



CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 12
COMMITTEE DATE: September 18, 2012	
SUBJECT/REPORT NO: Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the <u>Ontario Heritage Act</u> (PED12166) (Ward 12)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Joseph Muller (905) 546-2424 Ext. 1214 Meghan House (905) 546-2424 Ext. 1202
SIGNATURE:	

RECOMMENDATION:

- (a) That Council direct staff to carry out a Cultural Heritage Assessment of 437 Wilson Street East (Ancaster) to determine whether the property is of sufficient cultural heritage value or interest to warrant designation under Part IV of the Ontario Heritage Act.
- (b) That Council include 437 Wilson Street East (Ancaster) in the Register of Property of Cultural Heritage Value or Interest following consultation with the Hamilton Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (e) of Report PED12166; and that staff make appropriate amendments to the Register of Property of Cultural Heritage Value or Interest.
- (c) That if 437 Wilson Street East (Ancaster) is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act.

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- (d) That the Cultural Heritage Assessment work be assigned a high priority, and be added to staff's work plan for completion in 2013, as per Appendix "F" to Report PED12166.
- (e) That Report PED12166 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation prior to the Council approved inclusion of 437 Wilson Street East (Ancaster) in the Register of Property of Cultural Heritage Value or Interest.
- (f) That Report PED12166 be forwarded to the owner of 437 Wilson Street East (Ancaster) for information.

EXECUTIVE SUMMARY

Staff has received a request to designate 437 Wilson Street East (Ancaster) under Part IV of the Ontario Heritage Act (see Appendix "A"). Under the Council-approved designation process (see Appendix "D") (approved October 29, 2008, Report PED08211), the following Report contains a preliminary evaluation of the subject property using the criteria contained in *Ontario Regulation 9/06*. This preliminary evaluation of the property provides the basis for a recommendation for continuing Cultural Heritage Assessment work, and for assigning a work plan priority for this assessment work.

The property located at 437 Wilson Street East (Ancaster) (see location map attached as Appendix "B", and photographs attached as Appendix "C"), known as Wynnstay, comprises a large French Revival mansion, designed by architect John Lyle, built in 1925-26, on the 102 acre estate that was designed by the landscape architecture firm of Dunington-Grubb, and constructed between 1918 and 1924.

A preliminary assessment of the property has been undertaken by staff using the criteria contained in *Ontario Regulation 9/06*. The property meets all three of the criteria, and is considered to have design and physical value, historical and associative value, and contextual value.

Through this Report, staff recommends that the Planning Committee and Council direct staff to carry out a Cultural Heritage Assessment of 437 Wilson Street East (Ancaster) to determine whether the property is of cultural heritage value or interest and worthy of designation under Part IV of the Ontario Heritage Act as a high priority within staff's work plan. This further research and assessment work will provide Committee and Council with adequate information upon which to base a decision regarding designation under the Ontario Heritage Act. The Hamilton Municipal Heritage Committee will be consulted during the preparation of the Cultural Heritage Assessment and the staff Report, as set out in the Council-approved designation process (see Appendix "D").

Alternatives for Consideration - See Page 9.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: The City's Legal Counsel was consulted in the preparation of the original staff Report regarding the new designation process (Report PED08211). Planning staff has prepared the following review of the legal implications of the recommendations of this Report in consultation with Legal Counsel:

The owner's consent is not a prerequisite for designation of a property under the Ontario Heritage Act. In the Divisional Court decision *Tremblay v. Lakeshore (Town)*, the court found that the interests of the public, community, and the owner must all be considered when a Council decides whether or not to designate a property. The court found that by making the owner's consent a condition of designation, the Council had fettered its discretion to make the designation decision, acting contrary to the Ontario Heritage Act.

Accordingly, a Council may decide that it is in the public interest and/or community interest to conserve a property, despite objections by the owner.

As per the designation process approved by Council on October 29, 2008, this Report provides staff with initial direction to complete further research and evaluation of the property for a later decision by Council. If staff is directed to proceed, Council will be able to make an appropriate decision on designation at a subsequent stage in the designation process when it has before it a staff Report, the Cultural Heritage Assessment, a draft designating By-law, advice from the Hamilton Municipal Heritage Committee, and the positions of the property owner and any other interested parties.

HISTORICAL BACKGROUND

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, an 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)).

SUBJECT: Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166) (Ward 12) - Page 4 of 10

Designation does not restrict the use of a property, prohibit alterations or additions, or restrict the sale of a property. The City of Hamilton also provides heritage grant and loan programs to assist in the continuing conservation of properties once they are designated.

A process for considering requests for designation was approved by Council on October 29, 2008 (see Appendix "D"), and recognizes the Divisional Court decision *Tremblay v. Lakeshore (Town)*.

A third party request to designate 437 Wilson Street East (Ancaster) under Part IV of the Ontario Heritage Act was received in the form of a petition on September 14, 2009. At the time of the request, the cultural heritage resources were being addressed through the development application process. However, the application has been inactive since January, 2009. The third party reiterated their request to designate the property at a meeting with staff on July 14, 2011. Therefore, staff is moving forward with the designation request. The original request is attached as Appendix "A". Under the Council-approved process for considering requests for designation, preliminary screening has been conducted (see Analysis section of this Report) referencing the criteria contained in *Ontario Regulation 9/06* (see Appendix "E") to determine if further Cultural Heritage Assessment work is warranted. This Report also identifies a staff recommendation for the work plan priority of this further Cultural Heritage Assessment work within the context of a four- to five-year timeframe, as per the Council-approved designation process.

Work Program Priority

The Council-approved designation process provides for the prioritization of detailed research and assessment work. Within the annual work program, Heritage staff can typically process three to four properties through the designation process, including the preparation of the comprehensive Cultural Heritage Assessment reports and the processing of the designation By-laws in conjunction with Clerks. According to the Council-approved process, Committee and Council may assign a high, medium, or low priority to a designation request. These priorities generally fall within the following time frames:

- A high priority would direct staff to prepare the Cultural Heritage Assessment within the immediately ongoing work program;
- A medium priority would direct the designation request to the 2nd or 3rd year of the work program; or,
- A low priority would direct the request to the 4th or 5th year of the work program.

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Work program priorities are assigned based on a number of factors, including:

- Risk to the property with respect to demolition or removal;
- Funding eligibility;
- Heritage value associated with the property;
- Current level of property maintenance;
- The property is City-owned; and,
- Work program and staff resources.

POLICY IMPLICATIONS

Town of Ancaster Official Plan

Official Plan policies of the former Town of Ancaster, which encompasses the subject lands, support the conservation, maintenance, and designation of property deemed to be of heritage value (Sub-section 2.5.2.ii, iii, and vi). The recommendations of this Report meet the intent of these policies.

Urban Hamilton Official Plan

Volume 1, Section 3.4 - Cultural Heritage Resources Policies of the Council-adopted (adopted July 9, 2009) Urban Hamilton Official Plan states that the City shall “protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes” (Volume 1, 3.4.2.1(a)), and “identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources” (Volume 1, 3.4.2.1(b)). The policies also provide that the “City may, by By-law, designate individual and groups of properties of cultural heritage value under Parts IV and V, respectively, of the Ontario Heritage Act” (Volume 1, 3.4.2.3). The Urban Hamilton Official Plan has been approved by the Ministry of Municipal Affairs and Housing, but has been appealed in its entirety to the Ontario Municipal Board (OMB). While the plan is not in full force and effect, these policies demonstrate Council’s commitment to the identification, protection, and conservation of the cultural heritage resources. The recommendations of this Report meet the intent of these policies.

