Authority: Item 4(b), Planning Committee Report 24-001 (PED23241)
CM: January 24, 2024 Ward: 12
Written approval for this by-law was given by Mayoral Decision MDE-2024 12
Dated May 8, 2024

Bill No. 066

CITY OF HAMILTON

BY-LAW NO. 24-066

To Designate Property Located at 176 Wilson Street East, Ancaster, City of Hamilton as Property of Cultural Heritage Value

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on November 28, 2023;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on January 24, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 176 Wilson Street East, Ancaster, in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 24-011;

AND WHEREAS in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

AND WHEREAS no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

AND WHEREAS Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

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

1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.

2. The Property, together with its heritage attributes listed in Schedule "C" hereto, is hereby designated as property of cultural heritage value or interest.

3. The City Clerk is hereby authorized and directed,

    a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,

    b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule "A" hereto in the proper registry office.

PASSED this 8th day of May, 2024.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Schedule "A"

To

By-law No. 24-066

176 Wilson Street East, Ancaster
Hamilton, Ontario

PIN: 17436-0271 (LT)

Legal Description:

PT LT 44, CON 2 ANCASTER , PART 1,2,3,5,6,7 , 62R7614 ; S/T CD322728 ANCASTER (AMENDED 08/16/00 BY LR2) CITY OF HAMILTON

Schedule "B"

To

By-law No. 24-066

176 Wilson Street East, Ancaster
Hamilton, Ontario

Notice of Intention to Designate
176 Wilson Street East, Ancaster (Birch Lawn)

The City of Hamilton intends to designate 176 Wilson Street East, Ancaster, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as 'Birch Lawn', was constructed circa 1881. The property has design value as it is a representative example of the Italianate style of architecture as applied to a private dwelling which displays a high degree of craftsmanship. Contextually, the property is important in supporting the character of the historic village of Ancaster and is historically linked to its surroundings. It is located on the historic Wilson Street transportation corridor and still marks the western entrance into the core, though now surrounded by modern construction.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment may be found online via www.hamilton.ca or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 6th day of February, 2024.

Janet Pilon, Acting City Clerk
Hamilton, Ontario

CONTACT: Scott Dickinson, Cultural Heritage Planning Technician,
Phone: (905) 546-2424 ext. 7167, E-mail: Scott.Dickinson@hamilton.ca

www.hamilton.ca/heritageplanning

Hamilton

Schedule "C"
To
By-law No. 24-066

176 Wilson Street East, Ancaster
Hamilton, Ontario

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The 0.125-hectare property municipally-addressed as 176 Wilson Street East is comprised of a two-storey brick dwelling constructed circa 1881. The property is located on the southeastern side of Wilson Street East, opposite the intersection of Wilson Street East and Dalley Drive, in the community of Ancaster in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as 'Birch Lawn', was constructed circa 1881. A small sympathetic addition was constructed on the southern side by the mid-to-late-twentieth century. The property has design or physical value as it is a representative example of the Italianate style of architecture as applied to a private dwelling, displaying a high degree of craftsmanship in its construction. Contextually, the property is important in supporting the character of the historic village of Ancaster and is historically linked to its surroundings. It is located on the historic Wilson Street transportation corridor and still marks the western entrance into the core, though now surrounded by modern construction.

Description of Heritage Attributes:

Key attributes that embody the design/physical value of the property as being representative of the Italianate style or architecture and demonstrating a high degree of craftsmanship, include:

- The front (north) and side (east and west) elevations and roofline of the two-storey brick building, including its:
    - Truncated hip roof with wide projecting eaves and paired decorative wooden brackets;

- Single stack corbelled brick chimney to the east;
- Projecting three-sided two-storey bays to the front (north) and side (east) with polygonal roofs;
- Segmentally-arched window openings with decorative buff brick broken pediment hoods, stone lug sills and one-over-one hung wood windows with storms;
- Front door with segmentally-arched opening with buff brick voussoirs and transom; and,
- Dichromatic brick work including buff brick quoining, paneling under the projecting eaves and chimney detailing.

Key attributes that embody the contextual value of the property as a supporting feature of the historical character of Wilson Street East include its:

- Location fronting onto Wilson Street East at the western entrance into Ancaster Village.