SUBJECT: Request to Add Properties to the City Register of Properties of Cultural Heritage Value or Interest (Wards 2 and 5) (PED07211)

RECOMMENDATION:

(a) That Council include the property located at 225 James Street South, Hamilton on the Register of Properties of Cultural Heritage Value or Interest, as prescribed under the Ontario Heritage Act, as per Report PED07211.

(b) That Council include the property located at 337 Beach Boulevard, Hamilton (The Dynes Tavern) on the Register of Properties of Cultural Heritage Value or Interest, as prescribed under the Ontario Heritage Act, as per Report PED07211.

EXECUTIVE SUMMARY:

At its meeting of June 28, 2007, the Hamilton LACAC (Municipal Heritage Committee) requested that the properties located at 225 James Street South, Hamilton, and 337 Beach Boulevard, Hamilton, be included on the City Register of Properties of Cultural Heritage Value or Interest, as prescribed under the Ontario Heritage Act. The City’s Register of Properties of Cultural Heritage Value or Interest includes properties that are designated under Parts IV and V of the Ontario Heritage Act and, with the recent amendments to the Act, the register may also include properties which are not designated, but which Council believes to be of cultural heritage value or interest.
The inclusion of the properties on the City’s Register would enable staff to monitor the site and encourage the conservation of its heritage attributes in any proposed development. Recent amendments to the Ontario Heritage Act provide for interim protection for properties on the Register (Section 27.3) requiring that owners give the Council of a municipality at least 60-days notice of their intention to demolish or remove a building or structure on the property. Protection to properties on the Register is only extended to demolition. Alterations, additions or other changes to property are unregulated.

**BACKGROUND:**

337 Beach Boulevard

At its meeting of May 8, 2007, the Economic Development and Planning Committee considered a demolition permit for a structure located at 337 Beach Boulevard, Hamilton, known locally as the Dynes Tavern (Staff Report PED07142).

As a result of local community concern about the possible loss of this feature and the prospect of new uses and development on this site, the staff report was tabled at Committee with the following direction:

“(f) Demolition Permit – 337 Beach Boulevard (PED07142) (Ward 5) (Item 5.5)

That the above-mentioned Item be tabled, and that staff and the Hamilton LACAC (Municipal Heritage Committee) be directed to consider the matter of including Dyne’s Tavern, (located at 337 Beach Boulevard, Hamilton), in the municipal register of heritage properties as a property of cultural heritage value or interest, and that staff and the Hamilton LACAC (Municipal Heritage Committee) report back to Committee at the earliest opportunity to advise and recommend an appropriate course of action or actions under the provisions of the Ontario Heritage Act.”

The property at 337 Beach Boulevard, Hamilton (Dynes Tavern) is vacant and there remains concern from the neighbourhood about the potential redevelopment of the site and the loss of the heritage resource. Following Council direction, City staff has researched and evaluated the property and determined that it merits inclusion on the City Register of Properties of Cultural Heritage Value or Interest (see Appendix A). The inclusion of the property on the City’s Register would enable staff to monitor any changes to the site and encourage the retention of its heritage attributes.

Additionally, at the Council meeting of July 11, 2007, the following action was also adopted to investigate the heritage integrity of the structure:

“24. Dynes Tavern Heritage Assessment (Added Item)

(a) That the City provide a grant to the Hamilton Beach Preservation Committee, up to $5,000, for the purpose of funding a “heritage
(b) That staff assist the Preservation Committee in retaining a qualified individual or company, as soon as possible, to undertake a heritage assessment.

(c) That any remaining funds be returned to the City of Hamilton.

(d) That the Beach Community Reserve be utilized as the source of funding.”

225 James Street South

The property at 225 James Street South, Hamilton, has also recently been vacated and there is concern about the loss of this prominent heritage resource. City staff has researched and evaluated the property and determined that it merits inclusion on the City Register of Properties of Cultural Heritage Value or Interest. (See Appendix B to Report PED07211). The inclusion of the property on the City’s Register would enable staff to monitor any changes to the site and encourage the retention of its heritage attributes.