RELEVANT CONSULTATION

This Report is the initial stage in the consideration of a request for designation under the process approved by Council on October 29, 2008. Council does not have enough information at this time to determine whether it is in the public interest and/or community interest to conserve the property at 437 Wilson Street East (Ancaster) (see Legal Implications). The purpose of this Report is to provide staff with direction to complete further research and evaluation of the property in order to assemble the information for a later decision by Council. The owner will be contacted when consideration of the potential designation of the subject property is to be discussed, and would be notified of Council’s intent to designate and the passing of any By-laws under the public notification provisions of the Ontario Heritage Act. However, in keeping with Council’s

intent in approving the designation process, it is recommended that the owner be forwarded a copy of this Report and advised of any further cultural heritage assessment work to be completed.

Staff will follow the Council-approved process (see Appendix “D”) and formally consult with the Hamilton Municipal Heritage Committee, prior to inclusion of the subject property in the Register.

ANALYSIS / RATIONALE FOR RECOMMENDATION

“Wynnstay”, 437 Wilson Street (Ancaster)

The subject property is located at 437 Wilson Street East (Ancaster) as part of Lots 43, 44, and 45, Concession 2, and currently covers 102 acres. Named “Wynnstay”, it is exemplary of a traditional country estate, comprising built heritage features within a planned landscape. The large manor on the property, built in 1925-1926, is French Revival in style, and was designed by noted Canadian architect John Lyle, from his Hamilton office. Several outbuildings sharing a common Tudor Revival style are also present. The property’s planned landscape was designed and implemented by Dunington-Grubb, leading contemporary landscape architects, between 1918 and 1924, prior to construction of the manor, and is set within the scenic natural surroundings of woodlands, hills, and escarpment edge. The property’s estate landscaping was deliberately designed to provide aesthetic views from the manor, and along with the manor and related structures, forms a significant cultural heritage landscape.

Preliminary Evaluation - Ontario Regulation 9/06

Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest provides criteria for determining cultural heritage value or interest under the Ontario Heritage Act. The regulation identifies three broad categories of criteria: Design or Physical Value, Historical or Associative Value, and Contextual Value, under which three subsets of criteria are further identified (see Appendix “E”). The following provides a preliminary evaluation using the criteria in *Ontario Regulation 9/06*:

1. Design value or physical value.

The “Wynnstay” estate at 437 Wilson Street East (Ancaster) is in excellent condition, and is well maintained by the current owners. The manor house is a type specimen of French Revival architecture in Hamilton, is situated on the crest of the prominent ridge on the property, and in combination with the design height, is oriented to afford an unparalleled panoramic view of the Dundas Valley. A coach house, stable, and barn in Tudor Revival style were built in conjunction with the manor. The major elements of the designed landscape surrounding the structures have been retained. The essential attributes of the overall estate structures and landscape have survived over eighty-five years. The estate is considered to have design and physical value, notably in its characteristic features:

Manor House:

- Asymmetrical L-shaped structure;
- Multiple, tall chimneys;
- Steeply pitched slate roofs;
- An arched entrance portico;
- Stucco façade with stone foundation and trim;
- Stairway tower;
- Dormer windows, bay windows, shuttered windows, some with blind arches above;
- Wrought-iron railings;
- Paved entrance courtyard; and,
- Family coat-of-arms carved in stone on the tower.

Stable, Garage, and Barn:

- Form a co-ordinated service complex at the entrance, away from the manor;
- Tall roofs of wood shingles, multiple cross-gables with half-timbering;
- Stone construction;
- Stucco facades; and,
- Dormer windows.

Landscape:

- Scenic, park-like planned setting, reminiscent of the informal English tradition of landscape architecture;
- Long winding drive leading into the property and up to the main house;
- Formal gardens enhancing the main house;
- Long vistas to and from the main house;
- Large expanses of lawn;
- Brook fed pond;
- Small self sustaining farm;
- Well placed landscape accent features;
- Private estate drive; and,
- Additional features include a tea house, several stone bridges, stone wall, entrance pillars, and a private grassy drive around the estate.

Archaeology:

- The property contains a minimum of five significant Native archaeological sites, registered with the Province of Ontario; and,
- One EuroCanadian cemetery.

2. **Historical value or associative value.**

The property is considered to have historical and associative value having direct associations to significant community members. The owner and builder of the estate, Frederick Fenner Dalley, was President of the F.F. Dalley Corporation, Ltd., largest manufacturer of shoe polish in North America. He also became Chairman of Themokept Products and Perfect Vacuum Canning, Ltd. The founder of Ancaster, James Wilson, was the first owner of these lands between 1789-1823: the property also fronts onto Wilson Street, named after him. The landscape architects responsible for the estate design of “Wynnstay” were the pre-eminent firm Dunington-Grubb, also responsible for numerous public and private landscaping projects in Hamilton and Toronto, and founders of Sheridan Nurseries. The Manor was designed by John Lyle, an internationally recognized Toronto architect, with a Hamilton office, responsible for numerous significant public and private commissions.

3. **Contextual value.**

The “Wynnstay” estate at 437 Wilson Street East (Ancaster) remains in its original location.

- The 102 acre property is located on the Niagara Escarpment, forming part of this scenic landscape identified as a natural resource of National Value and a World Biosphere Reserve under UNESCO;
- The planned and natural landscape attributes remaining are substantially unchanged and contribute to a cultural heritage landscape of notable value and significance to the surrounding area.

Conclusion

Staff concludes that the property located at 437 Wilson Street East (Ancaster) (“Wynnstay”) is of potential cultural heritage value or interest, sufficient for the property to warrant inclusion in the City’s *Register of Property of Cultural Heritage Value or Interest* and further research and assessment for purposes of possible designation under the Ontario Heritage Act.

Work Program Priority

Staff recommends that further research and cultural heritage assessment work for 437 Wilson Street East (Ancaster) be assigned a high priority within the staff work program. Staff identifies this work as a high priority owing to the potential heritage value of the property, strong community interest in the property, uncertainty with regards to the future conservation of the property, and applications under the Planning Act for development of the property.

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The assignment of a high priority to the subject designation request would place the research and preparation of a Cultural Heritage Assessment on the work plan for completion in Q-1 2013 (see Appendix "F").

ALTERNATIVES FOR CONSIDERATION:

The Ontario Heritage Act enables a Council to include properties that it believes to be of cultural heritage value in the municipal *Register of Properties of Cultural Heritage Value or Interest*. Council may decide not to include the subject property in the Register. If the property is not included in the municipal Register, then the municipality would be unable to protect the heritage resource from demolition and/or review any potential re-development. This alternative is not considered to be an appropriate conservation alternative.

Council may direct staff to not complete a Cultural Heritage Assessment, and no further work will be completed by staff. This alternative is contrary to the Council-approved process for considering requests for designation whereby legitimate requests for designation must be addressed, and should be considered with full information (see Legal Implications section of this Report).

