



Hamilton

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

Table with 2 columns and 7 rows containing meeting details: TO, COMMITTEE DATE, SUBJECT/REPORT NO, WARD(S) AFFECTED, PREPARED BY, SUBMITTED BY, and SIGNATURE.

RECOMMENDATION

That the City Clerk be directed to give notice of Council's intention to designate 176 Wilson Street East, Ancaster, shown in Appendix "A" attached to Report PED23241, 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 PED23241, 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 Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resource located at 176 Wilson Street East, Ancaster, known as Birch Lawn, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register (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 PED23241.

Alternatives for Consideration – See Page 5

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 176 Wilson Street East, Hamilton, shown in Appendix “A” attached to Report PED23241, is comprised of a two-storey brick building constructed circa 1881. The subject property was first surveyed for potential heritage interest in the 1970s.

Between 1976 and 1985, the Ancaster Local Architectural Conservation Advisory Committee (former Heritage Committee) conducted an inventory of properties of potential heritage interest across the community. In 1978, as part of that inventory, a heritage research report was prepared for the subject property. A copy of the report “Fraser House: 176 Wilson Street” was utilized in the writing of this Report (see the Research Sources attached as Appendix “D” to Report PED23241).

In 2020, the subject property was listed on the Municipal Heritage Register (Register) and was added to staff’s designation workplan for further research and assessment of the property. As a result of the recent *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 176 Wilson Street East was reprioritized for review for designation by January 1, 2025.

In a letter dated July 10, 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 October 18, 2023, 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. On October 24, 2023, the property owners called staff with their concerns that designation of their property might increase their insurance rates or complicate the sale of the property.

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.

In addition, Planning staff have emailed the Ward Councillor (Councillor C. Cassar) for Ward 12 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 August 28, 2023 (see photographs attached as Appendix “C” to Report PED23241) and available primary and secondary research sources (attached as Appendix “D” to PED23241). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets four of the nine criteria contained in *Ontario Regulation 9/06* in all three categories.

Design / Physical Value

1. The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as ‘Birch Lawn’, was constructed circa 1881. A small sympathetic addition was constructed on the southern side by the mid-to-late-twentieth century. The property has design or physical value as it is a representative example of the Italianate style of architecture as applied to a private dwelling. The features typical of the Italianate style include its: truncated hip roof (that once supported iron cresting); wide projecting eaves supported by paired wooden brackets; projecting

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- three-sided two-storey front and side bays with polygonal roofs; and decorative elements in dichromatic brick, including prominent quoins, broken pediment hoods over windows and ornamental panels under prominent eaves.
2. The property displays a high degree of craftsmanship, as evidenced by dichromatic decorative brickwork which ornaments the chimney, corners, windows and eaves.
 3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property does not have direct association with a theme, event, belief, person, activity, organization, or institution that is significant to the community.
5. The property does not yield or have the potential to yield information that contributes to understanding a community or culture.
6. The 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 supporting the character of the historic village of Ancaster. A large, former farmhouse, the property marks one of the entrances into the village core of Ancaster.
8. The property is historically linked to its surroundings being in its original location on the historic Wilson Street transportation corridor.
9. The property is not considered to be a landmark.

Staff have determined that 176 Wilson Street East, Ancaster 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 PED23241.

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 any of the properties to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

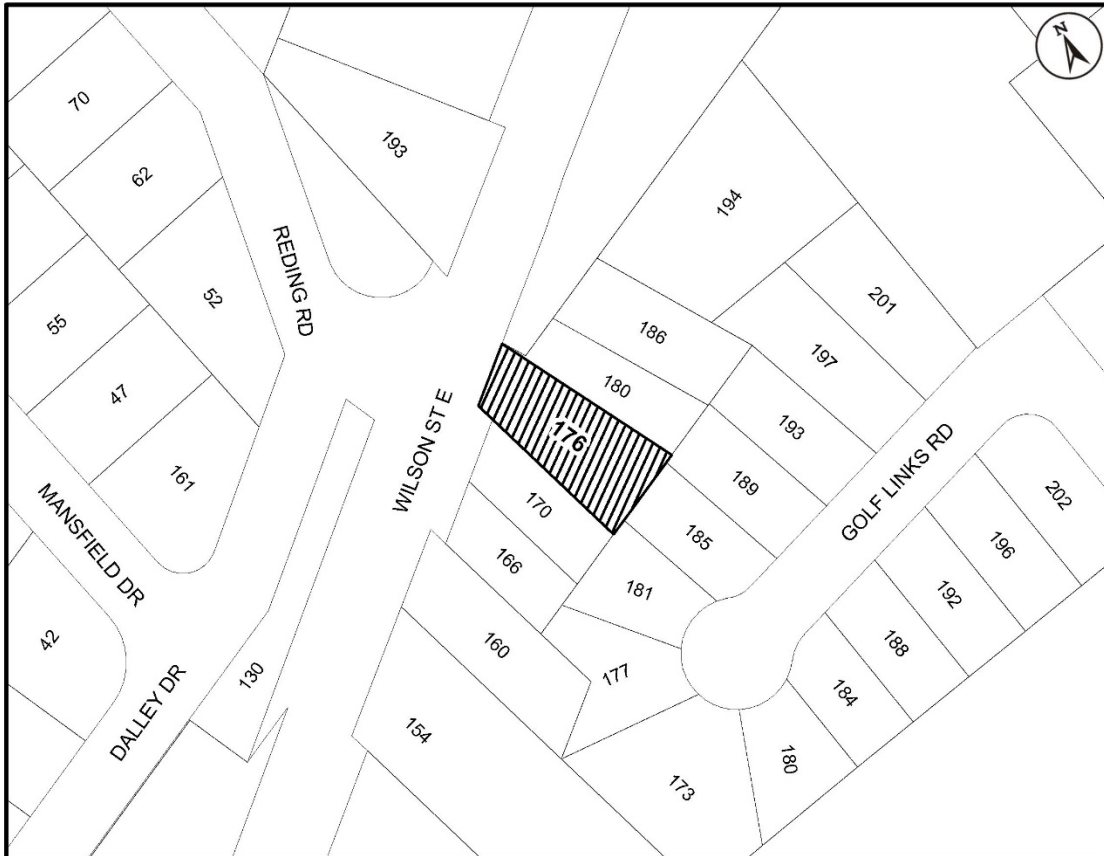
Appendix "A" to Report PED23241 – Location Map

