Authority: Item 9(a), Planning Committee Report 24-003 (PED24026)
CM: March 27, 2024 Ward: 12
Written approval for this by-law was given by Mayoral Decision MDE-2024-14
Dated June 12, 2024

Bill No. 084

This photocopy conforms to the original document which has not been altered in any way.
CERTIFIED A TRUE COPY
LISA BARROSO, ACTING CITY CLERK
Dated this 18th day of JUNE, 2024
City of Hamilton

CITY OF HAMILTON

BY-LAW NO. 24-084

To Designate Property Located at 1166 Garner Road West, 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 February 16, 2024;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on March 27, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 1166 Garner Road West, 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. 24-044;

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 12th day of June, 2024.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Schedule "A"

To

By-law No. 24-084

1166 Garner Road West, Ancaster
Hamilton, Ontario

PIN: 17411-0056 (LT)

Legal Description:

PT LT 35, CON 4 ANCASTER , PART 8 , 62R10362 , PT LT 35, CON 4 ANCASTER , PARTS 1, 2 & 3 , 62R10990 ; ANCASTER CITY OF HAMILTON

Schedule "B"

To

By-law No. 24-084

1166 Garner Road West, Ancaster
Hamilton, Ontario

Notice of Intention to Designate
1166 Garner Road West, Ancaster
Shaver Homestead

The City of Hamilton intends to designate 1166 Garner Road West, 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 property at 1166 Garner Road West is a representative and rare extant example of a nineteenth-century Ontario farmstead. It is comprised of nine distinct historic structures built over a more than one-hundred-year period between circa 1830 and 1942, some of which display a high degree of craftsmanship.

The property is associated with the Shaver family, who played a significant role in the nineteenth-century development of Ancaster. The property is functionally, visually, and historically linked to the surrounding area, and it defines the area's former rural agricultural character. This farmstead, having been featured in several publications, is considered a local landmark.

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 26th day of April, 2024.

Janet Pilon
Acting City Clerk
Hamilton, Ontario

Hamilton

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

www.hamilton.ca/heritageplanning

Schedule "C"

To

By-law No. 24-084

1166 Garner Road West, Ancaster
Hamilton, Ontario

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

Description of Property

The 36.45 hectare property municipally-addressed as 1166 Garner Road West, known as the Shaver Homestead, is comprised of a nineteenth-century farmstead consisting of nine historic structures built between circa 1830 and 1942. Two additional structures without heritage interest were constructed circa 1960. The property is located on the south side of Garner Road West, between Wilson Street West and McClure Road, in the community of Ancaster in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The property at 1166 Garner Road West has design and physical value as a representative and rare extant example of a nineteenth-century Ontario farmstead. It is comprised of nine distinct historic structures built over a more than one-hundred-year period between circa 1830 and 1942. These structures include the: wood-frame house built circa 1830; bank barn built in 1837; brick farmhouse built 1856; bakehouse built 1856; outhouse smokehouse and horse barn, all built in the mid-nineteenth century; icehouse built circa 1872; and milkhouse built circa 1920. The brick farmhouse also displays a high degree of craftsmanship, as demonstrated by its decorative dichromatic brickwork and elaborate scrollwork and curved roofs on the rear porches.

The property has a long-standing association with the Shavers, a prominent family in nineteenth-century Ancaster township who played a significant role in the development of the Ancaster community. John Shaver (1739-1795), a United Empire Loyalist, moved to the Ancaster area in 1789. His descendants, who purchased this property in 1811 and still own it today, are responsible for constructing a number of significant structures in the area. This property has served as the present-day gathering place for John Shaver's descendants, who hold a yearly family reunion at the Shaver Homestead.

Contextually, this property is important in defining the former rural agricultural character of the area. It emphasizes the long-settled nature of this stretch of Garner

Road and contrasts strongly with the surrounding modern development. It is linked, functionally, visually, and historically to the surrounding area, being on its original location and in proximity to several other Shaver properties. This farmstead, having been featured in several publications, is considered a local landmark.

Description of Heritage Attributes:

Key attributes that embody the physical value of the property as a representative and rare extant example of a nineteenth-century Ontario farmstead, in demonstrating a high degree of craftsmanship, and its association with the Shaver family, include:

- All elevations and the roofline of the circa 1830 one-and-a-half-storey frame house, including its:
  - Side gable roof with returned eaves on north end;
  - Twelve- and six-pane wooden windows; and,
  - Eight paneled "loyalist" wooden doors.

- All elevations and the roofline of the circa 1856 two-and-a-half-storey brick farmhouse, including its:
  - Low pitch side gable roof with returned eaves and quarter-circle windows below the gables;
  - Brick chimneys on east and west side;
  - Red brick facades with buff brick voussoirs and projecting quoining;
  - Three-bay front façade with central projecting frontispiece with a gable roof with returned eaves;
  - Segmentally-arched window openings with six-over-six hung wooden windows, dressed stone lug sills;
  - Round-headed multi-pane hung wooden window in the second storey with three keystones, the central keystone inscribed "1856";
  - Central entrance with sidelights and transom, decorative wooden surround with fluted pilasters and ornamented brackets;
  - Four-paneled wooden door;
  - Projecting dressed stone base on front elevation;
  - Projecting buff brick base on side and rear elevations;
  - Stone foundation;
  - Rear one-and-one-half-storey, gable-roofed circa 1830 wood-frame wing,
  - including its:
    - Porch on west side elevation with elaborate scrollwork, curved roof supports and chamfered wooden posts, and encased water well; and,
    - Porch on east side elevation with curved roof supports.

- All exterior elevations, roofline, and interior of the circa 1856 one-storey brick bakehouse, including its:
  - Front gable roof;

  - Common bond brickwork;
  - Six-over-six windows with lug sills;
  - Two-panel wooden door; and,
  - Interior brick hearth and bake oven.

- All elevations and the roofline of the circa 1875 two-storey frame icehouse, including its:
  - Front gable roof;
  - Board doors on both stories of front elevation;
  - Frame construction; and,
  - Board and batten siding.

- All elevations and the roofline of the circa 1837 three-storey frame dairy barn, including its:
  - Side gable roof;
  - Frame construction;
  - Earthen ramp on front elevation;
  - Concrete block circa 1942 milk-house addition with a gable roof; and
  - Raised stone foundation.

- All elevations and the roofline of the circa 1871 three-storey frame horse barn, including its:
  - Side gable roof;
  - Frame construction; and,
  - Raised stone foundation.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Garner Road West, and its visual, historical and functional links to its surroundings, include its:

- Siting and massing of the historic farmstead structures, including the:
  - One-and-one-half storey frame house built circa 1830;
  - Two-and-one-half storey brick farmhouse built circa 1856;
  - One-storey brick bake/wash house built circa 1856;
  - One-storey frame outhouse, built in the mid-1800s;
  - One-storey frame smokehouse built in the mid-1800s;
  - Two-storey frame icehouse built circa 1875;
  - One-storey frame milkhouse built circa 1920;
  - Dairy barn built circa 1837 with its circa 1942 milkhouse addition; and,
  - Horse barn built circa 1871.

- Location of the property fronting onto Garner Road West with a deep setback from the road.