Bill No. 240

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The Corporation of the City of Hamilton

BY-LAW NO. 77 - 239

To Designate:

"Whitehern" and "Dundurn Castle"

As Property of:

Historic or Architectural Value or Interest

WHEREAS the Council of the City of Hamilton did, in Items 20 and 21 of the 35th Report of the Board of Control adopted on July 26, 1977, authorize the designation of the following City-owned property:

1. "Whitehern", located at No. 41 Jackson Street West; and

2. "Dundurn Castle", located in Dundurn Park on York Boulevard;

AND WHEREAS the City Clerk published the Notice of Intention to Designate in The Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS no objections to designations of the above referred to properties were received by the City Clerk;

AND WHEREAS in accordance with subsection 6 of section 29 of The Ontario Heritage Act, 1974, where no objection is served within the thirty day period, the Council of the City of Hamilton is required to pass a by-law designating the property where it does not intend to withdraw the Notice of Intention to Designate the property.

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

1. The following properties are each hereby designated as properties of historic or architectural value or interest:

1. "Whitehern", located at No. 41 Jackson Street West, and more particularly described in schedule "A", hereto annexed; and

2. "Dundurn Castle", located in Dundurn Park on York Boulevard, and more particularly described in schedule "B", hereto annexed.

2. The reasons for the designations are set out in schedules "A1" and "B1", hereto annexed.

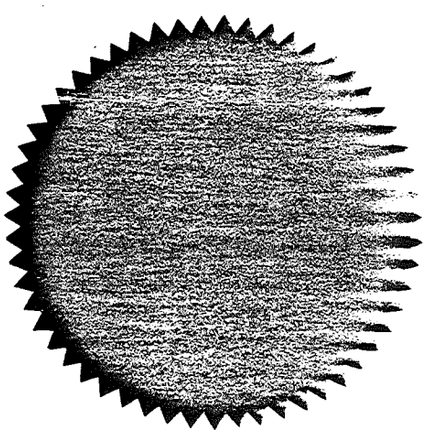
3. The City Clerk is hereby authorized and directed,

(i) to cause a copy of this by-law, together with reasons for the designations, to be served on the owners and The Ontario Heritage Foundation;

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

PASSED this 27th day of September A.D. 1977.

City Clerk Mayor



(1977) 35 R.B.C. 20, 21, July 26

SCHEDULE "A"

"WHITEHERN"

Description of Land

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of Lots Numbers Eighty-one (81), Eighty-two (82), One Hundred and One (101) and One Hundred and Two (102), of that part of the Town, now City of Hamilton, laid out into town lots by P. H. Hamilton and lying on the west side of MacNab Street between Maiden Lane, now Jackson and Hunter Streets, in the said City of Hamilton, SAVING AND EXCEPTING the southerly fifty feet (50') of said Lots Numbers One Hundred and One (101) and One Hundred and Two (102) heretofore sold and conveyed to the National Trust Company Limited by conveyance bearing date the 12th day of April 1933, and registered as number 14965 N.S.

SCHEDULE "B"

"DUNDURN CASTLE"

Description of Land

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of parts of what were formerly Lots Eighteen and Nineteen in the First and Second Concessions of the Township of Barton and commonly known as Dundurn Park and better described as follows, that is to say: COMMENCING on the Northerly limit of York Street in the City of Hamilton, at the South East angle of Dundurn Park, which point is at the distance of Two Hundred and Eighty-nine feet Westerly from the West limit of Inchbury Street; THENCE along the said Northerly limit of York Street the following courses and distances: North forty-six degrees and thirty minutes West Four Hundred and Ninety-seven feet; THENCE North sixty-four degrees thirty minutes West Seventy-one feet; THENCE North eighty-seven degrees thirty minutes West Seventy feet; THENCE North forty-four degrees West Fifty-five feet; and THENCE North twelve degrees thirty minutes West Twelve Hundred and Twenty-three feet more or less to the Easterly boundary of what is known as Harvey Park; THENCE along said Easterly boundary