Under the recent amendments of the Ontario Heritage Act, Councils are enabled to include on their Registers of Properties of Cultural Heritage Value or Interest property that has not been designated “but that the Council of a municipality believes to be of cultural heritage value or interest” (Section 27.1.2). Currently, as per the previous direction of the Ontario Heritage Act, the City of Hamilton’s Register contains only those properties designated under Parts IV and V of the Act. A future report will be forthcoming from staff regarding the inclusion of other non-designated properties, such as those contained in the City’s current Inventory, onto the Register.

ANALYSIS/RATIONALE:

Identifying properties of cultural heritage value is an essential part of municipal heritage conservation. A comprehensive Register of Properties of Cultural Heritage Value or Interest has a number of benefits including:

1. The register allows Council to more formally recognize and protect properties of cultural heritage value in the community.

2. The register promotes knowledge and enhances an understanding of the community's cultural heritage.

3. The register provides interim protection for registered properties.
Preliminary Assessments of properties being considered in this report

A preliminary assessment of the property at 337 Beach Boulevard, Hamilton (Dynes Tavern), is attached as Appendix A to Report PED07211, and is summarized as follows:

**Design Value:** Although altered today, the one and one-half storey wood frame building of 1882 may exist under the modern materials—the current gable roof with three peaked gables is identical to that of an early photograph and the former wrap-around covered verandah was most likely filled in or encased within the modern addition on the west, south and east facades. Designed in a vernacular style and constructed of frame (as per many of the nineteenth century buildings on the Beach), the simple structure included a rear wing addition, which still exists today.

**Historical Value:** John Dynes (1816-1899) opened a hotel and tavern on the Burlington Beach in 1846. The Dynes family was one of the earliest settlers on the Beach—Samuel Dynes erected his grist mill on the beach (this was among one of the first grain mills in Upper Canada) and the family was one of the earliest fishing families on the Beach. By 1872, the Dynes house and grounds were considered one of the most popular summer resorts in the country. In his obituary, the *Hamilton Spectator* referred to Dynes as the “best known and best liked resident on Hamilton Beach” which explains the fact that the entire community, lead by a committee of “prominent gentlemen,” raised money to rebuild the Dynes within days of a disastrous fire in 1882. The entire property, which included substantial recreational grounds, was an important community gathering place and a popular spot for tourists. The park area included a ball park, summer camps and skating in the winter, and was the location of large picnics and famous for its fish suppers.

**Contextual Value:** The Dynes Tavern is a reminder of the Beaches canal boom in the early nineteenth century and the resort community of the late nineteenth and early twentieth century, when the influx of people required accommodations and amenities.

A preliminary assessment of the property at 225 James Street South is attached as Appendix B to Report PED07211, and is summarized as follows:

**Design Value:** While altered with stucco cladding and additions, including a one-storey addition on the north end of the James Street façade, the building is a rare surviving example of stone architecture dating from 1854-55. The formal arrangement of door and window openings is accented by Italianate details, such as the robust stone window surrounds and the bracketed eaves.

**Historical Value:** Built as a private home for a prominent community member (the banker, Henry Titus), and then occupied for many years by the lawyer Aemilius Irving, this building serves as a reminder of the desirable residential neighbourhood along James Street South, once occupied by many prominent members of Hamilton’s history. Sir Aemilius Irving was the first President of the Hamilton Law Association, a member of the Law Society of Upper Canada, and a member of the House of Commons. This is...
the oldest extant building on the block bounded by Forest (originally Maria), James Street South, Hughson and Charlton (originally Hanna).

**Contextual Value:** In the nineteenth century, this stretch of James Street South had buildings of substantial value occupied by professional, middle to upper class citizens. Some of these large residences (although adapted to new uses) still exist along James Street and several are designated.

These two properties adequately meet the standard provided in the **Ontario Heritage Act** for inclusion of properties in the Register.