Council may also assign a different work program priority than recommended by staff. Given the consideration of all the factors noted in the Analysis section of this Report, staff is of the opinion that the recommended work program priority is warranted.

CITY STRATEGIC COMMITMENT:

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative, and Respectful Organization

- ◆ Council and SMT are recognized for their leadership and integrity.
- ◆ Staff Comment: The approval of the recommendations of this Report demonstrates Council's commitment to the Council-approved designation process and to existing planning policies.

Intergovernmental Relationships

- ◆ Maintain effective relationships with other public agencies.
- ◆ Staff Comment: The approval of the recommendations of this Report demonstrates Council's commitment to conserving cultural heritage resources, as directed by Provincial and Federal level policies.

Healthy Community

- ◆ Plan and manage the built environment.
- ◆ An engaged Citizenry.
- ◆ Staff Comment: There is demonstrated public interest in the cultural heritage value of this property and its conservation as a community resource. The approval of the recommendations of this Report acknowledges this public interest.

APPENDICES

- Appendix “A”: Request for Designation
- Appendix “B”: Location Map
- Appendix “C”: Photographs
- Appendix “D”: Council Approved Designation Process
- Appendix “E”: Ontario Regulation 9/06
- Appendix “F”: Requests to Designate Properties under Part IV of the Ontario Heritage Act: Priorities (as amended by Report PED12166)

JPM/MH
Attachs. (6)

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

From: Karen Wilkins [mailto:]

Sent: Monday, September 14, 2009 10:50 AM

To: Cuming, David

Cc: Bedioui, Ida

Subject: Ancaster residents wish to request heritage protection for Wynnstay Estate

Good morning David,

The people on the attached petition are interested in the City of Hamilton initiating heritage protection under the Ontario Heritage

Act for the Wynnstay Estate in Ancaster. There are approximately 407 signatures to date.

Karen Wilkins

19

Ancaster Heritage Village Petition

This is a request for The City of Hamilton to initiate Heritage Designation under the Ontario Heritage Act of Wynnstay, the former Dalley Estate, presently Mount Mary Immaculate , 437 Wilson Street East, Ancaster, Ontario.

I am signing this petition in support of this request for heritage designation of the above mentioned property located at 437 Wilson Street East , Ancaster, Ontario under Section IV the Ontario Heritage Act . I understand that "Wynnstay Estate" is of Provincial /possibly National heritage significance. I am interested establishing heritage protection of the existing built facility and heritage landscape at this site.

No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL Do you want to be contacted with updates related to this issue?	YES
	Olga Litty	<i>[Signature]</i>			
	Stacy Kortz	<i>[Signature]</i>			
	Erin Bethune	<i>[Signature]</i>			
	J. Duneault	<i>[Signature]</i>			
	T. Fisher	<i>[Signature]</i>			
	Maura Bolton	<i>[Signature]</i>			
	Sandra Greenblatt	<i>[Signature]</i>			
	Marilyn Bello Crispo	<i>[Signature]</i>			
	Brandi Cochran	<i>[Signature]</i>			
	Taco Wicklow	<i>[Signature]</i>			
	Jan Wolfe	<i>[Signature]</i>			
	JAN WOLFE	<i>[Signature]</i>			
	Jan Masba	<i>[Signature]</i>			
	Emilia Piccini	<i>[Signature]</i>			
	KUDERT LACEY	<i>[Signature]</i>			
	Henry Wright	<i>[Signature]</i>			
	SHEILA CHAMBERS	<i>[Signature]</i>			
	Mary Stroh	<i>[Signature]</i>			
	Kathy Iszkula	<i>[Signature]</i>			

TOTAL SIGNATURES: 19

Over 27

23

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL	YES
				Do you want to be contacted with updates related to this issue?	
20	J RUSHWORTH	<i>[Signature]</i>			
21	ROSE MARSH	<i>[Signature]</i>			
22	Isra Dcuma	<i>[Signature]</i>			
23	J. APOLLONIOS	<i>[Signature]</i>			
24	J. Moore	<i>[Signature]</i>			
25	M. Tambascio	<i>[Signature]</i>			
26	Juan Nelson	<i>[Signature]</i>			
27	Sheila Smith	<i>[Signature]</i>			
28	Lia Lau	<i>[Signature]</i>			
29	Anna Salci	<i>[Signature]</i>			
30	HORNA JOHNSTON	<i>[Signature]</i>			
31	Emie Styckis	<i>[Signature]</i>			
32	V. Duarte	<i>[Signature]</i>			
33	C MATYNYK	<i>[Signature]</i>			
34	D SULLIVAN	<i>[Signature]</i>			
35	C. Gault	<i>[Signature]</i>			
36	Angie Hayes	<i>[Signature]</i>			
37	Alison Taylor	<i>[Signature]</i>			
38	Sue Grace	<i>[Signature]</i>			
39	Gunny LeVan	<i>[Signature]</i>			
40	Margaret Scapin	<i>[Signature]</i>			
41	Kim Genereux	<i>[Signature]</i>			
42	Faye Perascidell	<i>[Signature]</i>			
43					

TOTAL SIGNATURES: 23

Over 2

24

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL	YES
				Do you want to be contacted with updates related to this issue?	
44	Marilyn Guest	Marilyn Guest			
45	SUSAN OUTLAW	Susan Outlaw			
46	S. Bantchou	S. Bantchou			
47	L. Kelly	L. Kelly			
48	Kathryn Grever	Kathryn Grever			
49	Rebbie Turchin	Rebbie Turchin			
50	Amber Griffin	Amber Griffin			
51	Lori Boden	Lori Boden			
52	Wayne Hanson	Wayne Hanson			
53	Kim Custick	Kim Custick			
54	Barbara Jepson	Barbara Jepson			
55	Amira Hannah	Amira Hannah			
56	Ricandy Cooke	M. Cooke			
57	CATHY LEITCH	Cathy Leitch			
58	Ravi Lomang	Ravi Lomang			
59	Michael H. S. En	Michael H. S. En			
60	Jane Hastie	Jane F. Hastie			
61	Jack Tandy	Jack Tandy			
62	Lois S. Tandy	Lois S. Tandy			
63	Ben Unsworth	Ben Unsworth			
64	Jim Unsworth	Jim Unsworth			
65	JISA GALLANT	Jisa Gallant			
66	Navia Stagal	Navia Stagal			
67	DARLENE MCCULLOCH	D. McCulloch			

TOTAL SIGNATURES: 24

Over 3

10

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
68	Katherine Bennett	[Signature]			
69	Jan Russell	[Signature]			
70	Janet Berard	[Signature]			
71	Donna Russell	[Signature]			
72	Borene JAESCHKE	[Signature]			
73	Veronika Jaeschke	[Signature]			
74	Adam Chambers	[Signature]			
75	Emma Laws	[Signature]			
76	Graham Wilson	[Signature]			
77	Laura Dyack	[Signature]			
78	Nancy Hicks	[Signature]			
79	Self				
80	Courtnay Bird	[Signature]			
81	Allison Cupido	[Signature]			
82	Maddie	[Signature]			
83	Brian Summersdale	[Signature]			
84	Paul Best	[Signature]			
85	Andrea Best	[Signature]			
86	Arianna Staidis	[Signature]			
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TOTAL SIGNATURES: 19

