TO: Chair and Members Planning Committee
WARDS AFFECTED: WARD 9

COMMITTEE DATE: January 14, 2014

SUBJECT/REPORT NO:
Request to Include 1 Jones Street, (Stoney Creek) in the Register of Property of Cultural Heritage Value or Interest, Under the Ontario Heritage Act (PED14009) (Ward 9)

SUBMITTED BY:
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SIGNATURE:

RECOMMENDATION

(a) That Council direct staff to include 1 Jones Street (Stoney Creek) in the Register of Property of Cultural Heritage Value or Interest, as per the provisions of the Ontario Heritage Act, and that staff make appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;

(b) That Report PED14009 be forwarded to the Hamilton Municipal Heritage Committee (HMHC) for information; and,

(c) That Report PED14009 be forwarded to the owner of 1 Jones Street, Stoney Creek, for information.

EXECUTIVE SUMMARY

The HMHC requested that 1 Jones Street (Stoney Creek) be included in the Register of Property of Cultural Heritage Value or Interest at its meeting on September 19, 2013.
This Report contains background on this request and a preliminary evaluation of the subject property using the criteria contained in Ontario Regulation 9/06. Staff are of the opinion that the property meets sufficient criteria to warrant inclusion in the Register of Property of Cultural Heritage Value or Interest.

The subject property, located at 1 Jones Street (Stoney Creek) (see location map and photographs attached as Appendices “A” and “B”), comprises a two-storey, wood frame and stucco residence, constructed by the mid-nineteenth century, which is a representative example of the Georgian architectural style. The subject property has historical/associative value for its association with the Jones family and early settlement of Stoney Creek. The property also has contextual value as it contributes to the historic character of Stoney Creek’s core.

The property is currently listed in Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest. A preliminary assessment of the property has been undertaken by staff using the criteria contained in Ontario Regulation 9/06 (see Appendix “C”). The property is considered to have design/physical value, historical/associative value, and contextual value. Through this report, staff recommend that 1 Jones Street (Stoney Creek) be included in the Register of Property of Cultural Heritage Value or Interest.

Alternatives for Consideration – See Page 6.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: Inclusion in the City’s Register of Property of Cultural Heritage Value or Interest under Section 27 (1.2) of the Ontario Heritage Act, requires that Council be given 60 days’ notice of the intention to demolish or remove any building or structure on the property. Council must consult with their Municipal Heritage Committee prior to including a property in the Register or removing reference to a property from the Register under Section 27 (1.3) of the Act.

HISTORICAL BACKGROUND

At its meeting on September 19, 2013, the HMHC requested as follows (HMHC Report 13-005):

OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

OUR Mission: WE provide quality public service that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Values: Accountability, Cost Consciousness, Equity, Excellence, Honesty, Innovation, Leadership, Respect and Teamwork
“That the house located at 1 Jones Street, Stoney Creek, be added to the City’s Register of Significant Buildings in accordance with the Ontario Heritage Act.”

1 Jones Street (Stoney Creek) is a single-detached dwelling that was constructed by the mid-nineteenth century (circa 1836) and is associated with the Jones family who owned the property from 1791 until 1911.

In October 1995, the former City of Stoney Creek Local Architectural Conservation Advisory Committee (LACAC) added 1 Jones Street (Stoney Creek) to a list of properties deemed for investigation and possible designation. In March 1996, the Stoney Creek LACAC concluded that there appeared to be historical merit for designating the property. In June 1996, at a meeting between the owner and LACAC members, the owner advised that they were not interested in having the property designated at the time and the designation process underway was aborted.

A preliminary evaluation of the property has been undertaken through this staff report using the criteria contained in Ontario Regulation 9/06 (see Appendix “C”) to determine if the property warrants inclusion in the Register of Property of Cultural Heritage Value or Interest. HMHC did not request that the property be considered for designation under the Ontario Heritage Act and no recommendations are made with respect to designation.

Inclusion of the subject property in the Register enables staff to monitor any changes to the site, encourages the retention of its heritage attributes, and ensures adequate documentation prior to any demolition.

**POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS**

The following policies apply:

**Ontario Heritage Act:**

Inclusion in the City’s Register of Property of Cultural Heritage Value or Interest under Section 27 (1.2) of the Ontario Heritage Act, requires that Council be given 60 days’ notice of the intention to demolish or remove any building or structure on the property, and the demolition and removal of any building or structure is prohibited during this time period.

**Urban Hamilton Official Plan**

Section B.3.4 - Cultural Heritage Resource Policies of the Urban Hamilton Official Plan states that the City shall “protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural
heritage landscapes” (B.3.4.2.1 (a)), and “identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources” (B.3.4.3.1 (b)). The policies also state that the City shall maintain a Register of Property of Cultural Heritage Value or Interest and shall “seek and consider advice from its Municipal Heritage Committee” in considering additions and removals of non-designated properties from this Register (B.3.4.2.4).

**RELEVANT CONSULTATION**

This Report considers a request for inclusion of a property to the City's Register of Property of Cultural Heritage Value or Interest. The owner of the property was informed of this request, and the City process, in a letter dated October 7, 2013. At the time of preparing this Report, staff have not received any correspondence from the property owner. The property owner will be forwarded a copy of this Report and advised if Council ratifies the addition of the property to the City Register of Properties of Cultural Heritage Value or Interest.

