, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (a) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.



Hamilton

QUESTIONS?




Hamilton

THANK YOU





**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Planning Division

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	July 22, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 7 Rolph Street, Dundas, known as the Lennard House / Mushroom House, under Part IV of the <i>Ontario Heritage Act</i> (PED24125) (Ward 13)
<b>WARD(S) AFFECTED:</b>	Ward 13
<b>PREPARED BY:</b>	Maryssa Barras (905) 546-2424 Meg Oldfield (905) 546-2424
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council’s intention to designate 7 Rolph Street, Dundas, shown in Appendix “A” attached to Report PED24125, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24125, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (b) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resource located at 7 Rolph Street, Dundas, known as Lennard House / Mushroom House, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register. Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "B" to Report PED24125. The owner of the property requested its designation and is supportive of the staff recommendation.

### **Alternatives for Consideration – See Page 7**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

## **HISTORICAL BACKGROUND**

The subject property located at 7 Rolph Street, Dundas, shown in Appendix "A" attached to Report PED24125, is comprised of a two-storey steel and wood frame

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**SUBJECT: Recommendation to Designate 7 Rolph Street, Dundas, known as the Lennard House / Mushroom House, under Part IV of the *Ontario Heritage Act* (PED24125) (Ward 13) - Page 3 of 8**

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pedestal dwelling built in 1971. The building was first assessed for heritage value in 2019.

In August 2023, staff received a request from the owner to designate the property. In response, staff conducted a site visit on April 19, 2024, and determined the property met the criteria for designation. In an email dated May 22, 2024, staff advised the owner of the heritage evaluation and recommendation to designate and provided them with a draft Statement of Cultural Heritage Value or Interest and Description of Attributes (attached as Appendix “B” to Report PED24125). In an email dated June 5, 2024, staff advised the owner of the Hamilton Municipal Heritage Committee meeting date when the recommendation to designate would be considered.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendation of this Report is consistent with Provincial and Municipal legislation, policy and direction, including:

- Determining the cultural heritage value or interest of a property based on design/physical value, historical/associative value and contextual value criteria (*Ontario Heritage Act*, Ontario Regulation 9/06);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

## **RELEVANT CONSULTATION**

### **External**

- Property Owner; and,
- Harry Lennard.

In addition, on June 11, 2024, Cultural Heritage Planning staff emailed the Ward Councillor (Councillor A. Wilson) for Ward 13 and provided an overview of the reasons for designation and the process for designating a property.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained.

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 property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and Contextual Value. The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on a site visit of the property conducted on April 19, 2024 (see photographs attached as Appendix “C” to Report PED24125) and available secondary and primary research sources (attached as Appendix “D” to PED24125). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets 8 of the 9 criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The property at 7 Rolph Street, Dundas has physical value as a rare example of a dodecagon (twelve-sided) contemporary dwelling. The two-storey pedestal form frame dodecagon was designed in 1969 and constructed in 1971 and is the only documented example of either a pedestal or dodecagon dwelling in Hamilton. It is also a rare example of a dodecagon dwelling in Canada, and it is believed to be the only pedestaled dodecagon dwelling in the country. The dwelling features include: a structural steel cantilever pedestal; a dodecagon footprint and design; cedar board cladding; a hipped roof with twelve facets; a raised, central skylight with a decorative collar; a central, circular, interior skylight opening lined with stained cedar; a stained cedar ceiling lining the main living areas, including living and dining areas, kitchen, halls, and master bedroom; a steel frame porch and bridge; an angled, vertical plank fence along the porch and bridge; a rear porch extension; four large square picture windows along the rear of the building; transom windows along the façade and eastern elevations; lower-level rounded glass bay which houses a spiral staircase; interior spiral staircase including second storey wood banister; and deep soffits with embedded lights. The surrounding landscape includes an exterior cut-stone staircase, a lower, circular walkway delineated with cut-stone features surrounding the dwelling’s pedestal and cut-stone planter features. The property also features mature fruiting and hardwood trees, whose intentional presence are connected to the building’s original design and relationship with nearby Sydenham Creek.
2. The property displays a high degree of craftsmanship in the cantilever pedestal form of the dwelling, the design of the steel frame porch and bridge, including an angled, vertical plank fence along the porch and bridge, and the central skylight and collar. The stained cedar detailing surrounding the interior central, circular, skylight opening and main living areas, including living and dining areas, kitchen, halls, and master bedroom also display a high degree of craftsmanship.

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3. The property demonstrates a high degree of technical achievement. The dwelling's pedestal form was designed as a practical solution to the topography of the site. The property's location in Sydenham Creek's floodplain causes frequent flooding resulting in municipal regulations over the site prohibiting the construction of both a basement and living quarters at ground level. The steel cantilever pedestal design of the dwelling allows it to support the main living area above ground level away from flooding. The unique dodecagon shape of the dwelling is also noteworthy, as the only recorded example of such a dwelling in Hamilton and one of few such dwellings in North America.

#### **Historical / Associative Value**

4. The property has historical and associative value due to its connections with the Lennard family, including Harry Lennard a notable architect, and with Hugh and Marjorie Clark. The dwelling at 7 Rolph Street was designed by Harry Lennard for his parents Samuel Bertram Lennard (Bert) (1905-1981) and Gladys Louisa McInnis Lennard (1906-1989) in 1969 and was completed in 1971. Harry Lennard designed the house early in his career while employed for Trevor Garwood-Jones, a prominent Hamilton architectural firm, where he worked on the design of hospitals, churches, schools, residences, and cultural facilities. Throughout his career Harry Lennard has played important roles in the construction of major landmarks, including the theatre complex then known as Hamilton Place now named First Ontario Concert Hall. Lennard was also principal architect for the restoration and interior reconstruction of St. James Anglican Church in Dundas after it was damaged by a fire in 1978. Harry Lennard opened a private practice in 1979, where he undertook a broad range of projects including several more single detached residences in Burlington and several renovations and additions for schools in Milton, before retiring in 2005.

The Lennard family is associated with the notable historic Dundas apparel business S. Lennard & Sons Ltd., founded by Bertram's grandfather Samuel Lennard (1829-1892). S. Lennard & Sons Ltd. was active from 1879 to 1973 and was known for producing knit underwear. At its peak, S. Lennard & Sons Ltd. employed as many as 200 Dundas workers, operating out of a now demolished brick building on the south-west corner of John and King Streets. S. Lennard and Sons Ltd. remained a family business until it was sold in 1969 to Shelway Holdings Ltd. and was closed by its new owners in 1973. During his life Bert was employed by this longstanding family business, serving as superintendent for a time.

In addition to 7 Rolph Street, the Lennard's also owned the property at 36 (previously 35) Cayley Street which directly abuts the rear (northern) limit of 7 Rolph Street prior to construction of the Lennard / Mushroom House. Bertram

**SUBJECT: Recommendation to Designate 7 Rolph Street, Dundas, known as the Lennard House / Mushroom House, under Part IV of the *Ontario Heritage Act* (PED24125) (Ward 13) - Page 6 of 8**

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and Gladys Lennard lived at 36 Cayley Street for several decades, where they raised their children including Harry Lennard. As Bertram and Gladys aged, they required a smaller home to meet their needs, prompting Harry Lennard to use the Lennard's existing property at 7 Rolph Street as inspiration for the design of the Lennard / Mushroom house. Given that the property at 7 Rolph Street is in a floodplain, it remained undeveloped until the Lennard / Mushroom house was built. The Lennard / Mushroom House's dual name comes from its historical / architectural affiliation and its design. The 'Lennard House' title is drawn from its connection with the Lennard family, including Gladys, Bertram, and Harry Lennard, while the 'Mushroom House' title originates in reference to the building's design, and is used widely by local residents and has been referenced by Harry Lennard in the 'mushroom shaped' design of the building.