**ALTERNATIVES FOR CONSIDERATION:**

The **Ontario Heritage Act** enables a Council to include properties that it believes to be of cultural heritage value onto the Register. By not adding the subject properties on the City Register of Properties of Cultural Heritage Value or Interest, the municipality would be unable to provide interim protection to these heritage resources. Declining to consider the inclusion of these properties on the Register is not considered to be an appropriate conservation alternative.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - Not applicable.

Staffing - Not applicable.

Legal - Section 27 of the **Ontario Heritage Act** enables municipalities to include property that has not been designated under Part IV of the Act, but that Council of the municipality believes to be of cultural heritage value or interest on the “Register of Cultural Heritage Properties.” The recommendation would comply with legislative requirements.

**POLICIES AFFECTING PROPOSAL:**

Official Plan policies of the former City of Hamilton support the conservation, protection and management of cultural heritage features. Adding these properties to the Register of Properties of Cultural Heritage Value or Interest will be in accordance with these policies.

**RELEVANT CONSULTATION:**

According to the Part IV of the **Ontario Heritage Act**, where the Council of a municipality has appointed a Municipal Heritage Committee, the Council shall, before including a property that has not been designated under this Part in the register, consult with its Municipal Heritage Committee. At its meeting of June 28, 2007, the Hamilton LACAC (Municipal Heritage Committee) recommended that Council include these properties at
SUBJECT: Request to Add Properties to the City Register of Properties of Cultural Heritage Value or Interest (Wards 2 and 5) (PED07211) - Page 6 of 6

225 James Street South and 337 Beach Boulevard in the City Register of Properties of Cultural Heritage Value or Interest.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

- **Community Well-Being is enhanced.** ☑ Yes ☐ No
  Arts, culture, archaeological and cultural heritage are supported and enhanced.

- **Environmental Well-Being is enhanced.** ☑ Yes ☐ No
  Waste is reduced and recycled.

- **Economic Well-Being is enhanced.** ☑ Yes ☐ No
  Investment in Hamilton is enhanced and supported.

**Does the option you are recommending create value across all three bottom lines?**

☑ Yes ☐ No

**Do the options you are recommending make Hamilton a City of choice for high performance public servants?**

☑ Yes ☐ No

:SV

Attachs. (2)
**Street Address:** 337 Beach Boulevard  
**Ward:** 5

**Given or popular name:** Dynes Tavern/Dynes Hotel

**Assessment roll number:** 251805051402200

**Former Municipality:** Hamilton  
**Lot:** Plan 364 Pt Lot 6  
**Concession:** _____

**Present Owner:** 1200043 Ontario Limited.

**Mailing address (if different than above):** 3383 Capricorn Cres, Mississauga, L4T 1S3

**Photos**

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**Date of construction (if known):** 1882

**Original Owner:** John Dynes

**Architect/Builder/craftsperson (if known):** _____

**Summary of Cultural Heritage Value or Interest:**

**Architectural design or physical value** - Although altered today, the one and one-half storey frame building of 1882 most likely exists under the modern materials—the current gable roof with three peaked gables is identical to that of an early photograph and the former wrap-around covered verandah was most likely filled in or encased within the modern addition on the west, south and east facades. Designed in a vernacular style and constructed of frame (as per many of the nineteenth century buildings on the Beach), the simple structure included a rear wing addition which still exists today as well.

**Historical or associative value** - John Dynes (1816-1899) opened a hotel and tavern on the Burlington Beach in 1846. The Dynes family was one of the earliest settlers on the Beach—Samuel Dynes erected his grist mill on the beach (this was among one of the first grain mills in Upper Canada) and the family was one of the earliest fishing families on the Beach. By the 1872 the Dynes house and grounds were considered one of the most popular summer resorts in the country. In his obituary, the *Hamilton Spectator* referred to Dynes as the “best known and best liked resident on Hamilton Beach” which explains the fact that the entire community, lead by a committee of “prominent gentlemen,” raised money to rebuild the Dynes within days of a disastrous fire in 1882. The entire property, which included substantial recreational grounds was an important community gathering place and a popular spot for tourists. The park area included a ball park, summer camps and skating in the winter and was the location of large picnics and famous for its fish suppers.