Appendix "B" to Report PED23241 – Statement of Cultural Heritage Value or Interest
and Description of Heritage Attributes

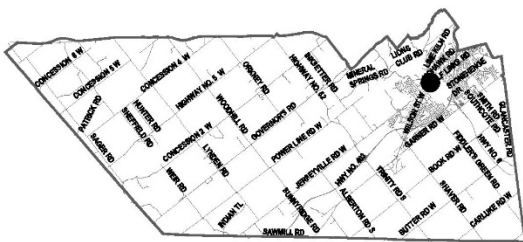
Appendix "C" to Report PED23241 – Photographs

Appendix "D" to Report PED23241 – Research Sources

SD/AG/sd



● Site Location



Key Map - Ward 12

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
176 Wilson St E


Date:
August 30, 2023

Appendix "A"

Scale:
N.T.S

Planner/Technician:
SD/VS

Subject Property

 176 Wilson Street East, Ancaster

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

Description of Property

The 0.125-hectare property municipally-addressed as 176 Wilson Street East is comprised of a two-storey brick dwelling constructed circa 1881. The property is located on the southeastern side of Wilson Street East, opposite the intersection of Wilson Street East and Dalley Drive, in the community of Ancaster in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as ‘Birch Lawn’, was constructed circa 1881. A small sympathetic addition was constructed on the southern side by the mid-to-late-twentieth century. The property has design or physical value as it is a representative example of the Italianate style of architecture as applied to a private dwelling, displaying a high degree of craftsmanship in its construction. Contextually, the property is important in supporting the character of the historic village of Ancaster and is historically linked to its surroundings. It is located on the historic Wilson Street transportation corridor and still marks the western entrance into the core, though now surrounded by modern construction.

Description of Heritage Attributes:

Key attributes that embody the design/physical value of the property as being representative of the Italianate style or architecture and demonstrating a high degree of craftsmanship, include:

- The front (north) and side (east and west) elevations and roofline of the two-storey brick building, including its:
 - Truncated hip roof with wide projecting eaves and paired decorative wooden brackets;
 - Single stack corbelled brick chimney to the east;
 - Projecting three-sided two-storey bays to the front (north) and side (east) with polygonal roofs;
 - Segmentally-arched window openings with decorative buff brick broken pediment hoods, stone lug sills and one-over-one hung wood windows with storms;
 - Front door with segmentally-arched opening with buff brick voussoirs and transom; and,
 - Dichromatic brick work including buff brick quoining, paneling under the projecting eaves and chimney detailing.

Key attributes that embody the contextual value of the property as a supporting feature of the historical character of Wilson Street East include its:

- Location fronting onto Wilson Street East at the eastern entrance into Ancaster Village.

Photographs

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



Image 1: Front (northern) elevation, from the west



Image 2: Front (northern) elevation, from the east, showing the projecting bay in the side (east) elevation



Image 3: Wilson streetscape looking from the west



Image 4: Wilson streetscape looking from the west, demonstrating the setback of property



Image 5: Wilson streetscape looking east into Ancaster Village, subject property obscured from view due to setback



Image 6: Detail of chimney and truncated hip roof



Image 9: Close up showing the projecting bay to the east, the paired brackets below the eave, dichromatic brickwork, wood windows with storms and front door with transom

Research Sources

John Richards in the 1871 Census.” *Ancestry*. Accessed June 19, 2023.
https://www.ancestrylibrary.com/discoveryui-content/view/287298:7922?tid=&pid=&queryId=3030c2fde0cefa3ba24acb574cd4a860&_phsrc=qEP79&_phstart=successSource

“John Richards, Ancaster” *Wentworth County Directory 1883*. Accessed June 19, 2023.
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https://www.canadiana.ca/view/oocihm.8_00033_3/1

“John Richards, Ancaster” *Farmers’ and business directory for 1891*. Accessed June 19, 2023. https://central.bac-lac.gc.ca/.item?op=pdf&id=e010780595_p1

“John Richards, Ancaster” *Farmers’ and business directory for 1892/1893*. Accessed June 19, 2023. https://central.bac-lac.gc.ca/.item?op=pdf&id=e010780596_p7

“John Richards, Ancaster” *Farmers’ and business directory for 1894*. Accessed June 19, 2023. https://central.bac-lac.gc.ca/.item?op=pdf&id=e010780597_p6

“John Richards, Ancaster” *Farmers’ and business directory for 1895*. Accessed June 19, 2023. https://central.bac-lac.gc.ca/.item?op=pdf&id=e010780604_p1

“Ancaster’s Heritage” *Ancaster Township Historical Society, 1973*

“Fraser House by Frances Pinch” *Ancaster LACAC 1978*