The late 1960s and 1970s saw a trend of architectural innovation inspired by imaginations of the future and the relationships between humanity and nature, catalyzed in Canada in part by Expo 67 in Montreal, spilling over into Ontario in places like Ontario Place (completed in 1972). During this time, interest in pedestal forms for their tree-like properties grew, and by the mid-1960s the technology needed to construct cantilever pedestal buildings had been developed. In the case of the Lennard / Mushroom house, the inspiration behind the building's dodecagon design reportedly came from Bertram Lennard's desire to live in a circular house. Harry Lennard was able use recent developments in architecture to realize his father's vision, highlighting the local impact and reach which broader innovative architectural discourse had on Canadian communities at this time.

In 1989 the property was sold to Marjorie Hawkins Clark (1928-2007) and Hugh Clark (1932-2018). Hugh Clark was a notable Hamiltonian, having served as CEO of the Adam Clark Company Limited, founded in 1877 by Hugh's grandfather. It was one of the oldest Hamilton companies still in business, prior to its sale in 2008 to Aecon. Hugh made an impact in Hamilton with a strong interest in local philanthropy, founding the Clark family foundation with his brother, and the Marjorie Hawkins Clark Fund after Marjorie's death in 2007.

5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property demonstrates and reflect the work or ideas of Harry Lennard, a notable architect who was born and raised in Dundas, and who has strong familial connections to significant historic Dundas businesses.

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## **Contextual Value**

7. The property is important in defining the character of this area. The Lennard house is an important landmark in its immediate residential landscape and is indicative of experimental trends in housing design in the second half of the twentieth century. The wooded character of the property at 7 Rolph Street including fruit and hardwood trees also maintains and supports surrounding natural features like the Sydenham Creek.
8. The property is visually and historically linked to its surroundings. The Lennard house is historically associated with surrounding properties, including 36 (formerly 35) Cayley Street which served as Bertram and Gladys Lennard's home for several decades, and which was the childhood home of Harry Lennard. The property is additionally linked to the historic evolution of Dundas's residential landscape in the twentieth century, with its design showcasing changes in values and trends in the early contemporary period. The intentional architectural and landscape design of the property is connected to its relationship with nearby Sydenham Creek. The raised nature of the main living area, and projecting porch, is embedded in the tree canopy on the property.
9. The property can be considered to be a landmark. The dwelling's unique 'mushroom' shape stands out in the surrounding historic and post-war residential landscape. The property has often been included in architectural tours and other public materials surveying properties of interest as an important architectural landmark.

Based on the foregoing, staff have determined that 7 Rolph Street, Dundas, is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Heritage attributes of value include contextual attributes, the exterior of the building and key interior features tied to the original architect design, as outlined in Appendix "B" to Report PED24125. Staff recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24125.

## **ALTERNATIVES FOR CONSIDERATION**

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property or decline to designate property.

## **Decline to Designate**

By declining to designate, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City's financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24125 – Location Map

Appendix "B" to Report PED24125 – Statement of Cultural Heritage Value or Interest  
and Description of Heritage Attributes

Appendix "C" to Report PED24125 – Photographs

Appendix "D" to Report PED24125 – Research Sources

MB/MO/sd





● Site Location



Key Map - Ward 13

## Location Map



Hamilton

Planning and Economic Development Department

File Name/Number:  
7 Rolph St

Date:  
April 9, 2024

Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
MB/AL

### Subject Property

 7 Rolph Street



## STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

The 0.145-hectare property municipally addressed as 7 Rolph Street, Dundas, known as the Lennard House or Mushroom House, is comprised of a two-storey steel and wood frame pedestal dwelling built in 1971. It is located on the north side of Rolph Street, near the intersection of Rolph Street and Parkside Avenue, in the community of Dundas, in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The property at 7 Rolph Street, Dundas has physical value and displays a high degree of craftsmanship and technical achievement as a rare example of a dodecagon (twelve-sided) contemporary dwelling. The two-storey cedar board clad cantilever pedestal form frame dodecagon was designed in 1969 and constructed in 1971 and is the only documented example of either a pedestal or dodecagon dwelling in Hamilton, is also a rare example of a dodecagon dwelling in Canada, and it is believed to be the only pedestaled dodecagon dwelling in Canada.

The property has historical and associative value due to its connections with the Lennard family, including Samuel Bertram Lennard (Bert) and Gladys Louisa McInnis Lennard, Harry Lennard a notable architect, and Hugh and Marjorie Clark. The dwelling at 7 Rolph Street was designed by Harry Lennard for his parents Bert (1905-1981) and Gladys Lennard (1906-1989) in 1969 and was completed in 1971. During his life Bertram was employed by the historic Dundas apparel business S. Lennard & Sons Ltd., founded by his grandfather in 1879. Throughout his architectural career Harry Lennard has played important roles in the construction of major landmarks, including the theatre complex then known as Hamilton Place now named First Ontario Concert and the restoration of St. James Anglican Church in Dundas. In 1989 the property was sold to Marjorie Hawkins Clark (1928-2007) and Hugh Clark (1932-2018). Hugh Clark was a notable Hamiltonian and businessman with a strong interest in local philanthropy, founding the Clark Family Foundation and the Marjorie Hawkins Clark Fund.

The Lennard / Mushroom House is considered to be an important landmark in its immediate residential landscape, and the property is important in defining the character of its surrounding area. The dwelling's unique 'mushroom' shape stands out in the surrounding historic and post-war residential landscape and is linked to the historic evolution of Dundas' residential landscape in the twentieth century, with its design showcasing changes in values and trends in the early contemporary period. The wooded character of the property also maintains and supports surrounding natural features like the Sydenham Creek.

### Description of Heritage Attributes

The key attributes that embody the physical value of the property as a rare example of a pedestal dodecagon dwelling which demonstrates a high degree of craftsmanship and

technical skill and is associated with architect Harry Lennard and prominent twentieth-century Dundas and Hamilton businesspeople includes:

- All twelve exterior elevations and roofline of the two-storey steel cantilever frame structure, including its:
  - Cantilever pedestal ‘mushroom’ form and massing;
  - Dodecagon footprint and design;
  - Twelve facet hip roof;
  - Raised, central skylight and decorative collar;
  - Deep soffits with embedded lights;
  - Cedar board cladding;
  - Rear porch extension;
  - Four large square picture windows along the rear of the building;
  - Transom windows along the façade and eastern elevations;
  - Lower-level rounded glass bay which houses a spiral staircase;
  - Steel frame porch and bridge; and,
  - Angled, vertical plank fence along the porch and bridge.
  
- The original interior first and second storey features, including the:
  - Circular interior skylight opening lined with stained cedar board;
  - Stained cedar board ceiling lining the main living areas, including living and dining areas, kitchen, halls, and master bedroom; and,
  - Wood spiral staircase, including the second storey wood banister.
  
- The original landscaping features including the:
  - Cut-stone stairs;
  - Circular walkway surrounding the dwelling’s pedestal;
  - Cut-stone planters; and,
  - Angled, vertical plank fence along the eastern side yard leading to the bridge.

The key attributes that embody the contextual value of the property as a landmark and as a defining feature of residential Dundas, include its:

- Unique two-storey pedestal dodecagon massing;
- Location in the Sydenham Creek floodplain; and,
- Wooded character and tree canopy of the property.

**Photographs**

All images taken by City of Hamilton Staff on April 19, 2023, unless otherwise stated.



Image 1: Southern elevation from the south. Note the decorative collar on the top of the building, surrounding mature trees, and circular landscaping surrounding the pedestal base.



Image 2: Northern elevation from the north. Note the four large picture windows facing the rear of the property, and projecting porch enclosed with screens.



Image 3: Northern elevation from the north. Note the surrounding mature trees.



Image 4: Southeastern second storey elevation from the eastern elevated drive and entry way. Note the protected second storey entrance, bridge, and angled decorative fence.



Image 5: Close-up detail of the fence along the second floor entry porch.



Image 6: Close-up detail of the second storey soffits and transom windows.





Image 7: Close-up detail of the cedar board cladding underneath the second storey of the Lennard / Mushroom house.



Image 8: Image of the first storey circular glass bay.



