



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	August 19, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 634 Rymal Road West, Hamilton (Former Union School Section No. 3), under Part IV of the <i>Ontario Heritage Act</i> (PED24123) (Ward 14)
WARD AFFECTED:	Ward 14
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 634 Rymal Road West (Union School Section No. 3), shown in Appendix “A” attached to Report PED24123, 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 PED24123, 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 634 Rymal Road West, Hamilton known historically as Union School Section No. 3, 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 PED24123. The property owner originally requested designation of the property in 2013 and has confirmed their support of the staff recommendation to designate.

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.

HISTORICAL BACKGROUND

The subject property located at 634 Rymal Road West, Hamilton, shown in Appendix “A” attached to Report PED24123, is comprised of a one-storey brick structure constructed in 1927, known historically as Union School Section No. 3.

In 2013, the owner of the subject property submitted a request for this property to be designated. As a result of this request, staff conducted a preliminary evaluation of the property, and the property was listed on the Municipal Heritage Register and was added to staff’s designation workplan as a low priority. 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 634 Rymal Road West, Hamilton 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 letter dated May 31, 2024, staff advised the owner of the recommendation to designate the property. On June 20, 2024, staff spoke with the property owner by phone, who confirmed they are still interested in the designation of their property. In a subsequent email, on July 19, 2024 staff 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.

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 M. Spadafora) for Ward 14 and provided an overview of the reasons for designation and the process for designating a property, and confirmed that the property owner is in support of the recommendation to designate.

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 14, 2024 (see photographs attached as Appendix “C” to Report PED24123) and available secondary and primary research sources (attached as Appendix “D” to Report PED24123). 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 one-storey brick structure located at 634 Rymal Road West was constructed in 1927 with additions built in 1954 and 1957. It has design and physical value as a rare and representative example of a rural one-room schoolhouse which displays Tudor Revival design influences. The building is also a largely intact example of a one-room schoolhouse, which is a relatively rare structure type in the City of Hamilton, particularly as it has not been extensively altered to accommodate a non-school use.

The design value of the property is demonstrated by the exterior features of the

building, including: the one-storey, one-room structure of the original 1927 school; the two symmetrical projecting front entrances - one for male students and one for female students, with half-timbering and gable eaves; the decorative brick parapet inscribed "Union No. 3, A.B.G 1927"; patterned brick infill; the metal and Georgian-wire glass windows in the lower level; the four-over-four wood windows on the west wall of the classroom; and the bell cupola.

The Tudor Revival influences are demonstrated in the original 1927 portion of the building and include the decorative brick parapet with stone accents, the half-timbering on the south elevation with brick infill in a crosshatch bond; and the half-timbering in the gables of the original student's entrances.

2. The property displays a high degree of craftsmanship through the decorative brick and stone parapet and the crosshatch bond brickwork infill on the front of the building.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property has historical value as it is directly associated with the historical Union School Section No. 3, which served a portion of the Townships of Barton, Ancaster, and Glanford. In nineteenth-century Ontario, rural townships were divided into a number of school sections, each section providing funds for a schoolhouse. In many cases, settlement patterns did not conform to the surveyed township lines, so union school sections, whose catchment area covered portions of several townships, were common. Union School Section No. 3 covered the southwestern corner of Barton Township, the northwestern corner of Glanford Township and the northeastern wedge of triangular Ancaster Township. Reportedly founded as early as 1810, the schoolhouse for Union School Section No. 3 was a simple log cabin, which remained in use until 1859, when it was replaced by a wood-framed building.

In 1874, a brick schoolhouse replaced the frame one, and the land on which the school stood was purchased from Charles Rymal (1835-1878) who had been leasing the land to the school board. It is uncertain whether this was a new location. This brick structure was destroyed by fire in 1920, and was replaced by the current building in 1927, which was later expanded in 1956 and 1957 to accommodate a larger student body. By the late 1970s, the property was considered too small for further expansion. Union School Section No. 3 closed, and in 1983 the building was inhabited by Paradise Children's Centre, a daycare and preschool, who purchased the property in 1991.

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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 does not define, maintain or support the character of the surrounding area.
8. The property is historically and visually linked to the surrounding area. Sited on its original location, along the historic transportation corridor of Rymal Road West, this property acts as a signpost demarcating the boundaries between the historic Townships of Ancaster, Glanford and Barton.
9. This property, due to its size, use of materials and architectural style, is a visually distinctive structure which differentiates from the surrounding area. A large structure set well back on a prominent corner lot, this highly visible building is considered to be a local landmark.

Staff have determined that 634 Rymal Road West, Hamilton 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 PED24123.

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 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

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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 PED24123 – Location Map

Appendix “B” to Report PED24123 – Statement of Cultural Heritage Value or Interested
and Description of Heritage Attributes

Appendix “C” to Report PED24123 – Photographs

Appendix “D” to Report PED24123 – Research Sources

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