



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	March 15, 2018
SUBJECT/REPORT NO:	Recommendation to Include the Manhole Covers Located in front of 201 Robert Street and 10 Mulberry Street, Hamilton, in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest (Ward 2) (PED18067)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chelsey Tyers (905) 546-2424 Ext.1202
SUBMITTED BY:	Steve Robichaud Director, Planning & Chief Planner Planning and Economic Development
SIGNATURE:	

RECOMMENDATION

- (a) That the manhole cover located in front of 201 Robert Street, Hamilton, as shown in Appendices "A" and "B" to Report PED18067, be included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest.
- (b) That the manhole cover located in front of 10 Mulberry Street, Hamilton, as shown in Appendices "C" and "D" to Report PED18067, be included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest.

EXECUTIVE SUMMARY

The request to protect the manhole cover located on the municipal right-of-way in front of 201 Robert Street, Hamilton (see location map attached as Appendix "A" to Report PED18067), was initiated on July 27, 2015 at the request of the curator at the Hamilton Museum of Steam and Technology. In addition to the manhole cover located in front of 201 Robert Street, Hamilton, there are two other 1859 manhole covers in Hamilton, one on exhibit at the Hamilton Museum of Steam and Technology, and one in front of 10 Mulberry Street, Hamilton (see location map attached to Appendix "C" to Report PED18067).

The manhole covers located in front of 201 Robert Street and 10 Mulberry Street, Hamilton, have been evaluated using the Criteria for Determining Cultural Heritage

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Value or Interest, as defined in Ontario Regulation 9/06 of the *Ontario Heritage Act* in accordance with the City's practice for considering requests to include properties on the Register. The manhole covers meet four of the nine criteria as defined by Ontario Regulation 9/06.

It has been determined that both manhole covers located on the municipal right-of-way in front of 201 Robert Street and 10 Mulberry Street, Hamilton, have design/physical value, historical/associative value and contextual value, and staff recommend that the manhole covers be included in the Register of Properties of Cultural Heritage Value. Land surveys have been completed to demonstrate that only the lands containing the manhole covers are included in the Register of Property of Cultural Heritage Value or Interest (see Appendices "B" and "D" to Report PED18067).

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not applicable.

Staffing: Not applicable.

Legal: Inclusion in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest requires that Council be given notice of the intention to demolish or remove any building or structure on the property 60 days prior to any demolition or removal. Council must consult with their Municipal Heritage Committee prior to including a property in the Register or removing reference to a property from the Register.

HISTORICAL BACKGROUND

Two manhole covers, one located on the municipal right-of-way directly in front of 201 Robert Street (see Appendix "A" to Report PED18067) and one in front of 10 Mulberry Street, Hamilton (see Appendix "C" to Report PED18067) are comprised of an iron-made manhole cover with the markings "1859 HWW", indicating the year of installation of the Hamilton waterworks infrastructure (see Appendices "E" and "F" to Report PED18067). The manhole covers are located in-situ.

The origins of Hamilton's waterworks system can be traced back to 1833 where an increasing number of accidental fires led the Board of Police to install five public wells. Notwithstanding the provision of wells, there was considerable public outcry for a comprehensive and reliable waterworks system. This prompted the Board of Police to

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make a call for tenders in 1835. Unfortunately, due to municipal funding constraints, the winning submission was never implemented.

It was not until a cholera outbreak in September 1854 that City Council reopened consideration of a waterworks system. In January 1855, Thomas Coltrin Keefer was commissioned to assess the waterworks system options. Keefer determined that Lake Ontario was the most appropriate water source. The newly appointed Board of Water Commissioners – chaired by Adam Brown, engaged Keefer as Chief Engineer on January 28, 1857. Despite the financial constraints of the depressed economy and the physical challenges, the waterworks were officially inaugurated in 1860 by His Royal Highness Albert Edward, Prince of Wales, later King Edward II.

The manhole covers located in front of 201 Robert Street, Hamilton, and 10 Mulberry Street, Hamilton, are two of three remaining 1859 manhole covers commissioned by the City of Hamilton. The third manhole cover has been included in the display collection at the Hamilton Museum of Steam and Technology.

The manhole covers located in-situ are both on a municipal right-of-way and currently have neither heritage status nor protection. On July 27, 2015, City staff received a request to protect the manhole cover located in front of 201 Robert Street, Hamilton. Given that the manhole cover in front of 10 Mulberry Street is identical to the manhole cover in front of 201 Robert Street, staff are of the opinion that it is prudent to also evaluate the manhole cover in front of 10 Mulberry Street for inclusion on the Register. Given that the manhole covers are located on a municipal right-of-way, land surveys have been completed to demonstrate that only the lands containing the manhole covers are included in the Register of Property of Cultural Heritage Value or Interest.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement:

Section 2.6 of the Provincial Policy Statement pertains to Cultural Heritage and Archaeology. Sub-section 2.6.1 states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”. The recommendations of this Report are consistent with this policy.

Urban Hamilton Official Plan:

Volume 1, Section B.3.4 - Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (UHOP) 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” (B.3.4.2.1(a)), and “identify cultural

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heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources" (B.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*" (B.3.4.2.3).