Image 9: Image of landscaping features, including cut stone stairs leading down from the upper level entry way and stone planter.



Image 10: Image of cut stone stairs leading down from the upper level entry way and stone planter.



Image 11: Image of Sydenham Creek, located directly across the street from 7 Rolph Street to the south.



Image 12: Image of the spiral staircase looking down from the second storey.  
Photo Credit: "The Lennard House," Historical Hamilton, accessed April 12, 2024,  
<https://historicalhamilton.com/dundas/the-lennard-house/>.



Image 13: Image of the spiral staircase banister on the second storey.  
Photo Credit: “The Lennard House,” Historical Hamilton, accessed April 12, 2024,  
<https://historicalhamilton.com/dundas/the-lennard-house/>.



Image 14: Image of the interior portion of the skylight, located centrally in the building, lined with stained cedar.



Image 15: Image of the stained cedar ceiling, radiating from the center of the building.



Image 16: Image of the stained cedar ceiling in the main living area, extending to the outer walls.





Image 17: Close up detail of the stained cedar ceiling.

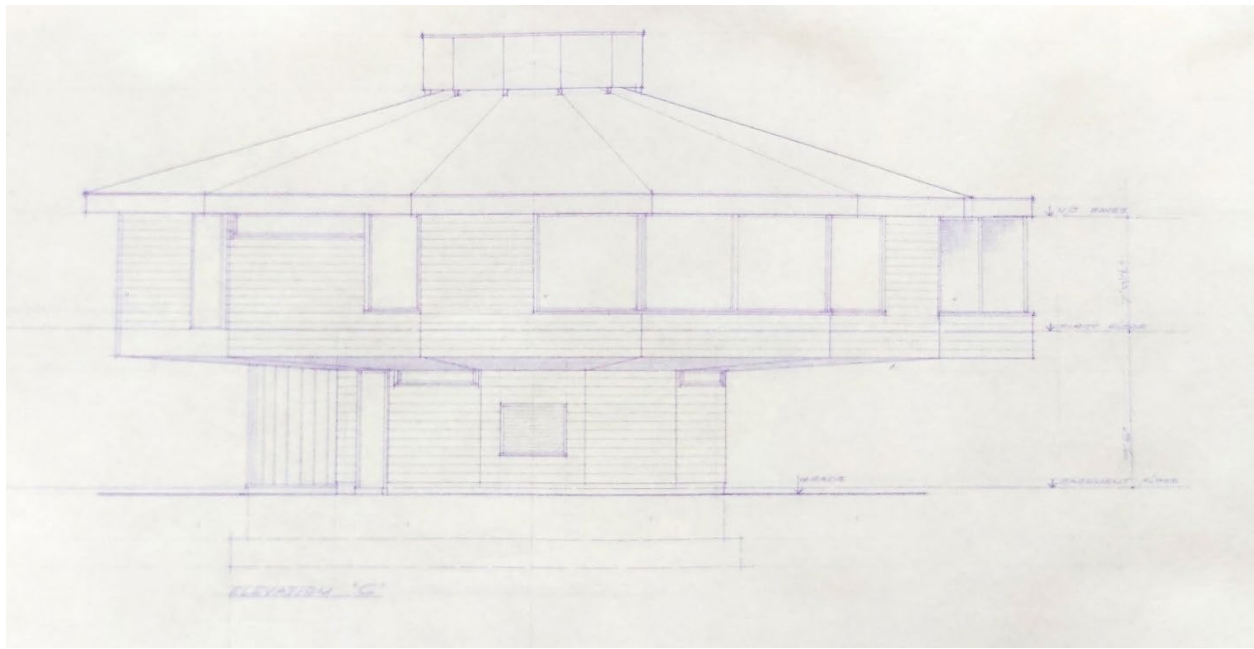


Image 18: Architectural drawing showing exterior details, original drawings are in the care of Harry Lennard.

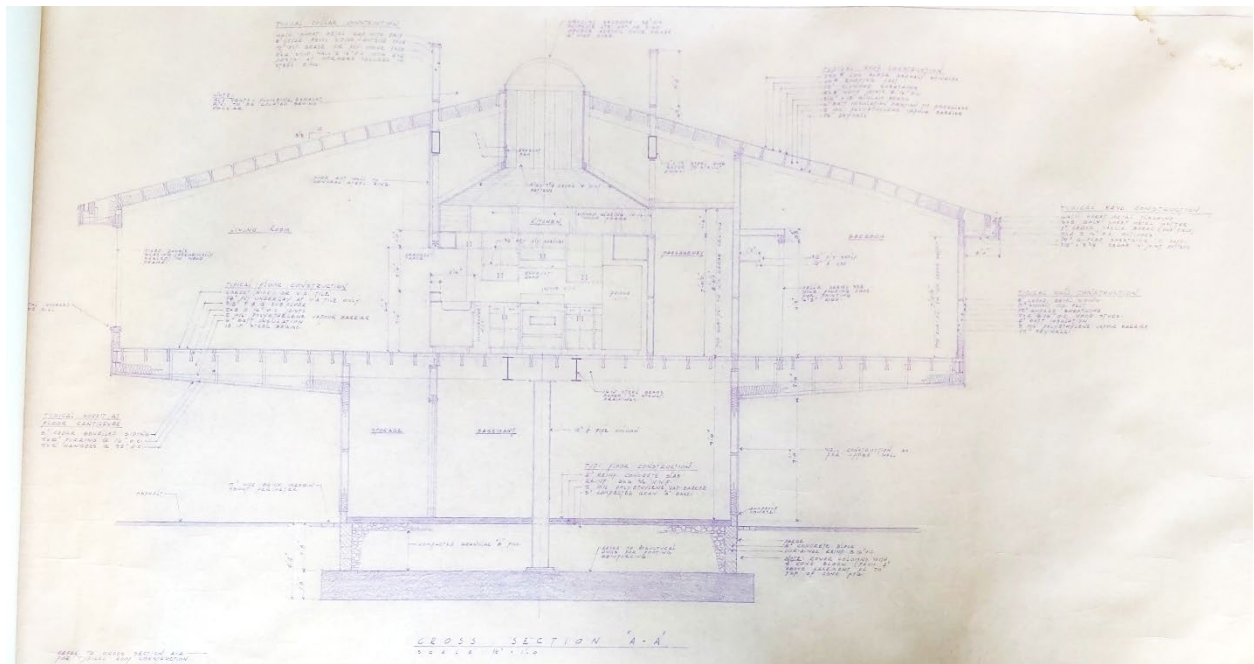


Image 19: Architectural drawing showing cross-section details, original drawings are in the care of Harry Lennard.

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# Recommendation To Designate 7 Rolph Street, Dundas (Lennard/Mushroom House)

July 22, 2024

Hamilton Municipal Heritage Committee

# 7 Rolph Street, Dundas



2000s – Part of architectural tours

August 2023 – Staff receive request to designate property





# Recommendation for Designation Under Part IV of the OHA

7 Rolph Street, Dundas

*Ontario Regulation 9/06* Criteria (8 of 9)

- Design / Physical (Criteria #1, #2, #3)
- Historical / Associative (Criteria #4, #6)
- Contextual (Criteria #7, #8, #9)



Image source: <https://historicalhamilton.com/dundas/the-lennard-house/>

## Design / Physical Value

1. The property is a **rare example** of a dodecagon (twelve-sided) contemporary dwelling.
2. The property displays a **high degree of craftsmanship or artistic merit.**
3. The property is considered to demonstrate a **high degree of technical or scientific achievement.**



# Heritage Evaluation

*Ontario Regulation 9/06 Criteria*



# Heritage Evaluation

## *Ontario Regulation 9/06 Criteria*



# Heritage Evaluation

*Ontario Regulation 9/06 Criteria*



# Heritage Evaluation

*Ontario Regulation 9/06 Criteria*



### Historical / Associative Value

4. The property **has historical value for its direct associations with notable Dundas community figures** including Bertram Lennard, Gladys Lennard, Harry Lennard, Marjorie Hawkins Clark, and Hugh Clark.
5. The property is not considered to have the potential to yield information that contributes to the understanding of a community or culture.
6. The property demonstrates **the work or ideas of Harry Lennard**, an architect significant to the community.



