Authority: Item 6(b), Planning Committee
Report 17-018 (PED17182)
CM: November 8, 2017
Ward: 15

Bill No. 078

CITY OF HAMILTON

BY-LAW NO. 18-078

To Designate Lands Located at 79 Hamilton Street North, Flamborough, City of Hamilton, as Property of Cultural Heritage Value

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18;

WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act; and

WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6) (a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at 79 Hamilton Street North, Flamborough within the City of Hamilton, Ontario and more particularly described in Schedule "A" and Schedule "B" hereto annexed and forming part of this by-law, is hereby designated as property of cultural heritage value.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with the statement of cultural heritage value or interest and description of heritage attributes set out in Schedule "C" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

   (a) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Trust by personal service or by registered mail;

   (b) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

   (c)

PASSED this 28th day of March, 2018.

F. Eisenberger
Mayor

R. Caterini
City Clerk

Schedule "A"

To

By-law No. 18-078

"Vimy Memorial Oak Tree"
79 Hamilton Street North, Flamborough
Hamilton, Ontario

PIN: 17510-00287 (LT)

Legal Description:

Part Lot 8, Concession 8 East, Flamborough, As in AB320308; Flamborough City of Hamilton

Schedule "B"

To

By-law No. 18-078

79 Hamilton Street North, Flamborough
Hamilton, Ontario

STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE ATTRIBUTES

Statement of Cultural Heritage Value

Description of Property

The Vimy Memorial Oak Tree is located at 79 Hamilton Street North, Flamborough, on the property of Legion Branch 551 within the community of Waterdown. The tree is located on the northeast corner of the property (corner of White Oaks Drive and Hamilton Street North) adjacent to the War Memorial.

Heritage Value

The reason for designation is to recognize the Vimy Memorial Oak Tree's historical / associative value in connection with the Battle of Vimy Ridge as well as to highlight its contextual value in its current location.

The tree contains historical / associative value as a living symbol of remembrance of Vimy Ridge and the Canadian soldiers who served in the First World War. The tree maintains lineage to the English oak trees which once grew on Vimy Ridge and were completely destroyed by the shelling of the battle. Through the efforts of Lieutenant Leslie H. Miller of the Canadian Signal Corps, small acorns that were collected have produced a forest of oaks in Scarborough, Ontario which have subsequently propagated new life and meaning across Canada through the grafting, growth, and distribution of saplings. In connection with the 100th Anniversary of the Battle of Vimy Ridge, these descendants of the original oaks provide a legacy of commemoration and sacrifice.

The Vimy Memorial Oak Tree contains contextual value in its location on the property of the Legion Branch 551 (Waterdown), its adjacency to the War Memorial, and its location near other local memorials in Waterdown.

Description of Heritage Attributes

The designation of the Vimy Memorial Oak Tree does not pertain to the wider property at 79 Hamilton Street North, Flamborough or any other natural or built heritage features on the property.

The key attribute of heritage value is the tree itself comprising all natural features: its full form, trunk, crown, limbs, branches and any other attached elements. Its planted location at the corner of White Oaks Drive and Hamilton Street North is also listed as having importance.