




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	July 22, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 6 Websters Falls Road, Flamborough (Springdale), under Part IV of the <i>Ontario Heritage Act</i> (PED24122) (Ward 13)
WARD AFFECTED:	Ward 13
PREPARED BY:	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2424 Ext. 7163
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council’s intention to designate 6 Websters Falls Road, Flamborough (Springdale), shown in Appendix “A” attached to Report PED24122, 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 PED24122, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resource located at 6 Websters Falls Road, Flamborough, known historically as Springdale, under Part IV of the *Ontario Heritage Act*. The subject property 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 PED24122.

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 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 6 Websters Falls Road, Flamborough, shown in Appendix “A” attached to Report PED24122, is comprised of a two-and-a-half-storey stone dwelling constructed circa 1856, known historically as Springdale. The subject property has been of local heritage interest since the 1930s, though several incorrect construction dates have been misattributed to this property. The property was first inventoried by the former Flamborough Local Architectural Conservation Advisory Committee, referred to as the Hendry House, and was also studied as part of the former Town of Flamborough’s Heritage Conservation District Study of Bullock’s Corners in 1991, in which it was referred to as the Webster House.

In 2018, 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 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 6 Websters Falls Road was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 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 June 10, 2024, 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 REQUIREMENT

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, Planning staff have emailed the Ward Councillor (Councillor A. Wilson) for Ward 13 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 June 10, 2024 (see photographs attached as Appendix “C” to Report PED24122) and available secondary and primary research sources (attached as Appendix “D” to Report PED24122). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets six of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design / Physical Value

1. The two-and-a-half-storey stone structure at 6 Websters Falls Road, known as Springdale, was constructed circa 1856. It has design and physical value as a representative example of the Georgian Revival style of architecture as applied to a private dwelling. The features typical of this style include the: symmetrical, five-bay front elevation; side gable roof with flanking stone chimneys; six-over-six hung windows; and, central entrance with transom and sidelights.
2. This property displays a high degree of craftsmanship through the: well-dressed and closely fitted cut-stone masonry construction in the front and side elevations including corner quoining; wooden door surround on the front entrance with

sidelights and transom; carved 'keystone' detail on the lintel over the doorway; and, stone chimneys.

3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. This property has historical value as it is associated with Joseph Webster II (1809-1886) a successful farmer, miller, politician and road builder in nineteenth-century Flamborough. Webster inherited lots 10 and 11 in the first concession of West Flamborough Township, where Webster's Falls is located, from his father James (1780-?) and grandfather Joseph Webster I (1750-1835), both of whom had purchased land in this area, but had never settled on it. Joseph II, according to family legend, had been left in the West Flamborough area by his father around 1825, and was taken in by the Green family, after whom Greensville was named, who taught him the milling trade. The Greens were evidently very close to Joseph, as he married one of their daughters, Maria (1812-1866) in 1832. Once he had inherited this land in 1832, Joseph first turned his attention to farming his new property, which he did with much success.

By the 1850s, Joseph's farm, "Springdale" was impressive enough to warrant special comment from the enumerator of the 1851 census. Joseph was also active in local affairs, being responsible for the construction of several roads, including the section of what is now Highway 8 which runs from Dundas to Bullock's Corners. When the Municipal Council of West Flamborough was created in 1850, Joseph was elected as one of the councillors, and was later Reeve of West Flamborough Township.

Joseph was also in the process of a career change. In 1856, he established the Ashbourne Mill on his property, next to Webster's Falls. At this time, he also began selling his farmland and moved from his wooden farmhouse to the new stone home which he had constructed next to his new mill. The Ashbourne Mill was a successful business venture which Joseph expanded to include facilities for grinding rye and barley, a cooperage for barrel production, and a mill for making cotton batting.

After Joseph II's death in 1886, his descendants sold the mill and much of the surrounding land to George Harper and William Merrill, who operated the mill until its destruction by fire in 1898. In 1899, George Harper installed an early hydroelectric plant on the property to produce electricity for the streetlights of Dundas, but this too was destroyed by fire in 1901. The Town of Dundas purchased the land for the creation of a public park in 1917.

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5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. This 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 defining the historic former industrial character of Bullock’s Corners. Through the nineteenth century the area along the Spencer Creek upstream from Dundas, stretching from Bullock’s Corners to Crook’s Hollow, was known for the numerous and varied water-powered industries which produced products including flour, sawn timber, linseed oil, oatmeal, plaster, blankets, and paper. This landscape today has become a popular conservation area, with little visual indication of its industrial past beyond the surviving homes of the mill-owners.
8. The property is historically, visually, physically, and functionally linked to the surrounding area. Built into the topography of its original location, along the historic Spencer’s Creek waterway and close to Webster’s Falls, this mill-owner’s house is a short distance from the site of the former Ashbourne Mill.
9. This property, being a large and visually distinctive structure located near the popular and well-known natural feature of Webster’s Falls, has been featured in several publications about the history of West Flamborough and is considered to be a local landmark.

Staff have determined that 6 Websters Falls Road, Flamborough, 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 PED24122.

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 the 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

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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 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 the property to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24122 – Location Map

Appendix "B" to Report PED24122 – Statement of Cultural Heritage Value or Interested
and Description of Heritage Attributes

Appendix "C" to Report PED24122 – Photographs

Appendix "D" to Report PED24122 – Research Sources

SD/MO:sd

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