Image source: <https://historicalhamilton.com/dundas/the-lennard-house/>

# Heritage Evaluation

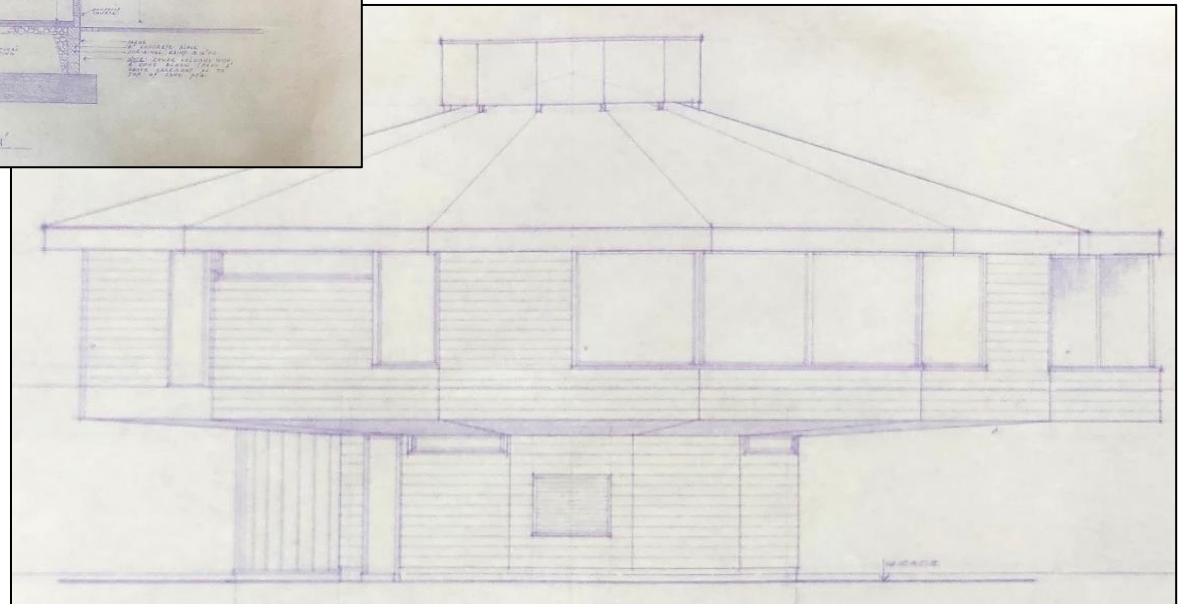
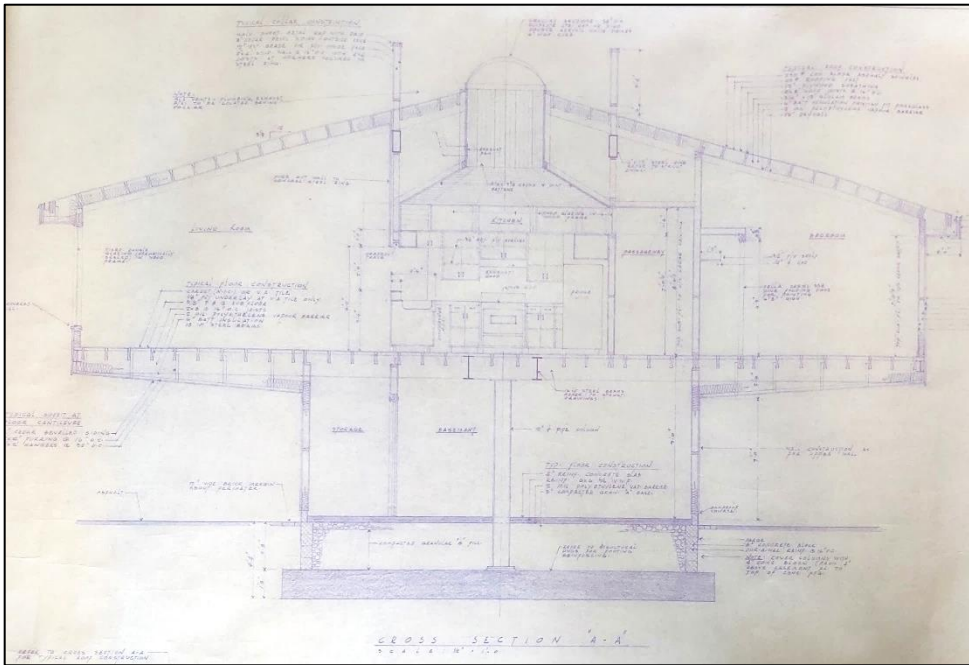
## *Ontario Regulation 9/06 Criteria*





# Heritage Evaluation

## Ontario Regulation 9/06 Criteria



# Heritage Evaluation

## *Ontario Regulation 9/06 Criteria*



Image source: <https://historicalhamilton.com/dundas/the-lennard-house/>

# Heritage Evaluation

## *Ontario Regulation 9/06 Criteria*



# Heritage Evaluation

## *Ontario Regulation 9/06 Criteria*



### Contextual Value

7. The property is important in **defining** the residential character of the area.
8. The property is **historically and visually linked to its surroundings.**
9. The property is considered to be **a local landmark.**



Image source: <https://historicalhamilton.com/dundas/the-lennard-house/>

# Statement of Cultural Heritage Value or Interest (Summary)

The property at 7 Rolph Street is a dodecagon (twelve-sided) contemporary dwelling built in 1971. It is a **rare example** of a dodecagon dwelling and **displays a high degree of craftsmanship and technical achievement.**

The property has is associated with the **Lennard family**, including Samuel Bertram Lennard (Bert) and Gladys Louisa McInnis Lennard, and **Hugh and Marjorie Clark**. It is also associated with architect **Harry Lennard**.

The property is important in **defining the character** of the area and is **historically and visually** linked to its surroundings. The dwelling's unique 'mushroom' shape **stands out** in the surrounding residential landscape and the property is considered to be a **local landmark**

# Description of Heritage Attributes (Summary)

**All twelve exterior elevations and roofline of the two-storey steel cantilever frame structure, including its:**

- Cantilever pedestal ‘mushroom’ form and dodecagon footprint;
- Twelve facet hip roof;
- Raised, central skylight and decorative collar;
- Deep soffits with embedded lights;
- Cedar board cladding;
- Rear porch extension;
- Four picture windows and transom windows;
- Lower-level rounded glass bay;
- Steel frame porch and bridge; and,
- Angled, vertical plank fence along the porch and bridge.

**The original interior first and second storey features, including the:**

- Interior skylight opening;
- Stained cedar board ceiling and walls; and,
- Wood spiral staircase and banister.

**The original landscaping features including the:**

- Cut-stone stairs and planters;
- Circular walkway surrounding the dwelling’s pedestal; and,
- Angled, vertical plank fence along the eastern side yard leading to the bridge.

# Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 7 Rolph Street, Dundas (Lennard/Mushroom House)**, shown in Appendix "A" attached to Report PED24125, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24125, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (a) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.





Hamilton

QUESTIONS?




Hamilton

THANK YOU



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	July 22, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 6 Websters Falls Road, Flamborough (Springdale), under Part IV of the <i>Ontario Heritage Act</i> (PED24122) (Ward 13)
<b>WARD AFFECTED:</b>	Ward 13
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2424 Ext. 7163
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council’s intention to designate 6 Websters Falls Road, Flamborough (Springdale), shown in Appendix “A” attached to Report PED24122, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24122, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (b) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resource located at 6 Websters Falls Road, Flamborough, known historically as Springdale, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register. Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "B" to Report PED24122.

