

Authority: Item 5(b), Planning Committee
Report 23-009 (PED23125)
CM: June 7, 2023
Ward: 13
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 142

**CITY OF HAMILTON
BY-LAW NO. 23-142**

**To Designate Property Located at 3 Main Street, Dundas, 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 May 19, 2023;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on June 7, 2023, resolved to direct the City Clerk to take appropriate action to designate the Property described as 3 Main Street, Dundas, 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. 23-111;

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.

To Designate Property Located at 3 Main Street, Dundas, City of Hamilton
as Property of Cultural Heritage Value

Page 2 of 6

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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

To Designate Property Located at 3 Main Street, Dundas, City of Hamilton
as Property of Cultural Heritage Value

Page 3 of 6

Schedule "A"

To

By-law No. 23-142

**3 Main Street, Dundas
Hamilton, Ontario**

PIN: 17479-0005 (LT)

Legal Description:

LOT 2, REGISTRAR'S COMPILED PLAN 1401, T/W VM199954; DUNDAS CITY OF
HAMILTON

Schedule “B”

To

By-law No. 23-142

**3 Main Street, Dundas
Hamilton, Ontario**

**Notice of Intention to Designate
3 Main Street, Dundas
(Former Valley Lodge No. 100)**

The City of Hamilton intends to designate 3 Main Street, Dundas, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

The building is a representative example of both the Second Empire and Renaissance Revival styles of architecture, is a rare and early example of the architectural use of galvanized sheet metal and displays a high degree of craftsmanship. The property is associated with its first owner, lawyer Britton Bath Osler, and Valley Lodge Number 100, who occupied the building for nearly 150 years. The property helps define the character of Main Street and the community of Dundas, is physically, visually and historically 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 14th day of June, 2023.



Andrea Holland
City Clerk
Hamilton, Ontario

CONTACT: Meg Oldfield, Planning Technician II –
Cultural Heritage, Phone: (905) 546-2424 ext. 7163,
E-mail: Meg.Oldfield@hamilton.ca

www.hamilton.ca/heritageplanning



Hamilton

Schedule “C”

To

By-law No. 23-142

**3 Main Street, Dundas
Hamilton, Ontario**

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

Description of Property

The 0.06-acre property at 3 Main Street is comprised of a two-storey brick commercial building constructed circa 1875, located near the southeast corner of Main Street and King Street in the historic downtown core of Dundas, in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the property located at 3 Main Street lies in its design value as a representative example of the Second Empire architectural style in the former Town of Dundas, as demonstrated by its Mansard roof with dormer windows, polychromatic slate tiles, and central cupola, as well as its design value as a rare, unique and early example of the Renaissance Revival architectural style in the former Town of Dundas, as demonstrated by its alternating triangular and segmental pediments and moulded cornices. It is also a rare and early example of the use of the architectural use of galvanized iron for decorative exterior window hoods in Dundas. The building displays a high degree of craftsmanship in the form of its polychromatic hexagonal slate Mansard roof, galvanized ironwork, and decorative wood brackets.

The historical value of the property lies in its direct association with Britton Bath Osler (1839-1901), the original owner of the building and a prominent lawyer, most well-known for his work as a prosecuting attorney in the treason trial of Louis Riel. The historical value of the property also lies in its direct association with the Valley Lodge No. 100 A.F. & A.M., who occupied the building for nearly 150 years and whose membership included several prominent Dundas men

The contextual value of the property lies in its role in defining the historic character of the former Town of Dundas, located at the prominent corner of Main and King streets. The building is visually, physically and historically linked to its surroundings as part of the surviving mid- to late-nineteenth century commercial streetscape and the row of buildings from 2 King Street East to 15 Main Street. The building is also considered to be a local landmark, identifiable by its unique central cupola.

Description of Heritage Attributes

The key attributes that embody the cultural heritage value of the property as a representative example of the Second Empire style and Renaissance Revival styles of architecture, and a high degree of craftsmanship, and its historical association with previous owner B.B. Osler include the:

- Front (west) elevation and roofline of the two-storey brick structure including its:
 - Mansard roof with its:
 - Polychromatic hexagonal slate tiles;
 - Central crowning cupola with flanking semi-circular dormers;
 - Projecting eave with decorative paired wooden brackets below;
 - Raised brick parapet to the south with a carved stone end bracket;
 - Nine-bay front elevation with its:
 - Round-arched window openings in the second storey with galvanized iron window hoods consisting of alternating designs of triangular and segmental pediments with decorative rosettes, and plain stone sills;
 - Flat-headed openings in the first-storey with one-over-one hung wood windows, plain stone lintels, and stone lug sills with stone drips;
 - Moulded decorative cornice above the first storey with decorative galvanized iron brackets;
 - Plain brick piers separating the first-storey bays; and,
 - Stone foundation.

The key attributes that embody the contextual value of the property as a defining feature of the historical character of Main Street and the community of Dundas, and as a local landmark include its:

- Location fronting onto Main Street; and,
- Central cupola.