



**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>	January 26, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 419 Wilson Street East, Ancaster, (Masonic Hall) under Part IV of the <i>Ontario Heritage Act</i> (PED24024) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
<b>SUBMITTED BY:</b>  <b>SIGNATURE:</b>	Shannon McKie Acting Director, Planning and Chief Planner Planning and Economic Development Department

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council's intention to designate 419 Wilson Street East, Ancaster, known as the Masonic Hall, shown in Appendix "A" attached to Report PED24024, 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 PED24024, 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 resources located at 419 Wilson Street East, Ancaster, under Part IV of the *Ontario Heritage Act*. The subject property, known as the Masonic Hall and constructed circa 1821, 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 PED24024.

## **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 properties. 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 419 Wilson Street East, Ancaster (see Appendix "A" attached to Report PED24024), is comprised of a two-and-one-half-storey stone

building constructed circa 1821, known as the Masonic Hall. 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 in the community. In 1978, as part of this inventory, a heritage research report was prepared for the subject property. A copy of the 1978 report, titled “Masonic Hall”, was utilized in the writing of this Report (see the Research Sources attached as Appendix “D” to Report PED24024).

In 2020, 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 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 419 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 December 12, 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. Staff have not received a response from the property owner to date.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

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, Cultural Heritage 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 the 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 PED24024) and available secondary and primary research sources (see the Research Sources attached as Appendix “D” to Report PED24024). Based on staff’s cultural heritage evaluation below, it was determined that the subject property meets 5 of the 9 criteria contained in *Ontario Regulation 9/06* in all three categories and is a candidate for designation.

### **Design or Physical Value**

1. The two-and-a-half-storey stone structure located at 419 Wilson Street East, Ancaster was originally constructed circa 1821 and renovated circa 1914, including a sympathetic rear (north) addition and added half storey. The property has physical value as an early and representative example of a vernacular early-nineteenth century stone structure. It is a rectangular building with a hip roof with a front gable, wooden shingling in the gable, a carved stone lintel over the third storey window reading “Masonic Hall”, masonry seams between the original structure and the rear addition, broken-course rubble stone walls with dressed

quoins, visible masonry fill on either side of the front door, and a coursed rubble stone foundation.

2. The property displays a high degree of craftsmanship. In 1914, the structure was modified. Prior to these modifications, the building had a side gable roof with only a two-storey front façade. The building also did not extend as far back from Wilson Street as it does now. When the building was extended to the rear in 1914, it necessitated reconfiguring the roofline, which was reorientated as a hip roof with a front gable and adding the stone under the gable, including the stone block reading “MASONIC HALL”. This work demonstrates a high degree of craftsmanship, as the seam between the original stone walls and the rear and third storey additions is only noticeable after careful observation, with the method of construction, including the shape and colour of the stone blending in with the original structure.
3. The property does not demonstrate a high degree of technical or scientific achievement.

#### **Historical or Associative Value**

4. The property has historical value due to its association with prominent Ancasterians and to a long-standing Ancaster organization. The land on which this structure stands was part of the parcel owned originally by James Wilson, (fl.1755-1814) known as the founder of Ancaster, who then sold the property to his son-in-law David Newton (1781-1837), a blacksmith, in 1817. Newton is likely the builder of the current structure, which tradition holds was a blacksmith shop for most of the nineteenth century. After Newton, the property was owned by several other blacksmiths and carriage makers, until it was purchased by George Leith (1812-1887) in 1866. Leith, the wealthy owner of The Hermitage, purchased several Ancaster properties, including the “old Barracks” next door at 233-235 Wilson Street East, presumably as investment properties. In 1872, the recently-founded Seymour Lodge No. 272 Masons began renting the structure as their Hall, just in time for their very first meeting. The Lodge purchased the property in 1900 and it has remained in the ownership of the Lodge for over 120 years, to present day. In 1914, Seymour Lodge No. 272 undertook the expansion of the structure through the construction of a rear addition, which necessitated the substantial alteration to the roof.
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 or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant in the community.

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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.

## **Contextual Value**

7. The property is important in defining the character of this area. Of the several stone and wood historic structures that surround it, 419 Wilson Street East is the most visible, set close to the street with an unobscured view. The stone structures on either side of Wilson Street East form a gateway with their minimal setback, an impression that is strengthened by the large setback of the commercial buildings immediately on the other side. These serial views of a residential area opening into a commercial area creates a viewscape that 'welcomes' the viewer into the core of Ancaster Village.
8. The property is visually and historically linked to its surroundings. It sits at one end of the village core, along the historic Wilson Street transportation corridor, making it a sensible location for both a blacksmith shop and as a meeting place for a fraternal organization.
9. The property is not a landmark.

Based on the foregoing, staff have determined that 419 Wilson Street East, Ancaster 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 PED24024. Staff recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24024.

## **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

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demonstrated to directly 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 PED24024 – Location Map

Appendix “B” to PED24024 – Statement of Cultural Heritage Value or Interest band  
Description of Heritage Attributes

Appendix “C” to PED24024 – Photographs

Appendix “D” to PED24024 – Research Sources

SD/AG/sd