Over 4

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
92	B. Hany Folbergill	<i>B. Hany Folbergill</i>			
93					
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TOTAL SIGNATURES: 1

Over 5

Ancaster Heritage Village Petition

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No	PRINT NAME	SIGNATURE	ADDRESS	EMAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
116	JANE VAN ZUIDEN	Jane van Zuiden			
117	R. Noxon	R. Noxon			
118	P. Becomes	P. Becomes			
119	Suz Carson	Suz Carson			
120	Mitra Kishmati	Mitra Kishmati			
121	Tullian D'Angela	Tullian D'Angela			
122	A. Liddicoat	A. Liddicoat			
123	Brian Siegel	Brian Siegel			
124	Jeanette Charbon	Jeanette Charbon			
125	Karl Lozicki	Karl Lozicki			
126	Philippe Davis	Philippe Davis			
127	Murielle Montague	Murielle Montague			
128	Mary Ann Lee	Mary Ann Lee			
129	Eugenia McInnis	Eugenia McInnis			
130	JAN FALLOU	JAN FALLOU			
131	J. Pauline	J. Pauline			
132	Louise Behnen	Louise Behnen			
133	GAIL SHELLEY	Gail Shelley			
134	BILL WELLS	Bill Wells			
135	Susan Brown	Susan Brown			
136	Judy Couche	KRISTY OULTER			
137	Cathy Williams	Cathy Williams			
138	NAN MACKAY	NAN MACKAY			
139	SHEILA GORDON	SHEILA GORDON			

TOTAL SIGNATURES: 24

Over 6

Ancaster Heritage Village Petition

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No	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>If you want to be contacted with updates related to this issue?</small>	YES
140	NATHAN FLEET	<i>Nathan Fleet</i>			
141	S BAUMAN	<i>S. Bauman</i>			
142	E HALSEY	<i>E. Halsey</i>			
143	LITUCWICK	<i>Litucwick</i>			
144	S. SEPENA	<i>S. Sepena</i>			
145	T. Salvo	<i>T. Salvo</i>			
146	Simon Bozower	<i>Simon Bozower</i>			
147	V. Clements	<i>V. Clements</i>			
148	P. Rastin	<i>P. Rastin</i>			
149	Mr. Grant Ham	<i>Mr. Grant Ham</i>			
150	B. Werbauskay	<i>B. Werbauskay</i>			
151	N. Werbauskay	<i>N. Werbauskay</i>			
152	J. Tetter	<i>J. Tetter</i>			
153	J. Tetter	<i>J. Tetter</i>			
154	Jayne Vison	<i>Jayne Vison</i>			
155	Vigora Icha	<i>Vigora Icha</i>			
156	Len Jones	<i>Len Jones</i>			
157	Bonnie Donaghy	<i>Bonnie Donaghy</i>			
158	Cindy Ferrone	<i>Cindy Ferrone</i>			
159	F. N. C. Moiseso	<i>F. N. C. Moiseso</i>			
160	M. Taylor	<i>M. Taylor</i>			
161	Roberta Preston	<i>Roberta Preston</i>			
162	B. Miller	<i>B. Miller</i>			
163	NUALA RYAN	<i>Nuala Ryan</i>			

TOTAL SIGNATURES: 24

Over 7

25

Ancaster Heritage Village Petition

This is a request for The City of Hamilton to initiate Heritage Designation under the Ontario Heritage Act of Wynnstay, the former Dalley Estate, presently Mount Mary Immaculate , 437 Wilson Street East, Ancaster, Ontario.

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
164	Julie Fogarty	Julie Fogarty			
165	SOPHIA STOLE	Sophia Stole			
166	Karen Ambrose	Karen Ambrose			
167	Mary Walchura	Mary Walchura			
168	Judy Wilson	Judy Wilson			
169	JAMES FORNIE	James Fornie			
170	Stepha Fraser	Stepha Fraser			
171	Kelly Fraser	Kelly Fraser			
172	Christine de la Cruz	Christine de la Cruz			
173	Marsha Mitchell	Marsha Mitchell			
174	Debra Currie	Debra Currie			
175	KIM KASTMUSSEN	Kim Kastmussen			
176	Therese	Therese			
177	PAT DAVIS	Pat Davis			
178	T. St Michael	T. St Michael			
179	Nicolas NENNARD	Nicolas NENNARD			
180	C. Vano	C. Vano			
181	Burton Bentham	Burton Bentham			
182	Kathleen Morrison	Kathleen Morrison			
183	S. E. Lippert	S. E. Lippert			
184	CONIN COOPER	Conin Cooper			
185	Mary Cactus	M. Cactus			
186	W. OLIVER	W. Oliver			
187	NATASHA FERRE	Natasha Ferre			
	DIANNE HYSLOP	Dianne Hyslop			

TOTAL SIGNATURES: 25

25

Ancaster Heritage Village Petition

This is a request for The City of Hamilton to initiate Heritage Designation under the Ontario Heritage Act of Wynnstay, the former Dalley Estate, presently Mount Mary Immaculate, 437 Wilson Street East, Ancaster, Ontario.

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NO.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL	YES
188	Theresa Motson	Theresa Motson			
189	Kelly Campbell	Kelly Campbell			
190	BEA WARD	Bea Ward			
191	Theresa VanLoon	Theresa VanLoon			
192	Landra Smith	Landra Smith			
193	Robin Smith	Robin Smith			
194	P. K. Maxwell	P. K. Maxwell			
195	KAREN ENEMA	Karen Enema			
196	A. Jean King	A. Jean King			
197	E. PIGOTT	E. Pigott			
198	Christina Gurduski	Christina Gurduski			
199	DAVID HARAWA	David Harawa			
200	Maria Beloshesky	Maria Beloshesky			
201	Frankie Mitchell	Frankie Mitchell			
202	Allyson Todovick	Allyson Todovick			
203	Theresa Lapinski	Theresa Lapinski			
204	S. COOK	S. Cook			
205	AT KUMAR	At Kumar			
206	S. FUSS	S. Fuss			
207	H. DORE	H. Dore			
208	Monica Graham	Monica Graham			
209	K. RYAN	K. Ryan			
210	M. Feashan	M. Feashan			
211	S. Lawler	S. Lawler			

Marda Jeffrey Marda Jeffrey
TOTAL SIGNATURES: 25

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL Do you want to be contacted with updates related to this issue?	YES
	S. SITRALSHI	<i>S. Sitralshi</i>			
	M. Dayman	<i>M. Dayman</i>			
	M. HARMER	<i>M. Harmer</i>			
	G. Harmer	<i>G. Harmer</i>			
	KATH HANNAY	<i>KATH HANNAY</i>			
	Ren Normandy	<i>Ren Normandy</i>			
	B. VALLENTIN	<i>B. Valle</i>			
	J. Niblett	<i>J. Niblett</i>			
	R. Dabbs	<i>R. Dabbs</i>			
	M. Lewis	<i>M. Lewis</i>			
	G. Watt	<i>G. Watt</i>			
	E. McCarroll	<i>E. McCarroll</i>			
	J. B. FREEBORN	<i>J. B. FREEBORN</i>			
	R. Cowan	<i>R. Cowan</i>			
	R. Wylean	<i>R. Wylean</i>			
	JAMES MORRIS	<i>J. Morris</i>			
	A. SALU	<i>A. Salu</i>			
	V. RAYMOND	<i>V. Raymond</i>			
	M. Robinson	<i>M. Robinson</i>			
	T. HILL	<i>T. Hill</i>			
	E. SMALL	<i>E. Small</i>			
	JANE EVANS	<i>Jane Evans</i>			
	Gary Robertson	<i>Gary Robertson</i>			
	Stacey Edworthy	<i>Stacey Edworthy</i>			