### **Alternatives for Consideration – See Page 6**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

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## **HISTORICAL BACKGROUND**

The subject property located at 6 Websters Falls Road, Flamborough, shown in Appendix “A” attached to Report PED24122, is comprised of a two-and-a-half-storey stone dwelling constructed circa 1856, known historically as Springdale. The subject property has been of local heritage interest since the 1930s, though several incorrect construction dates have been misattributed to this property. The property was first inventoried by the former Flamborough Local Architectural Conservation Advisory Committee, referred to as the Hendry House, and was also studied as part of the former Town of Flamborough’s Heritage Conservation District Study of Bullock’s Corners in 1991, in which it was referred to as the Webster House.

In 2018, the property was listed on the Municipal Heritage Register and was added to staff’s designation workplan for further research and assessment of the property. As a result of Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 6 Websters Falls Road was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation. In a subsequent letter dated June 10, 2024, staff advised the owner of the recommendation to designate the property, provided them with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered. Staff have not received a response from the property owner to date.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENT**

The Recommendations of this Report are consistent with Provincial and Municipal legislation, policy, and direction, including:

- Determining the cultural heritage value or interest of a property based on design/physical value, historical/associative value, and contextual value criteria (*Ontario Heritage Act*, Ontario Regulation 9/06);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

## **RELEVANT CONSULTATION**

### **External**

- Property Owner.

In addition, Planning staff have emailed the Ward Councillor (Councillor A. Wilson) for Ward 13 and provided an overview of the reasons for designation and the process for designating a property.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained.

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 property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value, Historical / Associative Value; and Contextual Value. The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on June 10, 2024 (see photographs attached as Appendix “C” to Report PED24122) and available secondary and primary research sources (attached as Appendix “D” to Report PED24122). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets six of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The two-and-a-half-storey stone structure at 6 Websters Falls Road, known as Springdale, was constructed circa 1856. It has design and physical value as a representative example of the Georgian Revival style of architecture as applied to a private dwelling. The features typical of this style include the: symmetrical, five-bay front elevation; side gable roof with flanking stone chimneys; six-over-six hung windows; and, central entrance with transom and sidelights.
2. This property displays a high degree of craftsmanship through the: well-dressed and closely fitted cut-stone masonry construction in the front and side elevations including corner quoining; wooden door surround on the front entrance with

sidelights and transom; carved 'keystone' detail on the lintel over the doorway; and, stone chimneys.

3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

### **Historical / Associative Value**

4. This property has historical value as it is associated with Joseph Webster II (1809-1886) a successful farmer, miller, politician and road builder in nineteenth-century Flamborough. Webster inherited lots 10 and 11 in the first concession of West Flamborough Township, where Webster's Falls is located, from his father James (1780-?) and grandfather Joseph Webster I (1750-1835), both of whom had purchased land in this area, but had never settled on it. Joseph II, according to family legend, had been left in the West Flamborough area by his father around 1825, and was taken in by the Green family, after whom Greensville was named, who taught him the milling trade. The Greens were evidently very close to Joseph, as he married one of their daughters, Maria (1812-1866) in 1832. Once he had inherited this land in 1832, Joseph first turned his attention to farming his new property, which he did with much success.

By the 1850s, Joseph's farm, "Springdale" was impressive enough to warrant special comment from the enumerator of the 1851 census. Joseph was also active in local affairs, being responsible for the construction of several roads, including the section of what is now Highway 8 which runs from Dundas to Bullock's Corners. When the Municipal Council of West Flamborough was created in 1850, Joseph was elected as one of the councillors, and was later Reeve of West Flamborough Township.

Joseph was also in the process of a career change. In 1856, he established the Ashbourne Mill on his property, next to Webster's Falls. At this time, he also began selling his farmland and moved from his wooden farmhouse to the new stone home which he had constructed next to his new mill. The Ashbourne Mill was a successful business venture which Joseph expanded to include facilities for grinding rye and barley, a cooperage for barrel production, and a mill for making cotton batting.

After Joseph II's death in 1886, his descendants sold the mill and much of the surrounding land to George Harper and William Merrill, who operated the mill until its destruction by fire in 1898. In 1899, George Harper installed an early hydroelectric plant on the property to produce electricity for the streetlights of Dundas, but this too was destroyed by fire in 1901. The Town of Dundas purchased the land for the creation of a public park in 1917.

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**SUBJECT: Recommendation to Designate 6 Websters Falls Road, Flamborough (Springdale), under Part IV of the *Ontario Heritage Act* (PED24122) (Ward 13) – Page 6 of 7**

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5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. This property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.

**Contextual Value**

7. The property is important in defining the historic former industrial character of Bullock's Corners. Through the nineteenth century the area along the Spencer Creek upstream from Dundas, stretching from Bullock's Corners to Crook's Hollow, was known for the numerous and varied water-powered industries which produced products including flour, sawn timber, linseed oil, oatmeal, plaster, blankets, and paper. This landscape today has become a popular conservation area, with little visual indication of its industrial past beyond the surviving homes of the mill-owners.
8. The property is historically, visually, physically, and functionally linked to the surrounding area. Built into the topography of its original location, along the historic Spencer's Creek waterway and close to Webster's Falls, this mill-owner's house is a short distance from the site of the former Ashbourne Mill.
9. This property, being a large and visually distinctive structure located near the popular and well-known natural feature of Webster's Falls, has been featured in several publications about the history of West Flamborough and is considered to be a local landmark.

Staff have determined that 6 Websters Falls Road, Flamborough, is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act* and recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24122.

**ALTERNATIVES FOR CONSIDERATION**

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by the Municipal Heritage Committee, may decide to designate property, or decline to designate property.

**Decline to Designate**

By declining to designate, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection



**SUBJECT: Recommendation to Designate 6 Websters Falls Road, Flamborough  
(Springdale), under Part IV of the *Ontario Heritage Act* (PED24122)  
(Ward 13) – Page 7 of 7**

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against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City's financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of a property or been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24122 – Location Map

Appendix "B" to Report PED24122 – Statement of Cultural Heritage Value or Interested  
and Description of Heritage Attributes

