THE CORPORATION OF THE CITY OF STONEY CREEK

BY-LAW NO. 3638-92

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 1446 HIGHWAY NO. 8 BEING OF ARCHITECTURAL AND HISTORICAL VALUE OR INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O., 1980, authorizes the Council of a Municipality to enact By-laws to designate a property, including buildings and structures thereon, to be of architectural and historic value or interest; and

WHEREAS the Council of The Corporation of the City of Stoney Creek has caused to be served on the owners of the lands and premises known as the Van Duzer House, City of Stoney Creek, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid property and has caused such notice of intention to be published in the same newspaper having general circulation in the Municipality once for each of three consecutive weeks; and

WHEREAS no notice of objection to the proposed designation has been served on the Clerk of the Municipality; and

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF STONEY CREEK ENACTS AS FOLLOWS:

1. There is designated as being of architectural and/or historical value or interest the real property known as the Van Duzer House, more particularly described in Schedule "A" attached hereto.

2. The City Solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the proper land registry office.

3. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

ENACTED AND PASSED this 8th day of September, 1992.

CLERK

DEPUTY MAYOR

SCHEDULE 'A'
BY-LAW NO. 3638-92

DESCRIPTION OF LANDS
THE VAN DUZER HOUSE
1446 HIGHWAY NO. 8

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth (formerly in the Township of Saltfleet, in the County of Wentworth) in the Province of Ontario, and being composed of Part of Lot Two (2), in the Second Concession of the said Township of Saltfleet and which may be better known and described as follows:

The point of commencement is situate in the Southerly margin of Highway No. 8 as shown on Deposited Highway Plan No. 133 Miscellaneous, and such point of commencement is located thereon as follows:

Beginning at the intersection of the said southerly margin of Highway No. 8 and the Easterly margin of the road allowance between Lots 2 and 3 in the said Second Concession in the Township of Saltfleet;

Thence in an easterly direction along such south southerly margin of Highway No. 8 in an arc distant Three Hundred and Twenty-six feet, and ten and three-quarter inches 326' 10 3/4") which arc has a radius of Thirteen Hundred and fifty-six feet (1356') to a cement monument planted in such southerly margin of Highway No. 8;

Thence in a straight line along such southerly margin on Highway No. 8 being South Eighty-two degrees, Thirty-five minutes and Thirty seconds East (S 82^{O} 35' 30" E) as shown on such Plan 133 a distance of Eight Hundred and Fourteen feet, Eight and on-half inches (814' 8 1/2") to a stake planted which point is the point of commencement for the herein described parcel of land and premises.

Thence South Seventeen degrees, no minutes and Thirty Seconds West (S 17^{O} 00' 30" W) in a straight line a distance of Five Hundred feet (500') to a stake planted;

Thence North Fifty-seven degrees, Four minutes East (N 57^{O} 4' E) in a straight line a distance of Eighty-seven feet (87') to a stake planted;

Thence North Forty-two degrees, Five minutes East (N 42^{O} 5" E) in a straight line, a distance of Seventy-two and Ninety-two one-hundredths feet (72.92') to a stake planted;

Thence North Forty-six degrees, seventeen minutes and Thirty Seconds East (N 46^{O} 17' 30" E) in a straight line a distance of One Hundred and Seventy-eight and Four one-hundredths feet (178.04') to a stake planted;

Thence North Eighteen degrees Four minutes East (N 18^{O} 4' E) in a straight line a distance of Eighty-one and Fourteen one-hundredths feet (81.14') to a stake planted;

Thence North Seventeen degrees, Fifty-three minutes and Thirty Seconds East (N 17^{O} 53' 30" E) in a straight line One Hundred and sixty-one feet (161') more or less to a stake planted in the said southerly margin of Highway No. 8;

Thence North Eighty-two degrees, Thirty-five minutes and Thirty seconds West (N 82^{O} 35' 30" W) One Hundred and Eighty and Forty-four One Hundredths feet (180.44') in a straight line along the said southerly margin of Highway No. 8 to the point of commencement.

The above described parcel of land and premises contains by admeasurement an area of One and Fifty-three One Hundredths acres (1.53 acres) more or less and includes a brick dwelling known as municipal number 1446 No. 8 Highway (Winona) in the said City of Stoney Creek, a frame barn and frame shed.

SCHEDULE 'B'

BY-LAW NO. 3638-92

REASONS FOR DESIGNATION
THE VAN DUZER HOUSE
1446 HIGHWAY NO. 8

The Van Dusens, Van Duzens and the Van Duzers are descended from Jacob Van Dusen who came to America about 1621 from Amsterdam, Holland.