**Contextual value**
The Dynes Tavern is a reminder of the Beaches canal boom in the early nineteenth century and the resort community of the late nineteenth and early twentieth century, when the influx of people required accommodations and amenities.
Description of Heritage Attributes (Notable building features) such as: Materials, Porches, Verandahs, Doors, Windows, Sills, Lintels, Shutters, Quoins, Decorative barge board, Decorative cornice, Decorative woodwork, Finials, Spire/tower, Columns/pilasters

The frame L-shaped building with gable roof and cross-gables. Notable heritage features (such as wood siding, wood verandah posts and roof, wood window frames, etc) may exist, however is not currently visible.

<table>
<thead>
<tr>
<th>Feature type:</th>
<th>Residential</th>
<th>Religious</th>
<th>Public/Institutional</th>
<th>Commercial</th>
<th>Industrial</th>
<th>Transportation/Engineering Works/Utilities</th>
<th>Farmstead</th>
<th>Other</th>
</tr>
</thead>
</table>

Construction period:  
- [ ] Pre-1867  
- [x] 1868-1900  
- [ ] 1901-1939  
- [ ] 1939-55  
- [ ] Post 1955

Architecture: [x] Vernacular Influence/Architectural Style:  
- [ ] Georgian  
- [ ] Gothic Revival  
- [ ] Queen Anne  
- [ ] Beaux-Arts Classicism  
- [ ] Edwardian Classicism  
- [ ] Art Moderne  
- [x] '50's Contempo  
- [ ] Post Modern  
- [ ] Other

Foundation construction material:  
- [ ] Stone  
- [ ] Brick  
- [ ] Concrete  
- [ ] Other

Main building construction material:  
- [ ] Stone  
- [ ] Brick  
- [x] Frame  
- [ ] Log  
- [ ] Other

Building cladding:  
- [x] Stone  
- [ ] Brick  
- [x] Wood  
- [ ] Stucco  
- [ ] Synthetic  
- [ ] Other

Roof construction material:  
- [x] Asphalt  
- [ ] Slate  
- [ ] Wood shingles  
- [ ] Asbestos  
- [ ] Other

Storeys:  
- [ ] One  
- [ ] One-and-a-half  
- [ ] Two  
- [ ] Two-and-a-half  
- [ ] Three  
- [ ] Other

Roof type:  
- [ ] Front gable  
- [x] Side gable  
- [ ] Cross/Centre gabled  
- [ ] Hip  
- [ ] Other

Other Notes:

Documentation: (name, title, author, date, etc.) - Attach copies when applicable

- Map of Hamilton Beach, 1877
- Goad's Fire Insurance Plan of Burlington Beach, 1900
- Map of Burlington Beach, Township of Saltfleet, 1923
- "Fire at the Beach: John Dynes' Popular Inn Burned to the Ground," Hamilton Spectator, May 6, 1882
- "John Dynes' Hotel," Hamilton Spectator, May 7, 1882
- Hamilton Beach in Retrospect, 1981
### Cultural Heritage Resource Evaluation Form

<table>
<thead>
<tr>
<th>Street Address: 225 James Street South</th>
<th>Ward: 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Given or popular name:</td>
<td></td>
</tr>
<tr>
<td>Assessment roll number: 251802014150400</td>
<td></td>
</tr>
<tr>
<td>Former Municipality: Hamilton, Lot: Plan 1431 Pt Lot 218 Concession:</td>
<td></td>
</tr>
<tr>
<td>Present Owner: St. Joseph's Health System</td>
<td></td>
</tr>
<tr>
<td>Mailing address (if different than above): 574 Northcliffe Ave, Dundas L9H 7L9</td>
<td></td>
</tr>
</tbody>
</table>