Appendix "C" to Report PED24122 – Photographs

Appendix "D" to Report PED24122 – Research Sources

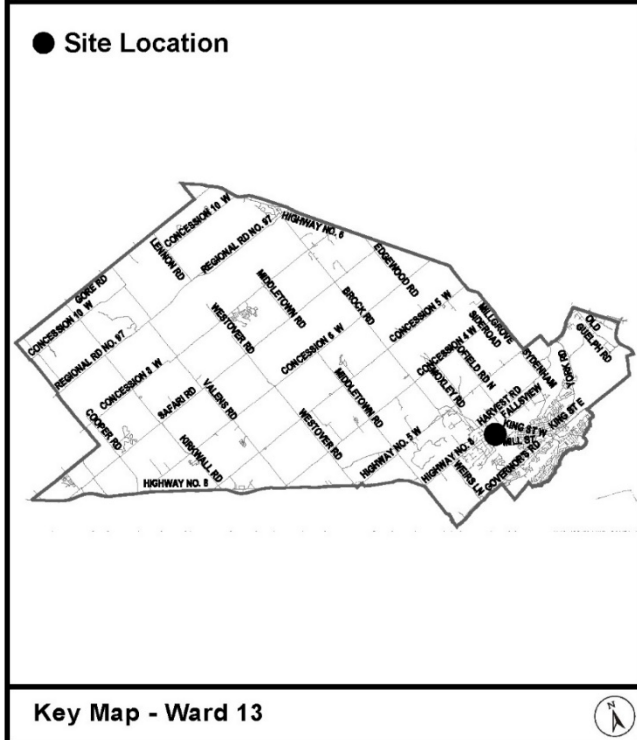
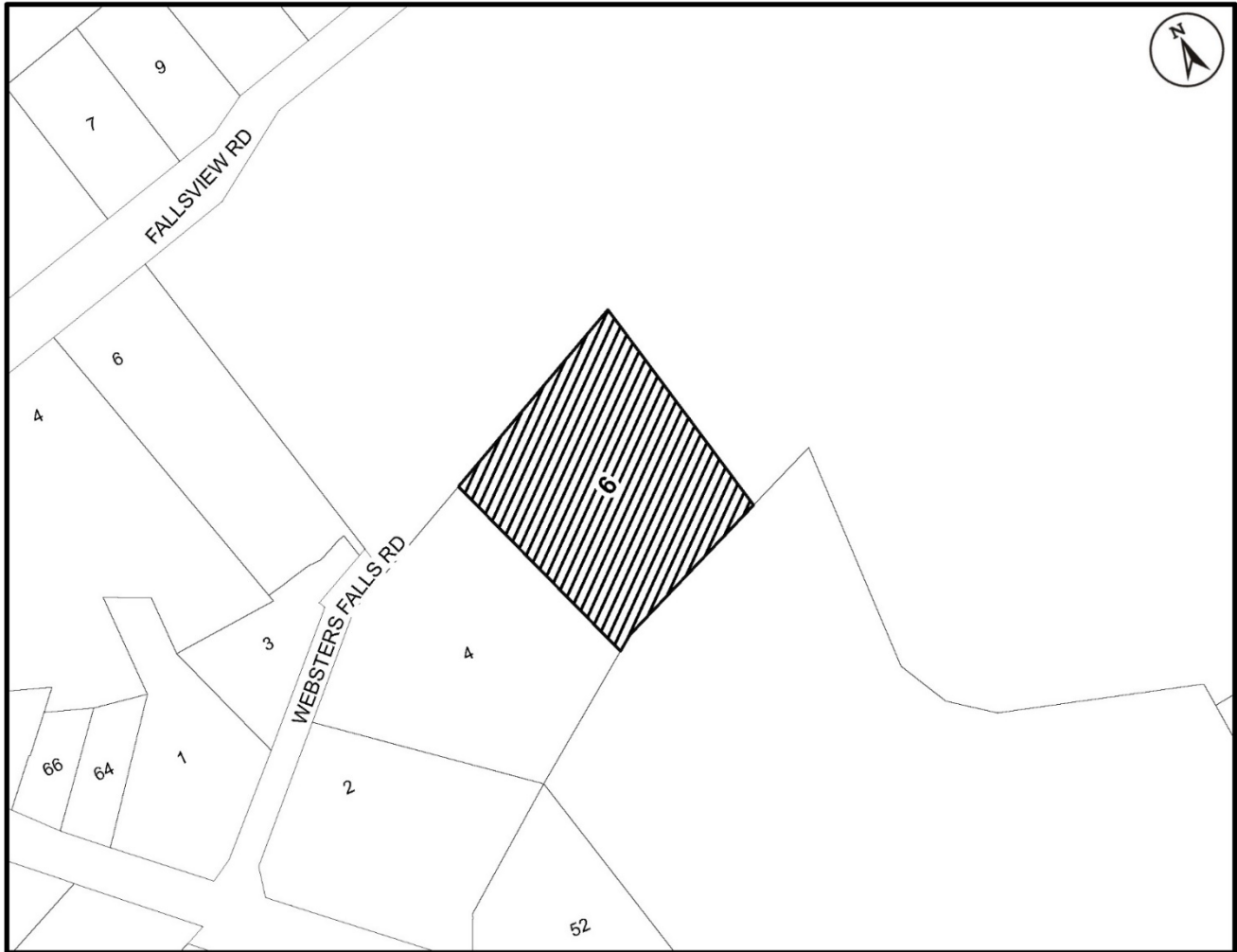
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## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



File Name/Number: 6 Websters Falls Rd	Date: June 13, 2024	
Appendix "A"	Scale: N.T.S	Planner/Technician: SD/NB

**Subject Property**

6 Websters Falls Road, Flamborough  
(Ward 13)

## STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

### Description of Property

The 0.6 hectare property municipally addressed as 6 Webster’s Falls Road is comprised of a two-storey stone building constructed circa 1856. The property is located on the southern side of the terminus of Websters Falls Road, in the area historically known as Bullock’s Corners in former Township of West Flamborough, in the community of Flamborough in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The circa 1856 two-storey stone structure located at 6 Webster’s Falls Road has design and physical value as it is a representative example of the Georgian Revival style of architecture as applied to a dwelling and displays a high degree of craftsmanship. The historical value of the property lies in its association with Joseph Webster II (1809-1886), a locally prominent farmer, politician, miller and roadbuilder who was responsible for constructing both the subject property as well as the Ashbourne Mill, an industrial complex which once stood a short distance away and was powered by Webster’s Falls itself.

Contextually, this property is important in defining the historic former industrial character of the surrounding area. This mill-owner’s house acts as a physical reminder of the many mills and industries which once lined Spencer’s Creek. It is visually, historically, physically, and functionally linked to its surroundings, being on its original location near to the historic Spencer’s Creek waterway and close to the location of the Ashbourne Mill. This large and distinctive structure located next to the popular and well-known natural feature of Webster’s Falls, is considered to be a local landmark.

### Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative nineteenth-century Georgian Revival stone dwelling and in demonstrating a high degree of craftsmanship, include:

- All elevations and roofline of the two-storey circa 1856 stone building, including its:
  - Rectangular plan;
  - Stone chimneys with cornices and caps;
  - Side gable roof with projecting eaves and plain boxed cornice;
  - Symmetrical five-bay front elevation;
  - Dressed, closely fitted stone walls;
  - Six-over-six hung windows with stone lintels and sills;
  - Central front entrance with a decorative carved ‘keystone’ in lintel, a door surround with wooden paneling, sidelights and transom; and,

- Stone foundation.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Webster’s Falls and the surrounding area known as Bullock’s Corners include its:

- Location fronting onto Websters Falls Road; and,
- Proximity to Webster’s Falls and Spencer Creek.

**Photographs**

All images taken by City of Hamilton staff in June 2024 unless otherwise noted.



Figure 1: North elevation.



Figure 2: North elevation (Woolcott Real Estate, Retrieved May 7, 2024 from <https://woolcott.ca/property-listing/6-websters-falls-road/>).



Figure 3: Aerial view of subject property (Woolcott Real Estate, Retrieved May 7, 2024 from <https://woolcott.ca/property-listing/6-websters-falls-road/>).



Figure 4: Detail view of window (Flamborough Archives circa 2000).