TOTAL SIGNATURES: 24

Over 27

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
236	MELISSA VAN LIEROP	<i>M. Van Lierop</i>			
237	Pamela Sinclair	<i>Pamela Sinclair</i>			
238	Mike Trainor	<i>Mike Trainor</i>			
239	Ashlie Kachmar	<i>Ashlie Kachmar</i>			
240	Carleemogallero	<i>Carleemogallero</i>			
241	Heather Jones	<i>Heather Jones</i>			
242	Wendy ma	<i>Wendy ma</i>			
243	Greg Kent	<i>Greg Kent</i>			
244	Colin Sagon	<i>Colin Sagon</i>			
245	John Sagon	<i>John Sagon</i>			
246	Paul Baldwin	<i>Paul Baldwin</i>			
247	BRUCE DOIDGE	<i>Bruce Doidge</i>			
248	Marian Baldwin	<i>Marian Baldwin</i>			
249	Sarah Hertz	<i>Sarah Hertz</i>			
250	Imma Dalziel	<i>Imma Dalziel</i>			
251	Rebecca Baldwin	<i>Rebecca Baldwin</i>			
252	Ella Doidge	<i>Ella Doidge</i>			
253	MARY ANDERSON, Ph.D	<i>Mary Anderson Ph.D</i>			
254	Janelle Baldwin	<i>Janelle Baldwin</i>			
255	Natalie Hopkins	<i>Natalie Hopkins</i>			
256	Joan Chan	<i>Joan Chan</i>			
257	Tekla Nugel	<i>Tekla Nugel</i>			
258	Craig Sherwood	<i>Craig Sherwood</i>			
259	Laurel Petty	<i>Laurel Petty</i>			

TOTAL SIGNATURES: 24

Over 11

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL	YES
260	RONA NOXON	R. Noxon			
261	KATE SUMANAC	Kate Sumanac			
262	DAN SUMANAC	Dan Sumanac			
263	CRAIG SIMS	C. Sims			
264	George Sindai	George Sindai			
265	HOLEY RAHMATI	H. Rahmati			
266	MITRA RAHMATI	M. Rahmati			
267	Jen Schrafft	J. Schrafft			
268	Carl Schrafft	C. Schrafft			
269	Kate Schrafft	K. Schrafft			
270	Nancy Collins	N. Collins			
271	Lee Collins	L. Collins			
272	Hannah Collins	H. Collins			
273	Betty Collins	B. Collins			
274	Sean Fitzpatrick	S. Fitzpatrick			
275	Neil Fitzpatrick	N. Fitzpatrick			
276	Mark Johancsik	M. Johancsik			
277	HAZEL AYAN	H. Ayan			
278	Natasha Newell-Vila	N. Vila			
279	DOLLY MICHENER	D. Michener			
280	MARY SIM-GAON	M. Sim-Gaon			
281	Heather McMurray	H. McMurray			
282	Alyssa McMurray	A. McMurray			
283	JANAY HERRELL	J. Herrell			

TOTAL SIGNATURES: 24

Over 12

24

Ancaster Heritage Village Petition

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PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
Anne Newbassing	<i>Anne Newbassing</i>			-
Julian Whitten	<i>Julian Whitten</i>			-
Tim Locke Mickleton	<i>Tim Locke</i>			-
MARTIN VAN OOSTEN	<i>M. van Oosten</i>			-
Hennie van Oosten	<i>H. van Oosten</i>			-
JANE R. POWELL	<i>J. Powell</i>			-
Susan Brown	<i>S. Brown</i>			-
Doreen Russell	<i>D. Russell</i>			-
Fyrian Johnson	<i>F. Johnson</i>			-
KE FORTIER	<i>Ke Fortier</i>			-
Rishra Khedra	<i>R. Khedra</i>			-
Johnalee Marshall	<i>J. Marshall</i>			-
ERIC BOBARD	<i>E. Bobard</i>			-
GORD SPREJ	<i>G. Sprej</i>			-
VICTORIA SNOW	<i>V. Snow</i>			-
BETTY JOHNSON	<i>B. Johnson</i>			-
Janet Conde	<i>J. Conde</i>			-
SERGE CAZZOLA	<i>S. Cazzola</i>			-
Shawn Sietzen	<i>S. Sietzen</i>			-
Shane Ferguson	<i>S. Ferguson</i>			-
J. Albert EPP	<i>J. Epp</i>			-
KAREN SIMON	<i>K. Simon</i>			-
Robyn Smith	<i>R. Smith</i>			-

TOTAL SIGNATURES: 24

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with responses related to this issue?</small>	YES
	Denise Lachin	<i>DL</i>			
	Nicola Morgan	<i>N Morgan</i>			
	Julie Knight	<i>J Knight</i>			
	Sandra Wimmer	<i>S Wimmer</i>			
	Debbie Goulette	<i>D Goulette</i>			
	Louise Marie-Houston	<i>L Marie-Houston</i>			
	M. HENSON	<i>M Henson</i>			
	John Pitts	<i>J Pitts</i>			
	Richard	<i>RICHARD</i>			
	LEAH HIGGS	<i>L Higgs</i>			
	ROBERT WYNNE	<i>R Wynne</i>			
	KRISTINE WILKINS	<i>Kristine Wilkins</i>			
	DAVID BOYD	<i>D Boyd</i>			
	Angela Mari	<i>A Mari</i>			
	Heather Rust	<i>H Rust</i>			
	M. PARSONS	<i>M Parsons</i>			
	BILL RUSSELL	<i>William Russell</i>			
	Helen MacPherson	<i>H MacPherson</i>			
	Jean Bell	<i>Jean Bell</i>			
	J. Bell	<i>J. Bell</i>			
	E. Moller	<i>E Moller</i>			
	J. MARTIN	<i>J. Martin</i>			
	S GILES	<i>S Giles</i>			

TOTAL SIGNATURES: 23

Over 1

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL Do you want to be contacted with updates related to this issue?	YES
	CLAUDIA NEVRY	<i>C. Nevry</i>			
	NORMAN FWARD	<i>N. Fward</i>			
	G. Bennett	<i>G. Bennett</i>			
	M. Marlett	<i>M. Marlett</i>			
	G. Smith	<i>G. Smith</i>			
	M. WOOD	<i>M. WOOD</i>			
	A. MCGRATH	<i>A. McGrath</i>			
	Liz Perritt	<i>Liz Perritt</i>			
	Martin Slesca	<i>Martin Slesca</i>			
	HELEN KEEVIL		32 GARDEN AVE		
	MIKE KEEVIL		32 GARDEN AVE		
	Jean Massey	<i>Jean Massey</i>			
	Juanda Bremer	<i>Juanda Bremer</i>			
	AKA Jenkin	<i>AKA Jenkin</i>			
	Jane Gibson	<i>Jane Gibson</i>			
	Bob Swede	<i>Bob Swede</i>			
	Lester Ward		LESTER WARD		
	Lester Brown	<i>Lester Brown</i>			
	GRADY DUCREIX	<i>Grady Ducreix</i>			
	Rene Doray	<i>Rene Doray</i>			
	JOHN TOLDNES	<i>John Toldnes</i>			
	JEEI Swarsky	<i>Jeei Swarsky</i>			
	Matthew Sheppard	<i>M. Sheppard</i>			