**Photo**

**Location Map**

**Date of construction (if known): 1854-55**

**Original Owner:** Henry Titus, Banker

**Architect/Builder/craftsperson (if known):**

**Summary of Cultural Heritage Value or Interest:**

**Architectural design or physical value**
While altered with stucco cladding and additions, including a one-storey addition on the north end of the James Street façade, the building is a rare surviving example of stone architecture dating from 1854-55. The formal arrangement of door and window openings is accentuated by Italianate details such as the robust stone window surrounds and the bracketed eaves.

**Historical or associative value**
Built as a private home for a prominent community member (the banker, Henry Titus) and then occupied for many years by the lawyer Aemilius Irving, this building serves as a reminder of the desirable residential neighbourhood along James Street South, once occupied by many prominent members of Hamilton’s history. Sir Aemilius Irving was the first President of the Hamilton Law Association, a member of the Law Society of Upper Canada, and a member of the House of Commons. This is the oldest extant building on the block bounded by Forest (originally Maria), James Street South, Hughson and Charlton (originally Hanna).

**Contextual value**
In the nineteenth century, this stretch of James Street South had buildings of substantial value occupied by professional, middle to upper class citizens. Some of these large residences (although adapted to new uses) still exist along James and several are designated.
Description of Heritage Attributes (Notable building features) such as: Materials, Porches, Verandahs, Doors, Windows, Sills, Lintels, Shutters, Quoins, Decorative barge board, Decorative cornice, Decorative woodwork, Finials, Spire/tower, Columns/plasters

The four facades, especially the south and west street facades, of stone construction (currently clad in stucco) and the decorative stone window surrounds, along with the gable roof, dormer window, stone party walls and chimneys.

Feature type: ☐ Residential ☐ Religious ☐ Public/institutional ☐ Commercial ☐ Industrial ☐ Transportation/Engineering Works/Utilities ☐ Farmstead ☐ Other _____

Construction period: ☑ Pre-1867 ☐ 1868-1900 ☐ 1901-1939 ☐ 1939-55 ☐ Post 1955

Architecture: ☐ Vernacular (Influence/Architectural Style: _____)

[ ] Georgian ☐ Neo-Classical ☐ Regency ☐ Classic Revival
[ ] Gothic Revival ☐ Italian Villa ☐ Italianate ☐ Second Empire
[ ] Queen Anne ☐ Romanesque Revival ☐ Renaissance Revival ☐ Chateau
[ ] Beaux-Arts Classicism ☐ Neo-Gothic ☐ Period Revival ☐ Colonial Revival
[ ] Edwardian Classicism ☐ Bungalow ☐ Prairie/Four Square ☐ Art Deco
[ ] Art Moderne ☐ International ☐ Victory Housing ☐ Modern
[ ] '50's Contempo ☐ Post Modern ☐ Other _____

Foundation construction material: ☑ Stone ☐ Brick ☐ Concrete ☐ Other _____

Main building construction material: ☑ Stone ☐ Brick ☐ Frame ☐ Log ☐ Other _____

Building cladding: ☑ Stone ☐ Brick ☐ Wood ☐ Stucco ☐ Synthetic ☐ Other _____

Roof construction material: ☑ Asphalt ☐ Slate ☐ Wood shingles ☐ Asbestos ☐ Other _____

Storeys: ☐ One ☐ One-and-a-half ☑ Two ☐ Two-and-a-half ☐ Three ☐ Other _____

Roof type: ☑ Front gable ☐ Side gable ☐ Cross/Centre gabled ☐ Hip ☐ Other _____

Other Notes:

Documentation: (name, title, author, date, etc.) - Attach copies when applicable

Map of the City of Hamilton in the County of Wentworth, 1850-51
Goad’s Fire Insurance Plan of Hamilton, 1911
City of Hamilton Assessment Rolls
Hamilton City Directories