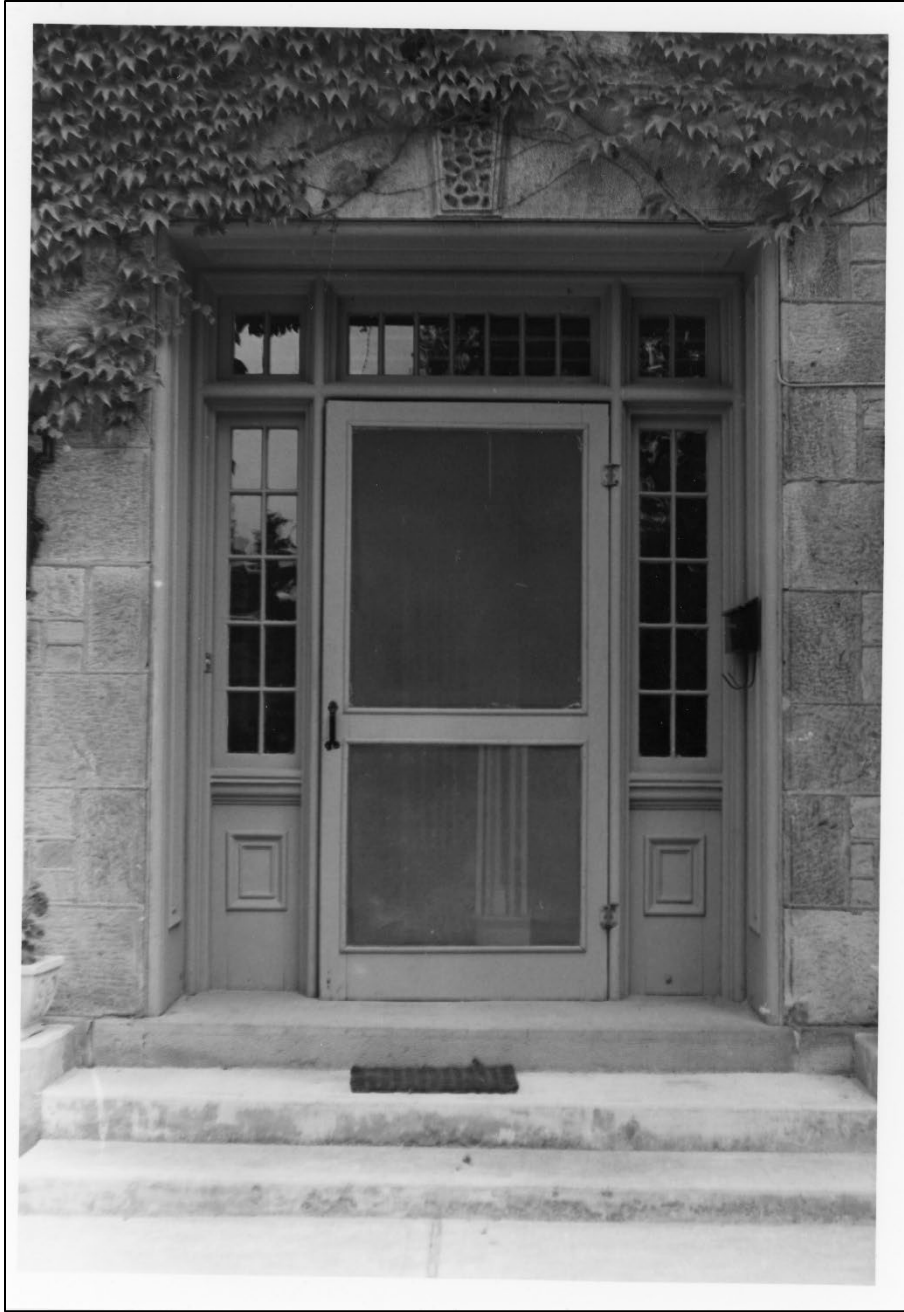


Figure 5: Detail view of entrance (Flamborough Archives, circa 2000).





Figure 6: Detail view of chimney on eastern elevation (Flamborough Archives, circa 2000).



Figure 7: View of south elevation (FreshBrick, Retrieved May 7, 2024 from <https://www.freshbrick.ca/2022/09/no-stone-left-un-yearned.html>).



Figure 8: View of South Elevation (FreshBrick, Retrieved X from <https://www.freshbrick.ca/2022/09/no-stone-left-un-yearned.html>).



Figure 9: Ashbourne Mill with subject property in background, 1859 (Surtrees Map).



Figure 10: Webster's Dam and Ashbourne Mill ruins, subject property in background, early twentieth century (Flamborough Archives).



Figure 11: Joseph Webster II (1809-1886) (Websters of West Flamborough).



Figure 12: Grave of Joseph Webster II at Webster's Fall.

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# Recommendation To Designate 6 Websters Falls Road, Flamborough (Springdale)

July 22, 2024

Hamilton Municipal Heritage Committee

# 6 Websters Falls Road, Flamborough





2018 - Property listed on Municipal Heritage Register and added to designation workplan.

March 2023 - Prioritized for Designation by January 1<sup>st</sup>, 2025



# Recommendation for Designation Under Part IV of the OHA

6 Websters Falls Road, Flamborough

*Ontario Regulation 9/06* Criteria (6 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4 )
- Contextual (Criteria #7, 8, 9)



## Design / Physical Value

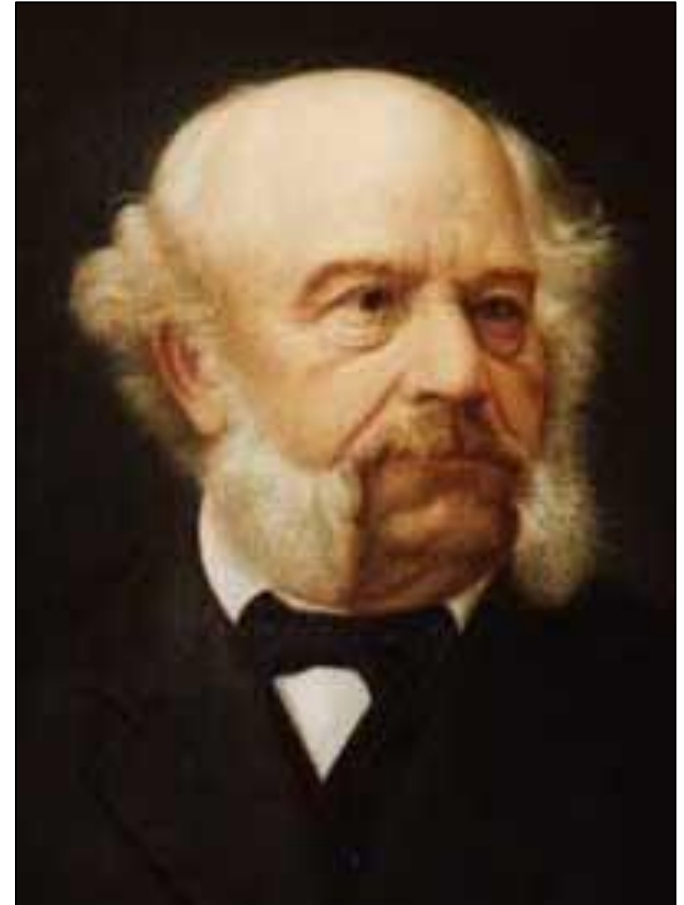
1. The property is a **representative example** of a **Georgian Revival** dwelling.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.





### Historical / Associative Value

4. The property has direct associations with **Joseph Webster II** and the **Ashbourne Mill**.
5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property does not demonstrate the work or ideas of an architect or builder who is significant to the community.





## Contextual Value

7. The property helps **define** the historic former character of **Bullock's Corners**.
8. The property is **visually, historically, functionally and physically linked to its surroundings**.
9. The property is **considered** to be a local **landmark**.



# Statement of Cultural Heritage Value or Interest (Summary)

The two-storey stone structure at **6 Websters Falls Road** was built circa 1856. It has design value as a **representative example** of the **Georgian Revival** style which displays a **high degree** of **craftsmanship**.

The property is associated with **Joseph Webster II** (1809-1886), prominent farmer, politician, miller and roadbuilder, and the **Ashbourne Mill**.

Contextually, this property is **important** in **defining** the historic character of **Bullock's Corners** and is **linked** to its surroundings. This large and distinctive structure highly visible located next to the popular and well-known **Webster's Falls** is considered to be a local **landmark**.



# Description of Heritage Attributes (Summary)

- All elevations and roofline of the two-storey stone dwelling, including its:
  - Rectangular plan;
  - Stone chimneys with cornices and caps;
  - Side gable roof with projecting eaves and plain boxed cornice;
  - Symmetrical five-bay front elevation;
  - Dressed, closely fitted stone walls;
  - Six-over-six hung windows with stone lintels and sills;
  - Central front entrance with a decorative carved 'keystone' in lintel, a door surround with wooden paneling, sidelights and transom; and,
  - Stone foundation.

The key contextual attributes include its:

- Location fronting onto Websters Falls Road; and,
- Proximity to Webster's Falls and Spencer Creek.

# Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 6 Websters Falls Road, Flamborough**, shown in Appendix "A" attached to Report PED24122, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24122, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (a) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.



Hamilton

QUESTIONS?



Hamilton

THANK YOU

# Heritage Permit Review Subcommittee (HPRS) Meeting Minutes

Tuesday, June 18, 2024  
City of Hamilton, Webex Virtual Meeting

**Present:** Karen Burke (Chair), Graham Carroll (Vice Chair), Matthew LaRose, Katie McGirr, Carol Priamo, Steve Wiegand, Andy MacLaren

**Staff Present:** Alissa Golden (Cultural Heritage Program Lead), Meg Oldfield (Cultural Heritage Planner), Dawn Cordeiro (Cultural Heritage Planner),

**Regrets:** Andrew Douglas

Quorum was reached and the meeting was called to order by the Chair of the Heritage Permit Review Subcommittee at 5:00pm.