TOTAL SIGNATURES: 23

Over 27

Ancaster Heritage Village Petition

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No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL Do you want to be contacted with updates related to this issue?	YES
	A. Gough	<i>A. Gough</i>			
	Marion Cunliffe	<i>M. Cunliffe</i>			
	Bob Cunliffe	<i>B. Cunliffe</i>			
	SHEILA WHELAN	<i>S. Whelan</i>			
	Doree Hales	<i>D. Hales</i>			
	Liz Hales	<i>Liz Hales</i>			
	S. Connor	<i>S. Connor</i>			
	C. Riley	<i>C. Riley</i>			
	M. Puchalski	<i>M. Puchalski</i>			
	S. PARSONS	<i>S. Parsons</i>			
	M VANDEKEI	<i>M. Vandekie</i>			
	Jean Weir	<i>Jean Weir</i>			
	Alison Gibson	<i>Alison Gibson</i>			
	Aimee FrKetch	<i>Aimee FrKetch</i>			
	CHRIS RICE	<i>Chris Rice</i>			
	ROBERT BIRD	<i>R. Bird</i>			
	F. McLaughlin	<i>F. McLaughlin</i>			
	IRIS CAIKNS	<i>Iris Cairns</i>			
	BRENDA COX-GRAHAM	<i>Brenda Cox-Graham</i>			
	Gail Wilkerson	<i>Gail Wilkerson</i>			
	Fred Wilkerson	<i>Fred Wilkerson</i>			
	Chloe Cunningham	<i>Chloe Cunningham</i>			
	DOREEN HANNON	<i>Doreen Hannon</i>			
	Zoe Hoffman	<i>Zoe Hoffman</i>			

TOTAL SIGNATURES: 24

Over 27

Ancaster Heritage Village Petition

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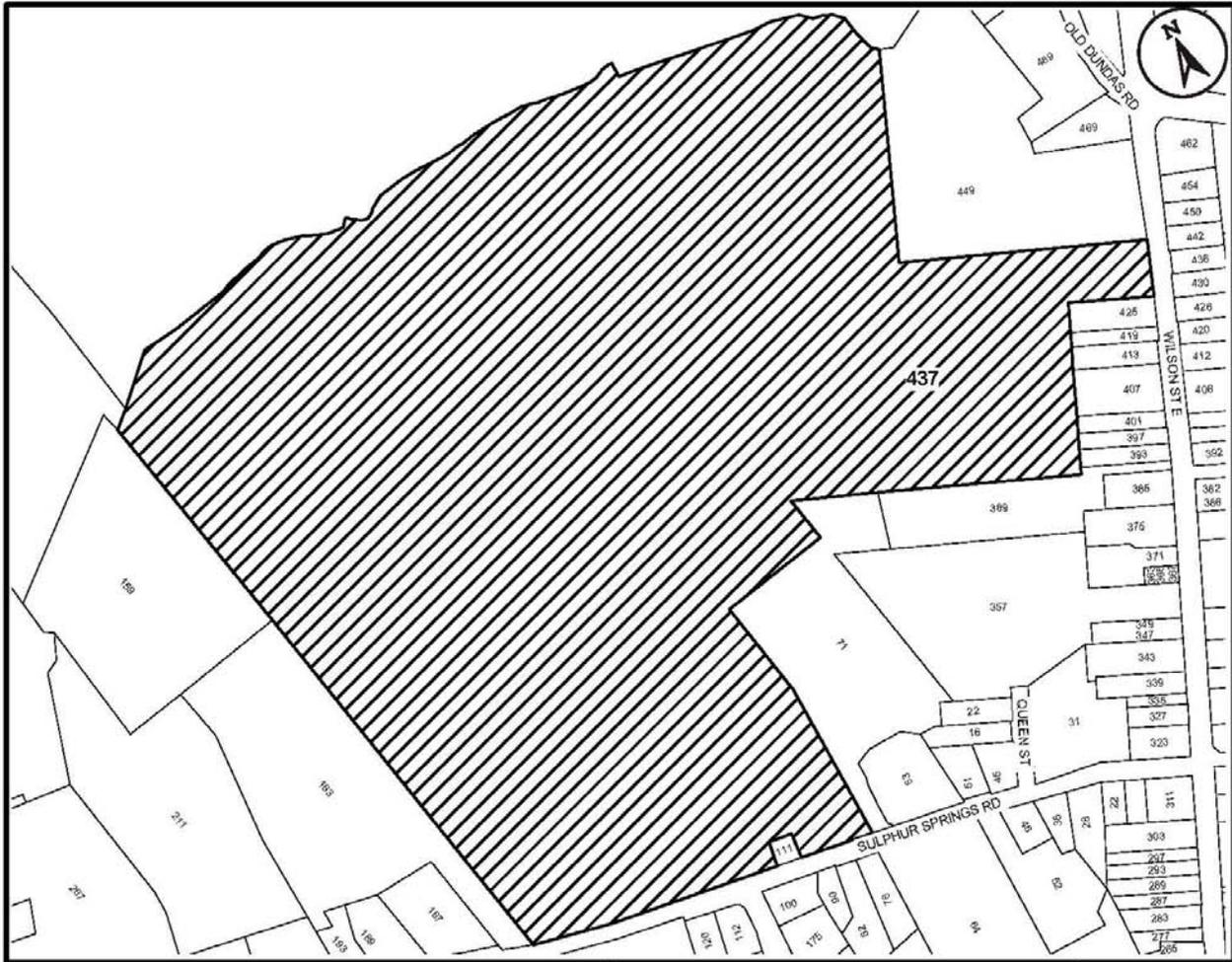
I am signing this petition in support of this request for heritage designation of the above mentioned property located at 437 Wilson Street East , Ancaster, Ontario under Section IV the Ontario Heritage Act . I understand that "Wynnstay Estate" is of Provincial /possibly National heritage significance. I am interested establishing heritage protection of the existing built facility and heritage landscape at this site.