The recommendations of this Report comply with these policies.

RELEVANT CONSULTATION

Pursuant to Sub-section 28 (1.3) of the *Ontario Heritage Act*, Council is required to consult with its Municipal Heritage Committee respecting registration of property under Sub-section (1). Report PED18067 will serve this function as this consultation.

Staff notified the Ward Councillor of the recommendation of this Report on November 27, 2017. Staff have not received any comments or concerns from the Ward Councillor. In addition, staff further notified the Public Works Department at the City of Hamilton on November 27, 2017, and have received no objection to proceeding with the inclusion on the Register.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Ontario Regulation 9 / 06: Criteria for Determining Cultural Heritage Value or Interest:

Section 27 (1.2) of the *Ontario Heritage Act* permits the Council of a municipality to include a non-designated property on a municipal register. In 2006, the Province issued Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. While property is not legislatively required to meet the criteria in Ontario Regulation 9/06 to be included on a municipal register, staff are of the opinion that application of this criteria for individual property requests is appropriate. A property must meet a minimum of one of the nine criteria to be determined to have cultural heritage value or interest.

Staff are of the opinion that both manhole covers satisfy four the nine criteria contained in Ontario Regulation 9/06 in all three categories.

1. Design / Physical Value:

- i. The manhole covers are early and representative examples of the method and material used in the construction of manholes, with a cast outer disk and inner disk system, and are considered rare as they are part of the City of Hamilton's first waterworks system.

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The manhole covers are stamped with "1859 HWW (Hamilton Waterworks)", indicating the year of its implementation.

- ii. The manhole covers do not demonstrate a high degree of craftsmanship or artistic merit.
- iii. The manhole covers do not demonstrate a high degree of technical or scientific achievement.

2. Historical / Associative Value:

- i. The manhole covers do have direct associations with two persons of note, as part of the larger Hamilton Waterworks system, Adam Brown and Thomas Coltrin Keefer. It was under the leadership of Chairman of the Board of Water Commissioners, Adam Brown, that the Hamilton Waterworks system was completed. Thomas Coltrin Keefer, an influential and highly respected hydraulic engineer designed the waterworks system of which the manhole covers are part of the supporting infrastructure. Further, the waterworks were officially inaugurated in 1860 by His Royal Highness Albert Edward, Prince of Wales, and later King Edward II.

The Hamilton Waterworks system is also associated with the various iterations of the City of Hamilton's Public Works Department who have maintained the manhole covers, providing a reliable waterworks system for almost 160 years.

- ii. The manhole covers do not have the potential to yield an understanding of a community or culture.
- iii. Recognizing that the manhole covers on the properties represent one part of the first Hamilton Waterworks system, the covers are believed to reflect the work of Thomas Coltrin Keefer, who was the Chief Engineer on the project. Keefer was a well-known engineer who was responsible for a number of waterworks systems across Canada including St. Catharines, Toronto, Ottawa, Quebec City, Halifax and Dartmouth.

3. Contextual Value:

- i. The manhole covers do not define, maintain, or support the historic character of an area.

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- ii. The manhole covers are physically, functionally, and historically linked to the Hamilton Waterworks system and by extension, the two 70-ton steam engines currently located in-situ at the Museum of Steam and Technology, a National Historic Site. The manhole covers are of the supporting infrastructure of the first waterworks system in Hamilton from 1859, and are located in-situ where they continue to support the infrastructure of the current Hamilton Waterworks system.
- iii. The manhole covers are not considered a landmark.

Conclusion:

Staff have determined that the subject property meets four of nine criteria under Ontario Regulation 9/06. As such, staff are of the opinion that the manhole covers are of sufficient cultural heritage value to merit inclusion on the Register of Property of Cultural Heritage Value or Interest.

Including the manhole covers in the City of Hamilton's Register of Property of Cultural Heritage Value will allow the City to provide formal protection to this small part of the larger original Hamilton Waterworks system. It will ensure wise management of the resource by municipal staff in the future if any public right-of-way improvements are considered in the area. As such staff recommend including in the City of Hamilton's Register of Property of Cultural Heritage Value, the manhole covers located in front of 201 Robert Street and 10 Mulberry Street, Hamilton.

ALTERNATIVES FOR CONSIDERATION

Decline to Include in the Register:

The inclusion of properties to the City's Register of Properties of Cultural Heritage Value is a discretionary activity on the part of Council. Council may decline to include the properties in the Register of Property of Cultural Heritage Value. By declining to include the properties in the City of Hamilton's Register of Property of Cultural Heritage Value, the municipality would be unable to provide long-term, legal protection to these significant heritage resources in situ.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

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Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

- Appendix "A": Location Map of manhole cover in front of 201 Robert Street, Hamilton
- Appendix "B": Survey of manhole cover in front of 201 Robert Street, Hamilton
- Appendix "C": Location Map of manhole cover in front of 10 Mulberry Street, Hamilton
- Appendix "D": Survey of manhole cover in front of 10 Mulberry Street, Hamilton
- Appendix "E": Photos of manhole cover in front of 201 Robert Street, Hamilton
- Appendix "F": Photos of manhole cover in front of 10 Mulberry Street, Hamilton

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