This request originated from the HMHC, and staff are of the opinion that sufficient consultation under Section 27 (1.3) of the Ontario Heritage Act and Policy No. B.3.4.2.4 of the Urban Hamilton Official Plan has occurred. A copy of this report will be provided to HMHC for information.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

**Preliminary Evaluation - Ontario Regulation 9/06**

In 2006, the Province issued criteria for determining cultural heritage value or interest under the Ontario Heritage Act. The regulation identifies three broad categories of criteria: Design/Physical Value, Historical/Associative Value, and Contextual Value, under which three subsets of criteria are further identified (see Appendix “C”). The following provides a preliminary evaluation using the criteria contained in Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest.

1. **Design/Physical Value:**

   1 Jones Street (Stoney Creek) is a two-storey, wood frame and stucco building constructed as a single-detached dwelling by the mid-nineteenth century (circa 1836). It is a representative example of the Georgian architectural style in its composition, design and materials.
The design/physical value of the property lies in its exterior architectural features typical of the Georgian style, including the symmetrical façade, the low side-gable roof, returned eaves, and sash windows. The flanking one-storey bay windows, with ornamental fascia, and the mansard roof, connecting the two bays over the front porch, are not typical of the Georgian style and is likely a late-nineteenth century addition.

2. **Historical/Associative:**

The dwelling is a representative example of early farm settlement and residential development in Stoney Creek. The property has been home to only a few families and is most recognized as the home of the Jones family who owned the property for 120 years from 1791 until 1911.

The original owners of the property were Ebenezer Jones and Joseph Jones, father and brother of Augustus Jones, respectively. After both his father and brother were killed in an accident, Augustus inherited the property. Augustus was a renowned land surveyor employed by the government of Upper Canada to survey lands west of Kingston. The house was built by Augustus’ nephew, Stephen Jones Jr. (1790-1854).

The house was constructed as a single-detached farmhouse by the mid-nineteenth century (circa 1836). Stephen Jones lived in the home until his death after which time his son, Alva Green Jones (1831-1895) and Alva’s wife Matilda Fitzpatrick (1832-1923), occupied the home. Alva was the Reeve and Postmaster of Saltfleet, and the Warden of Wentworth County in 1867.

The continuous family ownership of the property is significant and has played a part in maintaining the historic integrity of the building over time.

3. **Contextual Value:**

1 Jones Street supports the historic character of the surrounding Stoney Creek core. The building’s connection to the name of the street which it occupies, and its prominent location on the corner of Jones Street and Mountain Avenue North, connects the house to its surroundings. The mature Locust trees in the front yard have inspired the name “Locust Lawn”, which is frequently applied to the property. 1 Jones Street remains today in the same location as when it was first built, however the surrounding neighbourhood has changed greatly since construction.
Conclusion

Staff concludes that the property located at 1 Jones Street (Stoney Creek) is of potential cultural heritage value or interest sufficient to warrant inclusion in the City’s Register of Property of Cultural Heritage Value or Interest.

ALTERNATIVES FOR CONSIDERATION

The Ontario Heritage Act enables a Council to include properties that it believes to be of potential cultural heritage value in the Register of Properties of Cultural Heritage Value or Interest. Council may decide not to include the subject property in the Register. If the property is not included in the Register, then the municipality would be unable to review the demolition or removal of any buildings or structures and/or protect the built heritage resources from demolition. This alternative is not considered to be an appropriate conservation alternative.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1 - A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

*Strategic Objective*

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

*Staff Comments:*

The inclusion of this property in the Register will allow staff the opportunity to review any proposed demolition, new development, or redevelopment on or adjacent to the subject property to ensure consistency with the City’s approved planning policies. There is demonstrated public interest in the cultural heritage value of this property (past inclusion in the City’s Inventory of Buildings of Architectural and/or Historical Interest, previous requests for designation, and this request) and its conservation as a community resource. The approval of the recommendations of this Report acknowledges this public interest.

The approval of the recommendations of this Report demonstrates:

- Council’s commitment to the Council-approved designation process and existing planning policies; and,
• Council’s commitment to conserving cultural heritage resources, as directed by Provincial and Federal level policies.

APPENDICES / SCHEDULES

• Appendix “A”: Location Map
• Appendix “B”: Photographs
• Appendix “C”: Ontario Regulation 9/06

:AG/JT
Attachs. (3)
1 Jones Street, Stoney Creek- Front (south) façade

1 Jones Street, Stoney Creek – Side (west) façade
1 Jones Street, Stoney Creek – Rear (north) and side (west) facades

1 Jones Street, Stoney Creek – Looking north to mature vegetation in front yard
Ontario Heritage Act

ONTARIO REGULATION 9/06

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria

1.(1) The criteria set out in subsection (2) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 9/06, s. 1 (1).

(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
   i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
   ii. displays a high degree of craftsmanship or artistic merit, or
   iii. demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it,
   i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
   ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
   iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it,
   i. is important in defining, maintaining or supporting the character of an area,
   ii. is physically, functionally, visually or historically linked to its surroundings, or
   iii. is a landmark. O. Reg. 9/06, s. 1 (2).