## 1. Approval of Agenda

(Carroll/Wiegand)

That the Agenda for June 18, 2024 be approved.

(Carried)

## 2. Declarations of Interest

A.MacLaren declared a Disqualifying interest to Item 10.3 – HP2024-017 for 43 Mill Street North, replacement of an exterior door on a part V property, as they are the owner of the property in the question.

## 3. Approval of Minutes from Previous Meeting

(Priamo/McGirr)

That the Minutes of May 21, 2024 be approved as presented.

(Carried)

## 4. Discussion Items

a) **HP2024-016** – 600-610 York Blvd, Hamilton (Dundurn Castle, Part IV)

- Restoration of the front wood doors, including:
  - Temporary removal to complete repairs and refurbishment;
  - Restoration of existing hardware and installation of a new period appropriate bolt plate;
  - Installation of spring bronze weatherstripping; and,
  - Dutchman repairs to the stile, threshold and jamb.

Jarrett Zacharko, City of Hamilton (applicant), spoke to the Subcommittee.

The Subcommittee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(LaRose/Carroll)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-016 be consented to, subject to the following Conditions:

- I. 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
- II. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than **June 30, 2026**. If the alteration(s) are not completed by **June 30, 2026**, 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)

**b) HP2024-015 - 158 James Street South, Hamilton (Part IV)**

- Installation of a new illuminated restaurant sign on the front façade, to be affixed using galvanized fasteners into the mortar joints.

The applicant, Jaspreet Sehmi from Printo Craft, spoke to the Subcommittee and confirmed that they will amend their application to confirm the use of stainless steel fasteners for the proposed sign.

The Subcommittee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Carroll/McGirr)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-015 be consented to, subject to the following Conditions:

- i. 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
- ii. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than **June 30, 2026**. If the alteration(s) are not completed by **June 30, 2026**, 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)

**c) HP2024-017 – 43 Mill Street North, Flamborough (Mill Street HCD, Part V)**

- Replacement of the existing front door and transom with a new sympathetic steel/wood door and wood transom.

Andy MacLaren, owner and applicant of 43 Mill St North spoke to the Subcommittee.

The Subcommittee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(McGirr/Priamo)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-017 be consented to, subject to the following Conditions:

- i. That the final details of the chosen replacement door 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;
- ii. 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

- iii. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than **June 30, 2026**. If the alteration(s) are not completed by **June 30, 2026**, 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)

A. MacLaren abstained from voting due to declared Conflict.

## **5. Adjournment**

(MacLaren/Wiegand)

That the meeting be adjourned at 5:40pm.

(Carried)

## **6. Next Meeting:** Tuesday, July 16, 2024 at 5:00pm



# MEETING NOTES

## POLICY AND DESIGN WORKING GROUP

Monday, June 17, 2024

2:30 pm

City of Hamilton Webex Virtual Meeting

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Attendees: L. Lunsted, A. Denham-Robinson, A. Douglas

Regrets:

Also Present: E. Bent, L. Marlatt

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### 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

D. Denham-Robinson declared a conflict with regards to 72-78 Stirton St. Hamilton

#### c) REVIEW OF PAST MEETING NOTES

Meeting notes of April 15 and May 27 2024 were reviewed and approved.

#### d) C.H.I.A – 58 York Blvd. Hamilton by MHBC, May 2024

##### **Preliminary Site Plan Review (PSR-23-010)**

The proponent proposes the construction of a high-rise mixed-use 28 storey building including a 4-storey podium with a maximum height of 95 metres. The proposed building includes 120 sqm of ground floor commercial office space and 344 residential units above.

Working Group comments:

- The Working Group is supportive of this application and has no issues with the design.
- The Working Group noted that the reference to the proposed development at 89 Park Street North across the street from 58 York Blvd., (Philpott Memorial Church) did not include the Notice of Intent to Designate that property, and additional materials submitted to the Design Review Panel showed the proposed 30 storey towers

submitted prior to the N.O.I.D. This change to an adjacent property should be noted in the C.H.I.A.

- Comments from the Design Review Panel included suggestions for a more street friendly use of the main floor.

If these comments result in significant changes to this proposal, the Policy & Design Working Group would like to see this C.H.I.A. again. However, if the changes are minor, there is no need to review this again.

**e) C.H.I.A. – 72-78 Stirton Street** by Megan Hobson, March 27, 2024

**Formal Consultation (FC-23-096), & new Zoning By-law Amendment Application**

The applicant is proposing to adapt an existing vacant two storey industrial building to a 39 unit residential building with seven parking spaces. No additional construction is proposed above the existing two storey building.

- The Working Group had no issues with this proposal and are supportive of this adaptive reuse.
- The floor layouts show some of the units with walls bisecting the windows. As noted in the C.H.I.A., minor alterations are recommended to limit the impact of new interior partition walls on the windows.
- We would like more information regarding the impact these walls have on the exterior of the building – will they be visible in the impacted windows?

We do not need to see this C.H.I.A. again.

The meeting adjourned at 3:10 pm.

**Next meeting date: Monday July 8th**



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www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5

FILE: HP2024-015

July 10, 2024

Oleksandra Botyuk  
Jaspreet Sehmi, Printo Craft  
158 James Street South  
Hamilton, ON L8P 3A2

**Re: Heritage Permit Application HP2024-015: Installation of a Sign at 158 James Street South, Hamilton (Ward 2) (By-law No. 86-21)**

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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 HP2024-015 is approved for the designated property at 158 James Street South, Hamilton, in accordance with the materials submitted with the application for the following alterations:

- Installation of a new illuminated restaurant sign on the front façade, to be affixed using stainless steel fasteners into the mortar joints.

**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) That the installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2026. If the alterations are not completed by July 31, 2026, 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 work. 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 Notice.

**Re: Heritage Permit Application HP2024-015: Installation of a Sign at 158 James Street South, Hamilton (Ward 2) (By-law No. 86-21) - Page 2 of 2**

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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.

If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner via email at [dawn.cordeiro@hamilton.ca](mailto:dawn.cordeiro@hamilton.ca).

Yours truly,



Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Kroetsch, Ward 2



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Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5

FILE: HP2024-016

July 10, 2024

City of Hamilton  
c/o Jarrett Zacharko, Heritage Project Coordinator  
600-610 York Blvd  
Hamilton, ON L8R 3E7

**Re: Heritage Permit Application HP2024-016: Restoration of Front Wood Doors at 600-610 York Blvd, Hamilton (Ward 1) (Dundurn Castle, By-law No. 79-239)**

---

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 HP2024-016 is approved for the designated property at 600-610 York Blvd, Hamilton in accordance with the materials submitted with the application for the following alterations:

- Restoration of the front wood doors, including:
  - Temporary removal to complete repairs and refurbishment;
  - Restoration of existing hardware and installation of a new period appropriate bolt plate;
  - Installation of spring bronze weatherstripping; and,
  - Dutchman repairs to the stile, threshold and jamb.

**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,
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Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor M. Wilson, Ward 1



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Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5

FILE: HP2024-017

July 10, 2024

Andy MacLaren  
43 Mill Street North  
Flamborough, ON L0R 2H0

**Re: Heritage Permit Application HP2024-017: Front Door Replacement at 43 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)**

---

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 HP2024-017 is approved for the designated property at 43 Mill Street North, Flamborough, in accordance with the materials submitted with the application for the following alterations:

- Replacement of the existing front door and transom with a new sympathetic door and transom.

**Subject to the following conditions:**

- a) That the final details of the chosen replacement door 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) 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,
- c) That the installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2026. If the alterations are not completed by July 31, 2026 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

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and that this permit is only for the above-noted work. 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 Notice.

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.

If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner, via email at [dawn.cordeiro@hamilton.ca](mailto:dawn.cordeiro@hamilton.ca).

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Councillor McMeekin, Ward 15