

Authority: Item 7, Planning Committee
Report 22-016 (PED22208)
CM: December 7, 2022
Ward: 2

Bill No. 045

CITY OF HAMILTON

BY-LAW NO. 23-

To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton as Property of Cultural Heritage Value

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on November 21, 2022;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on December 7, 2022, resolved to direct the City Clerk to take appropriate action to designate the Property described as 66-68 Charlton Avenue West, in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 22-276;

AND WHEREAS in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

AND WHEREAS no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

AND WHEREAS Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.
2. The Property, together with its heritage attributes listed in Schedule "C" hereto, is hereby designated as property of cultural heritage value or interest.

3. The City Clerk is hereby authorized and directed,
- a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
 - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule "A" hereto in the proper registry office.

PASSED this 29th day of March, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Schedule "A"
To
By-law No. 23-045

66-68 Charlton Avenue West
Hamilton, Ontario

PIN: 17172-0094 (LT)

Legal Description:

LOTS 7 & 8, PLAN 191; HAMILTON

Schedule “B”
To
By-law No. 23-045

66-68 Charlton Avenue West
Hamilton, Ontario

Notice of Intention to Designate
66-68 Charlton Avenue West, Hamilton ON

The City of Hamilton intends to designate 66-68 Charlton Avenue West, Hamilton ON, under Section 29 of the Ontario Heritage Act, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

The property located at 66-68 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick dwellings. The design of the buildings are representative of early-twentieth century Queen Anne Revival style architecture and demonstrates a high degree of craftsmanship in its detailing, including decorative brick paneling, wood mouldings, decorative slate shingles and dentilated cornices.

The property at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes may be found online via www.hamilton.ca or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 14th day of December 2022.

Andrea Holland
City Clerk
Hamilton, Ontario

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www.hamilton.ca/heritageplanning



Schedule “C”

To

By-law No. 23-045

**66-68 Charlton Avenue West
Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND
DESCRIPTION OF HERITAGE ATTRIBUTES**

Description of Property

The 0.31-acre property municipally-addressed as 66 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick buildings, 66 and 68 Charlton Avenue West, that were constructed circa 1903-1904, and connected by a circa 1966 two-storey addition. The property is located on the northeast corner of Charlton Avenue West and Park Street South, in the Durand Neighbourhood, within the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The early-twentieth century buildings located at 66-68 Charlton Avenue West exhibit architectural features representative of Queen Anne Revival style houses. While number 66 is of more modest construction and number 68 is more finely detailed, this style of architecture is well represented in both structures through their two-and-a-half storey brick construction, tall hip roofs punctuated with a variety of dormers, bays and chimneys, and the use of a variety of materials and textures. The decorative brick panelling and banding, leaded glass transom, wood mouldings, decorative slate shingle cladding, dentilated cornices, and wood brackets on the south and west facing facades, represent a high degree of craftsmanship.

The subject property reflects the work and ideas of prominent architects who are significant to the Hamilton community and demonstrates the capacity of Hamilton-based architects and craftspeople to offer high style to their patrons. The building constructed at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. Frederick James Rastrick (1819-1897) was a prominent nineteenth-century Hamilton architect. He was an active partner in a various of Hamilton firms and designed a number of well-known buildings in Hamilton. Rastrick opened a firm with his son Edward Llewellyn Rastrick (1861-1931) in 1881 and they practised together until his death in 1897, at which time his other son Francis Reginald Rastrick (1864-1932) joined the firm as a partner. Edward and Francis Rastrick of F. J. Rastrick & Sons were in partnership together

from 1898 until 1931. During their partnership the Rastrick sons designed a number of residential buildings, however their best-known works are the Twentieth Century Club on Locke Street South and the Stoney Creek Battlefield Monument, a National Historic Site of Canada.

The building constructed at 66 Charlton Avenue West is not attributed to a prominent architecture firm. However, the property does represent the work of the local Hamilton building company – Donaldson and Patterson. Hugh Donaldson (1847-1928) and J. L. Patterson (1852-1930) were local builders in the City of Hamilton.