No.	PRINT NAME	SIGNATURE	ADDRESS	E-MAIL <small>Do you want to be contacted with updates related to this issue?</small>	YES
460	Jennifer Davis	<i>Jennifer Davis</i>			
461	Joyce Abley	<i>Joyce Abley</i>			
462	Anton Plas	<i>Anton Plas</i>			
463	E. NASH	<i>E. Nash</i>			
464	John Burman	<i>John Burman</i>			
465	P. S. Eaton	<i>P. S. Eaton</i>			
466	BARBARA BYRNE	<i>Barbara Byrne</i>			
467	Laura Wood	<i>Laura Wood</i>			
468	Gloria Foster	<i>Gloria Foster</i>			
469	E. MUNOZ	<i>E. Munoz</i>			
470	JUAN E. MUNOZ	<i>Juan E. Munoz</i>			
471	MATT KOHLMANN	<i>Matt Kohlmann</i>			
472	Karen Sauer	<i>Karen Sauer</i>			
473	Nancy Fleming	<i>Nancy Fleming</i>			
474	Laurie Anne Gorb	<i>Laurie Anne Gorb</i>			
475	Hogan Urban	<i>Hogan Urban</i>			
476	JEFF BOOTH	<i>Jeff Booth</i>			
477	REBECCA MA.	<i>Rebecca Ma.</i>			
478	BK Selwyn-Waxman	<i>BK Selwyn-Waxman</i>			
479	B. SWART	<i>B. Swart</i>			
480	C. MILLER	<i>C. Miller</i>			
481	Sarah Redden	<i>Sarah Redden</i>			
482	Anne Jankech	<i>Anne Jankech</i>			
483	Linda Sinke	<i>Linda Sinke</i>			

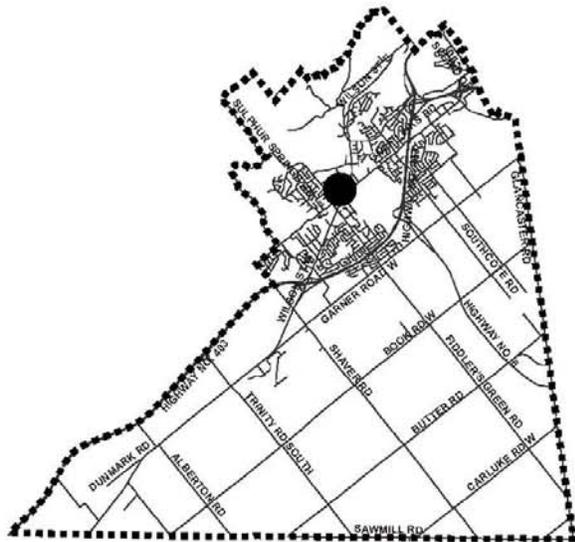
TOTAL SIGNATURES: 24

Over 21

5



● Site of the Application



Ward 12 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
437WilsonStE

Date:
October 24, 2011

Appendix "B"

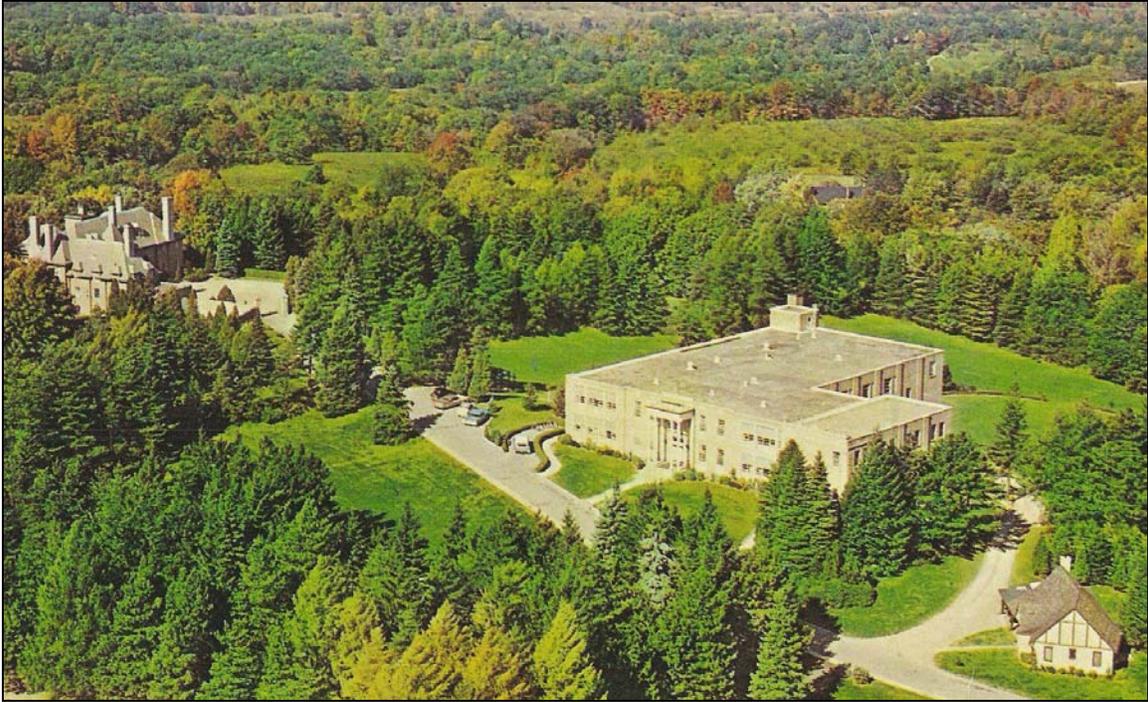
Scale:
N.T.S.

Planner/Technician:
KE/KA

Subject Property



437 Wilson Street East



437 Wilson Street East, Ancaster (Wynnstay) - Manor house in upper left corner



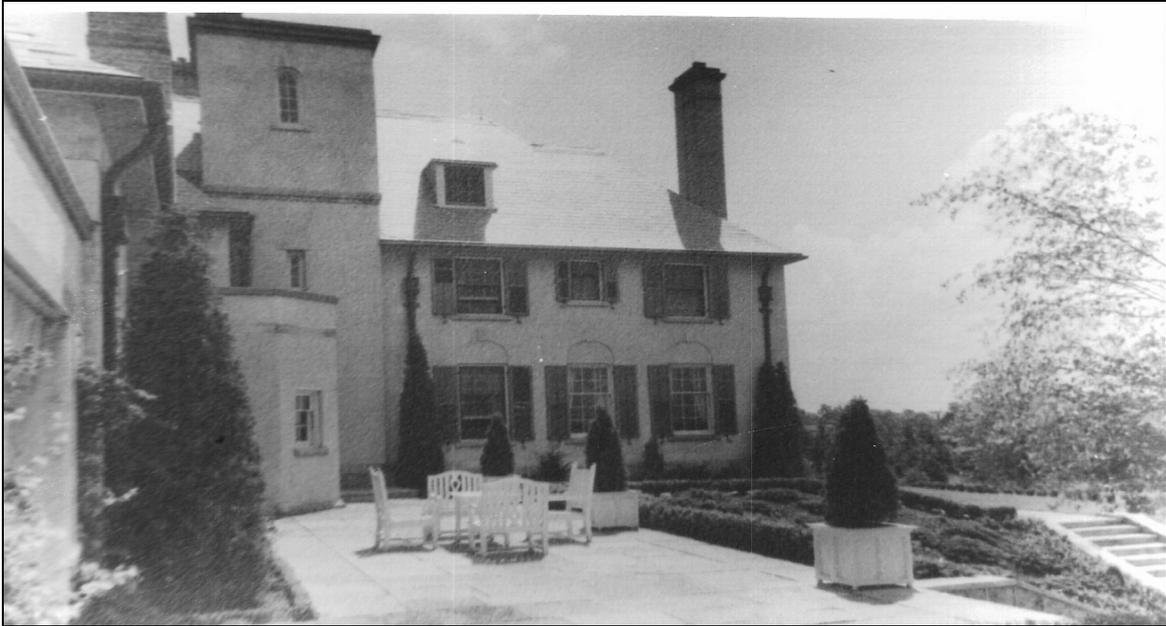
Wynnstay – Gate (Wilson Street East entrance to property)