North sixty-four degrees and thirty-five minutes East Five Hundred and Five feet more or less to the Southerly limit of the lands of the Grand Trunk Railway Company; THENCE following the Southerly limit of said lands in all its various windings Thirteen Hundred and Twenty feet more or less to the Westerly limit of a one acre parcel reserved as a burial plot; THENCE South thirty-two degrees fifty minutes West Twelve Hundred and Thirty-eight feet more or less to the place of beginning and containing by admeasurement thirty-one and fifty-four thousandths of an acre.

SCHEDULE "A1"

"WHITEHERN"

Reasons for Designation

The interior and exterior of this property are recommended for conservation as property having historic and architectural value or interest by the Local Architectural Conservation Advisory Committee of the City of Hamilton, on the "Architectural Review and Evaluation Report" prepared by Professor Anthony Adamson, in "Victorian Architecture in Hamilton" published by the Architectural Conservancy of Ontario and written by Professor A. G. McKay and by the Historic Sites Board of the Department of Northern Affairs.

The building is of architectural significance as it is a fine example of a stone mansion occupied by a prosperous family in a Canadian town. The building was constructed in 1848 of limestone which had been quarried in Hamilton. The facade is essentially Georgian with an emphasis on symmetry, a graceful Ionic porch, small-bracketed eaves and a classical entablature. The balustrade and round-headed key-stoned window are of the Italianate style.

Whitehern is of historical significance, having been occupied by members of the McQuesten family for over 100 years continuously from 1852 until 1968. Dr. Calvin McQuesten, an immigrant foundryman from New Hampshire, bought the home from its original owner Richard Duggan, industrialist. Upon the death of Dr. McQuesten, in 1885, his son Isaac moved into Whitehern. Isaac's son, the Honourable T. B. McQuesten, was the most notable member of the McQuesten family, serving as Hamilton Alderman, member of the Parks Board, Minister of Highways and Minister of Public Works. T. B. McQuesten died in 1948 and Calvin, his brother and the last surviving member of the family, died in 1968, leaving Whitehern and the grounds to the Parks Board of Hamilton.

SCHEDULE "B1"

"DUNDURN CASTLE"

Reasons for Designation

The interior and exterior of this property are recommended for conservation as property having historic and architectural value or interest by the Local Architectural Conservation Advisory Committee of the City of Hamilton,

in "Victorian Architecture in Hamilton" published by the Architectural Conservancy of Ontario and written by Professor A. G. McKay, and in "The ancestral roof: domestic architecture of Upper Canada", written by Marion MacRae and Anthony Adamson.

The building is of architectural significance as it is the largest and finest house in Ontario left standing from the days of Upper Canada and Canada West. Dundurn Castle was built in 1832 and is constructed of stuccoed brick in the Regency style. The architect, Robert Charles Wetherell, added many Italian embellishments such as the twin watch towers, balustrades, glazed doors, ornamental brackets, Greek mouldings, a Doric porch and elaborate chimneys to the design. These features transformed the building into one of the first and largest Italiante Tuscan villas in North America. The treatment of the interior is of a more classical style. Included in the Castle complex are a dove-cote and cockpit, with stables being added at a later date.

Sir Allan Napier MacNab, the first Prime Minister of the United Province of Canada, had the mansion constructed as his home and resided there from 1834 until his death in 1862. He purchased the land on which the castle stands from Colonel Richard Beasley, and incorporated Beasley's brick home into his own. MacNab was named Upper Canada's first Queen's Counsel, served as the Tory representative for Wentworth County in the House of the Assembly for 26 years, was knighted for his service to the Crown in helping crush the rebellion of William Lyon MacKenzie, and brought the Great Western Railway to Hamilton in 1854. The present owner of Dundurn Castle, the City of Hamilton, had it restored in 1967 as a Centennial project.