The buildings at 66 and 68 Charlton Avenue West illustrate the theme of wealth and development in early-twentieth century Hamilton. Their construction at the turn of the twentieth century was commissioned by wealthy local landowners who were establishing the Durand Neighbourhood as a place for upper-class dwellings. The dwelling at 66 Charlton Avenue West was constructed circa 1904 for Adam Henry Hope (1852-1920), Accountant / Auditor, formerly of the Canadian Steel and Wire Company, then Brennen Manufacturing Company and then briefly the manager of the Hamilton Dustless Housecleaning Company Limited. The property at 68 Charlton Avenue West was owned by Annie Bryson Osbourne (1824-1912), and she was responsible for commissioning the circa 1903 dwelling from F.J. Rastrick & Sons. Annie lived in the dwelling with her son William Woodburn Osborne (1867-1915) and his wife and their two children. William was a Barrister at Gibson, Osborne, O' Reilly and Levy in the 1900's (affiliated with Sir John Morrison Gibson, 10th Lieutenant Governor of Ontario) and later ran his own firm by 1911.

The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The neighbourhood is well known for the quality of its architecture since it is home to many of Hamilton's finest historic residential properties. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street. Located in the Durand Neighbourhood, this property blends into the turn-of-the-twentieth century residential streetscape and buildings of this era are prevalent along the north side of Charlton Avenue West from Park Street east to MacNab Street.

Description of Heritage Attributes

Key attributes that embody the design / physical value of the property as being representative of the Queen Anne Revival style of architecture and the high degree of craftsmanship, and the historical / associative value of the property demonstrating the work and ideas of significant Hamilton architects and builders and connections with prominent Hamiltonians, include:

- The front (south) and side (east) elevations and roofline of the two-and-a-half-storey brick building historically known as 66 Charlton Avenue West, including its:

- Red brick facades laid in Stretcher bond;
- Tall hip roof with projecting eaves;
- Large projecting pedimented front gable, including its:
 - Tripartite window with moulded wood trim;
 - Moulded wood bargeboard with returning eaves;
 - Wood shingle cladding; and,
 - Bracketed cornice;
- Gable-roofed front dormer;
- Tall brick side chimney;
- Plain brick pilasters below the front gable;
- Flat-headed window openings in the front (south) facade, including the rock-faced stone lintels, stone lug sills and a continuous brick course at the sill in the second storey;
- Segmentally-arched window openings in the side (east) facade including the brick voussoirs and stone lug sills; and,
- Stone foundation.
- The front (south) and side (west) elevations and roofline of the two-and-a-half-storey brick building historically known as 68 Charlton Avenue West, including its:
 - Red brick facades laid in Stretcher bond;
 - Tall hip roof with projecting eaves;
 - Projecting two-and-a-half storey three-sided bay in the front (south) facade including its:
 - Pedimented gable clad in octagonal slate shingles with a paired window with wood trim;
 - Decorative moulded brackets flanking either side of the gable and running moulded cornice with brackets;
 - Round-arched windows in central portion of bay with raised brick ribbing framing the brick voussoirs;
 - Flanking segmentally-arched windows with brick voussoirs;
 - Rock-faced stone sills;
 - Continuous brick courses with dentiling detail; and,
 - Decorative rectangular brick panels and details between the first and second storeys;

- Shallow rectangular projection on the upper storey on the east side of the south facade including its:
 - Round-arched window in the second storey with decorative wood trim; and,
 - Octagonal slate shingles cladding the upper storey;
- Projecting one-storey brick portico entrance on the east side of the south facade including its:
 - Leaded-glass half-round transom above the entrance;
 - Decorative stone surround with central keystone and decorative square rosettes; and,
 - Moulded cornice separating the storeys;
- Gable-roofed front (south) and side (west) dormers;
- Projecting two-and-a-half-storey, three-sided bay on the side (west) facade including its:
 - Pedimented gable clad in octagonal slate shingles with a central brick panel flanked by small flat-headed windows;
 - Moulded cornice with brackets below the gable;
 - Segmentally-arched window openings with brick voussoirs and rock-faced stone lug sills;
 - Continuous brick courses with dentiling detail;
 - Decorative rectangular brick panels between first and second storeys; and,
 - Decorative arched brick panels in the central portion of bay;
- Shallowly projecting brick chimney (truncated) in the side (west) facade with decorative arched brick panel;
- Stone foundation with segmentally-arched window openings; and,
- Remaining one-over-one hung wood windows.

The central two-storey addition constructed circa 1966 is sympathetic to the character of the historic former dwellings but is not included in this Designation By-law.

Key attributes that embody the contextual value of the property include the:

- Stone perimeter wall along west property boundary facing Park Street including its:
 - Broken-course, cut-stone construction;
 - Half-circle coping stones of alternating sizes; and,

- Tiered construction, with the wall declining in height as it extends north towards rear of property;
- Moderate setback of 66 and 68 Charlton Avenue West from Charlton Avenue in line with the setbacks of the adjacent properties to the east; and,
- Moderate setback of 68 Charlton Avenue West from Park Street.