Research has shown that Jacob Van Dusen came from Holland on the second trip of the Mayflower as a member of the crew.

The Van Dusens of the Hamilton district were millers and farmers during their 180 years at New Amsterdam (currently New York City). Levinus Van Dusen was born near Hillsdale in New York State about 1750 and married Sarah Humphrey in the year 1773. They lived between Albany and Hudson. At the time of the American Revolution they were Loyalists and, as their property was taken from them, they migrated in 1800 to Upper Canada with nine of their eleven children. They brought in a mill and settled south of Red Hill near Albion, five miles east of the present city of Hamilton. Sarah and Levinus Van Dusen were buried on their own land in 1848 and 1842 (or 1833) respectively.

Throughout the years, the children of the Van Duzer families have married for the most part into other United Empire Loyalist families and remained on the land as growers or entered various professions.

Ira E. Van Duzer was one of those who continued to farm. He married the former Eleanor J. Longmire. Together they owned a large acreage on Highway No. 8 at Winona. The existing brick residence on the property was the family home for three generations and was built in 1895 under Ira Van Duzer's supervision.

Ira Van Duzer was one of the original pioneers in the fruit growing industry in the Niagara Peninsula. Ira Van Duzer started as a nurseryman growing his own trees from seedlings and was the first to export fruit from the area.

His son, John Byron Van Duzer, was born in Winona on March 9, 1892. He attended school at Winona and the Hamilton Collegiate Institute. After graduating he farmed with his father as I. E. Van Duzer and Son. After Ira E. Van Duzer died in 1922, John Van Duzer took over the intensive fruit cultivation operation and controlled all the properties.

Besides farming, J. B. Van Duzer was active in community affairs. He served well in education, his church and several Saltfleet Township services. The Van Duzer descendants continue to serve the public in law and education.

The Van Duzer home was built in 1895, under the supervision of Ira Van Duzer, at a cost of $4,000. The residence formed part of a 45 acre fruit farm known as Pomona Orchards. The dwelling was constructed in the Victorian vernacular style characterized by elements of Gothic and Classic Revival. The Van Duzer home has many unique and significant architectural qualities. The many steep pitched roofs and the exposed stone foundation serve to frame the brick facade. The main entrance is identified by a two storey projecting bay, capped by a Serlina or Palladian window, in a pedimented gable supported by ornate brackets. The pediment is echoed at the first floor verandah.

The secondary entrance, at right angles to the main, exhibits a similar treatment with the gingerbread verandah connecting both points. Here the less formal flat facade replaces the two storey bay. The pedimented gable with a Serlina window is still in evidence, as is the pedimented gable below.

The verandah continues beyond the secondary entrance to the rear, supporting a second storey verandah along half its length. The second-storey verandah may have been subsequently added to the original structure.

A dining room window on the west facade, with a semi-circular leaded glass segment above, is unique to the fenestration of the structure.

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Province of Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

D

FOR OFFICE USE ONLY

132889

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SEP 24 1992

New Property Identifiers — Additional: See Schedule ☐

Executions — Additional: See Schedule ☐

(1) Registry ☒ Land Titles ☐ (2) Page 1 of 5 pages

(3) Property Identifier(s) Block Property — Additional: See Schedule ☐

(4) Nature of Document

By-law

(5) Consideration

Dollars $

(6) Description

See Schedule "A" attached.

Part of Lot 2, in the Second Concession of the City of Stoney Creek, in the Regional Municipality of Hamilton-Wentworth, (formerly in the Township of Saltfleet, in the County of Wentworth) as described in the attached Schedule "A". as in No 814639

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☐

(8) This Document provides as follows:

A By-law to designate as being of architecturaland/or historical value or interest the real property known as the Van Duzer House, more particularly described in Schedule "A" attached hereto.

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y M D
THE CORPORATION OF THE CITY OF STONEY CREEK	By their solicitor: R. M. Plant, Q.C.	1992 09 22

(11) Address for Service c/o Ross & McBride, 1 King St. West, Hamilton, Ontario L8N 3P6

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y M D

(13) Address for Service

(14) Municipal Address of Property

(15) Document Prepared by:
ROSS & McBRIDE
Barristers & Solicitors
1 King Street West
Hamilton, Ontario
L8N 3P6

R. M. Plant, Q.C.
526-9800

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Fees and Tax	
Registration Fee	
Total	