




**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>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the <i>Ontario Heritage Act</i> (PED24190) (Ward 5)
<b>WARD(S) AFFECTED:</b>	Ward 5
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2423 Ext. 7163
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council’s intention to designate 21-25 Jones Street, Stoney Creek, shown in Appendix “A” attached to Report PED24190, 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 PED24190, 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.

## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resource located at 21-25 Jones Street, Stoney Creek, known as the Powerhouse, 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 PED24190.

### **Alternatives for Consideration – See Page 7**

## **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 21-25 Jones Street, Stoney Creek, shown in Appendix “A” attached to Report PED24190 is comprised of a one-storey brick structure constructed in 1894. The subject property was first surveyed for potential heritage interest in 1984.

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 21-25 Jones Street, Stoney Creek, 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 June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated July 19, 2024, sent by registered mail, 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. Staff have not received a response from the property owner to date.

On August 19, 2024, Ward 5 Councillor M. Francis commenced consultation with the Stoney Creek Historical Society regarding the potential designation of the subject property. On September 5, 2024, this consultation concluded with the Historical Society and Ward Councillor indicating their support for designation.

## **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; and,
- Stoney Creek Historical Society.

The Ward Councillor (Councillor M. Francis) for Ward 5 has been advised that this matter is to be considered by the Hamilton Municipal Heritage Committee and has been 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 February 9, 2024 (see photographs attached as Appendix “C” to Report PED24190) and available secondary and primary research sources (attached as Appendix “D” to Report PED24190). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets 7 of the 9 criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The one-storey brick structure known as the Powerhouse, located at 21-25 Jones Street in Stoney Creek, was constructed in 1894. It has design or physical value as a rare surviving example of a powerhouse for an electric railway, and as the only surviving remnant of the four electric interurban railways which once operated in Hamilton, Ontario. The design of the structure was influenced by, and is representative of, the Romanesque Revival architectural style, as demonstrated by the: dentilated cornice; brick corbelling; round-headed window and door openings with relieving arches; and the brick pilasters and buttresses.

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2. The property displays a high degree of artisanship through the: ornamental brick parapet; decorative sawtooth brick courses; brick corbelling; stone imposts and keystones on arched windows and doors; brick pilasters and buttresses; and extended stone sills.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The subject property has historical value due to its association with the Hamilton, Grimsby, and Beamsville Electric Railway (HG&B), and to the Cataract Power Company. It is also associated with the theme of Stoney Creek as a fruit-growing community. The Hamilton, Grimsby, and Beamsville Electric Railway was founded in 1891. It was one of the first electric interurban railroads in North America, and the first electrically powered railroad of significant length in Canada. The property at 21-25 Jones Street was built in 1894 as the powerhouse for the system, using a pair of coal fired steam engines attached to two Westinghouse generators to produce electricity at six hundred volts direct current. After a number of years of independent operation, it was purchased in 1905 by the Cataract Power Company, the Hamilton-based utility company which pioneered the long-distance transmission of electricity. The HG&B had been purchasing electricity from the Cataract Power Company prior to this takeover, as the inadequate water supply from Stoney Creek made their own powerhouse too unreliable. Between 1899 and 1905, the powerhouse was converted from a steam-driven generating station to a substation which converted the Cataract Power Company's alternating current to direct current electricity which the railway equipment could use.

Unlike electric interurbans in the United States, who focused entirely on passenger service, the Hamilton, Grimsby, and Beamsville Electric Railway made much of its money through moving freight in the form of fruit. The HG&B transported large quantities of fruit from growers on the Niagara Peninsula into Hamilton for transshipment to points across Canada. This greatly improved fruit farmers' abilities to reach distant markets with their perishable product and was the major source of the railway's revenue once passenger traffic declined with the spread of the automobile in the wake of the First World War. In 1920, the HG&B shipped 549 freight cars of Niagara Peninsula fruit, but this proved to be the high point of their success, with freight traffic declining through the 1920s due to the development of reliable freight trucks and improvements to the road system.

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After years of financial losses, the Hamilton, Grimsby, and Beamsville Electric Railway was sold to the Ontario Hydro-Electric Power Commission, who announced the closure of the railway. Public protest delayed this closure, but the HG&B made its final run on June 30, 1931. All equipment, cars and locomotives were subsequently scrapped and all buildings and infrastructure demolished, with the exception of the subject property. The former powerhouse became a warehouse for the Ontario Hydro-Electric Power Commission until it was sold in 1986, the purchaser converting the property into a restaurant. The property has been open to the public as a restaurant since that time.

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 demonstrates the work of prominent Hamilton architectural firm Stewart and Stewart. William Stewart (1832-1907), a Kentucky born architect, was active in Hamilton between 1885 and 1904. He designed a number of landmark institutional, commercial, and residential properties in the City, including Victoria Hall in Gore Park (a National Historic Site). His American born son, Walter Stewart (1871-1917), served as an apprentice under his father before joining the firm as a partner in 1893. The subject property represents an early collaboration between father and son, who were also responsible for designing the Hamilton, Grimsby, and Beamsville Electric Railway station on the corner of Main and Catherine Streets. Walter would later partner with Hamilton architect William Palmer Witton (1871-1947) as the famed architectural firm of Stewart and Witton.

### **Contextual Value**

7. The property is important in defining the character of the area. Easily visible from King Street across flanking public open spaces, including the Town Square Parkette and the Augustus Jones Fountain, the property occupies a very prominent location. Its red brick construction and exterior ornamentation are a defining feature in the late-nineteenth and early- twentieth century residential streetscape along Jones Street.
8. The property is visually, historically, functionally, and physically linked to its surroundings. It is located in the historic core of Stoney Creek along King Street East, where the track of the Hamilton, Grimsby and Beamsville Electric Railway ran. Its proximity to the Stoney Creek watercourse was vital to the operation of the boilers and steam engines which generated the railway's electricity.

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9. Being a distinctive and well-known structure located on a prominent site in the centre of the historic core of Stoney Creek that is highly visible from the public right-of-way, this property is considered to be a local landmark.

Staff have determined that 21-25 Jones Street, Stoney Creek 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 PED24190.

### **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 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 PED24190 – Location Map

Appendix “B” to Report PED24190 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix “C” to Report PED24190 – Photographs

Appendix “D” to Report PED24190 – Research Sources

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