Authority: Item 11(c), Planning Committee Report 24-011 (PED24122)
CM: August 16, 2024 Ward: 13
Written approval for this by-law was given by Mayoral Decision MDE-2024-21
Dated October 23, 2024

Bill No. 185

This photocopy conforms to the original document which has not been altered in any way.

CERTIFIED A TRUE COPY

MATTHEW TRENNUM, CITY CLERK

Dated this 28 day of October, 2024
City of Hamilton

CITY OF HAMILTON

BY-LAW NO. 24-185

To Designate Property Located at 6 Websters Falls Road, Flamborough, 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 July 22, 2024;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on August 16, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 6 Websters Falls Road, Flamborough 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. 24-156;

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 23rd day of October, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk

Schedule "A"

To

By-law No. 24-185

6 Websters Falls Road
Flamborough, Ontario

PIN: 17486-0146 (LT)

Legal Description:

PT LOT 11, CONCESSION 1 WEST FLAMBOROUGH , AS IN CD459525,T/W CD459525 ; FLAMBOROUGH CITY OF HAMILTON

Schedule "B"

To

By-law No. 24-185

6 Websters Falls Road
Flamborough, Ontario

Notice of Intention to Designate
6 Websters Falls Road, Flamborough (Springdale)

The City of Hamilton intends to designate 6 Websters Falls Road, Flamborough, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

This circa 1856 two-storey stone structure is a representative example of the Georgian Revival style of architecture as applied to a dwelling and displays a high degree of craftsmanship. The property is associated with Joseph Webster II (1809-1886), a locally prominent farmer, politician, miller and roadbuilder who built the Ashbourne Mill, an industrial complex which once stood a short distance away and was powered by Webster's Falls itself. Contextually, this property acts as a physical reminder of the historic industrial character of Spencer's Creek. This large and distinctive structure is visually, historically, physically, and functionally linked to its surroundings and is considered to be 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 5th day of September, 2024.

Lisa Barroso
Acting City Clerk
Hamilton, Ontario

CONTACT: Scott Dickinson, Heritage Planning Technician,
E-mail: Scott.Dickinson@hamilton.ca
www.hamilton.ca/heritageplanning

Hamilton

Schedule "C"

To

By-law No. 24-185

6 Websters Falls Road
Flamborough, Ontario

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

Description of Property

The 0.6 hectare property municipally addressed as 6 Websters Falls Road is comprised of a two-storey stone building constructed circa 1856. The property is located on the southern side of the terminus of Websters Falls Road, in the area historically known as Bullock's Corners in former Township of West Flamborough, in the community of Flamborough in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The circa 1856 two-storey stone structure located at 6 Websters Falls Road has design and physical value as it is a representative example of the Georgian Revival style of architecture as applied to a dwelling and displays a high degree of craftsmanship. The historical value of the property lies in its association with Joseph Webster II (1809-1886), a locally prominent farmer, politician, miller and roadbuilder who was responsible for constructing both the subject property as well as the Ashbourne Mill, an industrial complex which once stood a short distance away and was powered by Webster's Falls itself.

Contextually, this property is important in defining the historic former industrial character of the surrounding area. This mill-owner's house acts as a physical reminder of the many mills and industries which once lined Spencer's Creek. It is visually, historically, physically, and functionally linked to its surroundings, being on its original location near to the historic Spencer's Creek waterway and close to the location of the Ashbourne Mill. This large and distinctive structure located next to the popular and well-known natural feature of Webster's Falls, is considered to be a local landmark.

Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative nineteenth-century Georgian Revival stone dwelling and in demonstrating a high degree of craftsmanship, include:

- All elevations and roofline of the two-storey circa 1856 stone building, including its:
  - Rectangular plan;
  - Stone chimneys with cornices and caps;
  - Side gable roof with projecting eaves and plain boxed cornice;
  - Symmetrical five-bay front elevation;
  - Dressed, closely fitted stone walls;
  - Six-over-six hung windows with stone lintels and sills;
  - Central front entrance with a decorative carved 'keystone' in lintel, a door surround with wooden paneling, sidelights and transom; and,
  - Stone foundation.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Webster's Falls and the surrounding area known as Bullock's Corners include its:

- Location fronting onto Websters Falls Road; and,
- Proximity to Webster's Falls and Spencer Creek.