Wynnstay – Manor House (east view)



Wynnstay – Manor House historical photograph (west view)



Wynnstay – Manor House historical photograph (north view)



Wynnstay – Original Coach House converted to residence (Villa)



Wynnstay – Teahouse and pond



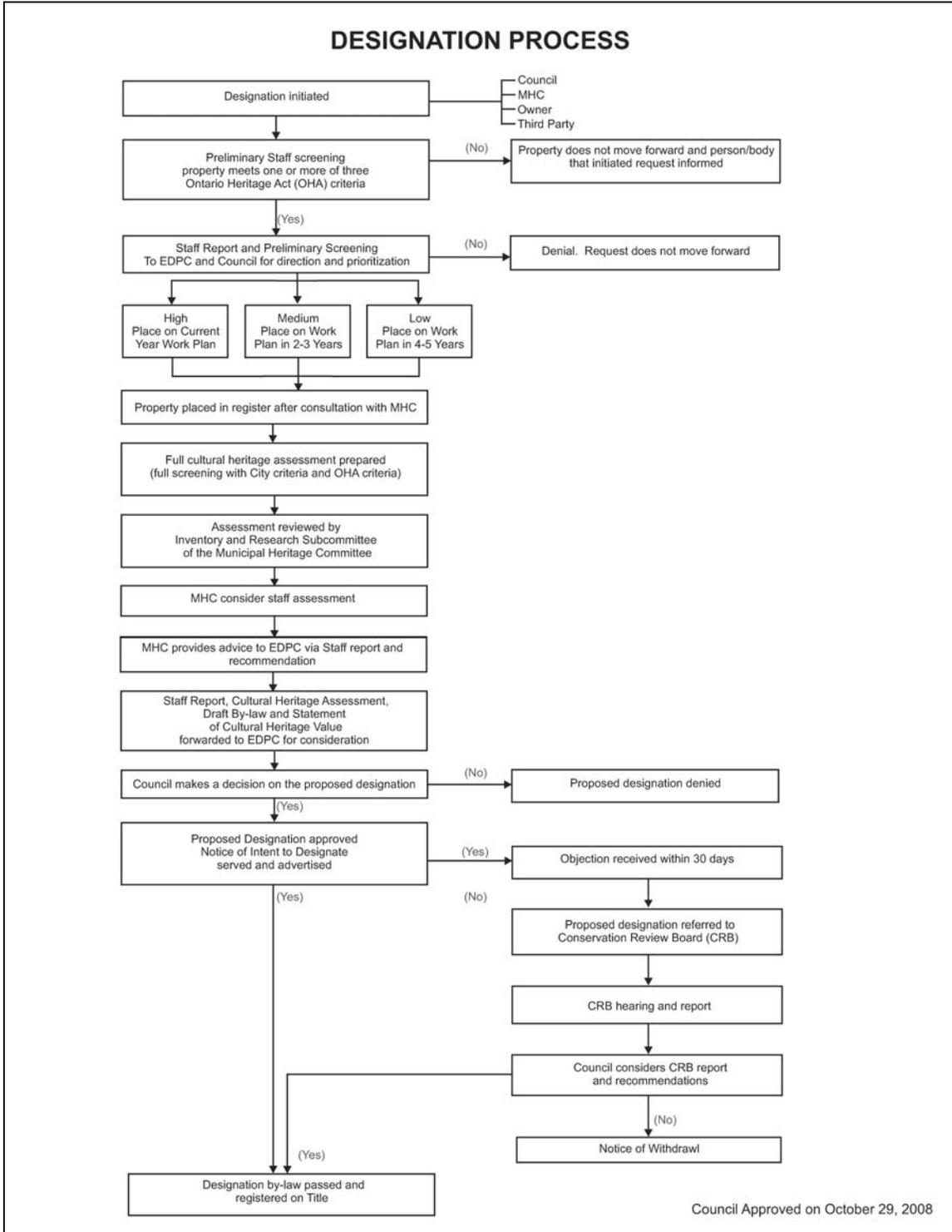
Wynnstay – Historical photograph of estate garden



Wynnstay – Landscape bridge feature



Wynnstay – Landscape allée feature



Ontario Heritage Act

ONTARIO REGULATION 9/06

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria

- 1.(1) The criteria set out in Sub-section (2) are prescribed for the purposes of Clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).
- (2) A property may be designated under Section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:
 1. The property has design value or physical value because it:
 - i. Is a rare, unique, representative or early example of a style, type, expression, material, or construction method;
 - ii. Displays a high degree of craftsmanship or artistic merit; or,
 - iii. Demonstrates a high degree of technical or scientific achievement.
 2. The property has historical value or associative value because it:
 - i. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community;
 - ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
 - iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
 3. The property has contextual value because it:
 - i. Is important in defining, maintaining, or supporting the character of an area;
 - ii. Is physically, functionally, visually, or historically linked to its surroundings; or,
 - iii. Is a landmark. O. Reg. 9/06, s. 1 (2).

**Requests to Designate Properties under Part IV of the Ontario Heritage Act:
Priorities (as amended by Report PED12166)**

<u>Year</u>	<u>Property</u>	<u>Date of Request</u>
2012	104 King Street West, Dundas (Dundas Post Office)	24-Sep-09
2012	71 Claremont Drive, Hamilton	28-May-09
2012	397 King Street West, Dundas (Dundas District High School)	24-May-07
2012	82-112 King Street East , Hamilton (Royal Connaught)	09-Apr-08
2013	437 Wilson Street East, Ancaster (Wynnstay)	29-Oct-08
2013	167 Book Road, Ancaster	24-May-07
2013	52-56 Charlton Avenue West, Hamilton	24-Apr-07
2013	91 John Street South, Hamilton	25-Oct-07
2013	140 Locke Street South, Hamilton	03-Jun-09
2014	3027 Homestead Drive, Mount Hope	24-Jan-08
2014	1395-1401 King Street East, Hamilton	04-Aug-09
2014	1062 Golf Club Road, Binbrook (Woodburn)	27-Mar-08
2014	Gage Park, Hamilton	23-Mar-06
2015	Gore Park, Hamilton	24-Apr-08
2015	Tisdale House, Ancaster	16-Aug-01
2015	111 Kenilworth Access, Hamilton (Barton Reservoir)	26-Feb-09
2015	262 MacNab Street North, Hamilton	18-Dec-08
2016	Desjardins Canal, Dundas	26-Feb-09
2016	1065 Highway 8, Stoney Creek	27-Aug-09
2016	170 Longwood Road North, Hamilton	15-Feb-11
2016	4-12 John Street North, Hamilton (Treble Hall)	08-Feb-11
2017	7 Ravenscliffe Avenue, Hamilton	10-Jun-11
2017	39 Lakeview Drive, Stoney Creek	17-Feb-11
2017	231 Ferguson Avenue South (Ferguson Avenue Pumping Station), Hamilton	18-Oct-11