

# MELVILLE STREET

## HERITAGE CONSERVATION

### DISTRICT STUDY

CITY OF HAMILTON, ONTARIO

**FINAL REPORT**  
**MARCH 2024**

Prepared for: The City of Hamilton

*Image source: MHBC Archives*



Project # 0727AV

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# Acknowledgement of Indigenous Communities

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The Melville Street Heritage Conservation District Study Area is associated with the following treaties:

- Between the Lakes Purchases, Signed on December 2, 1792 (Treaty 3).

This Study takes into consideration the cultural heritage of Indigenous Communities, including their oral traditions and history when available and related to the scope of work. See Sub-section 3.2.1 and Sub-section 3.2.2 of this report for more information.

## Other Acknowledgements

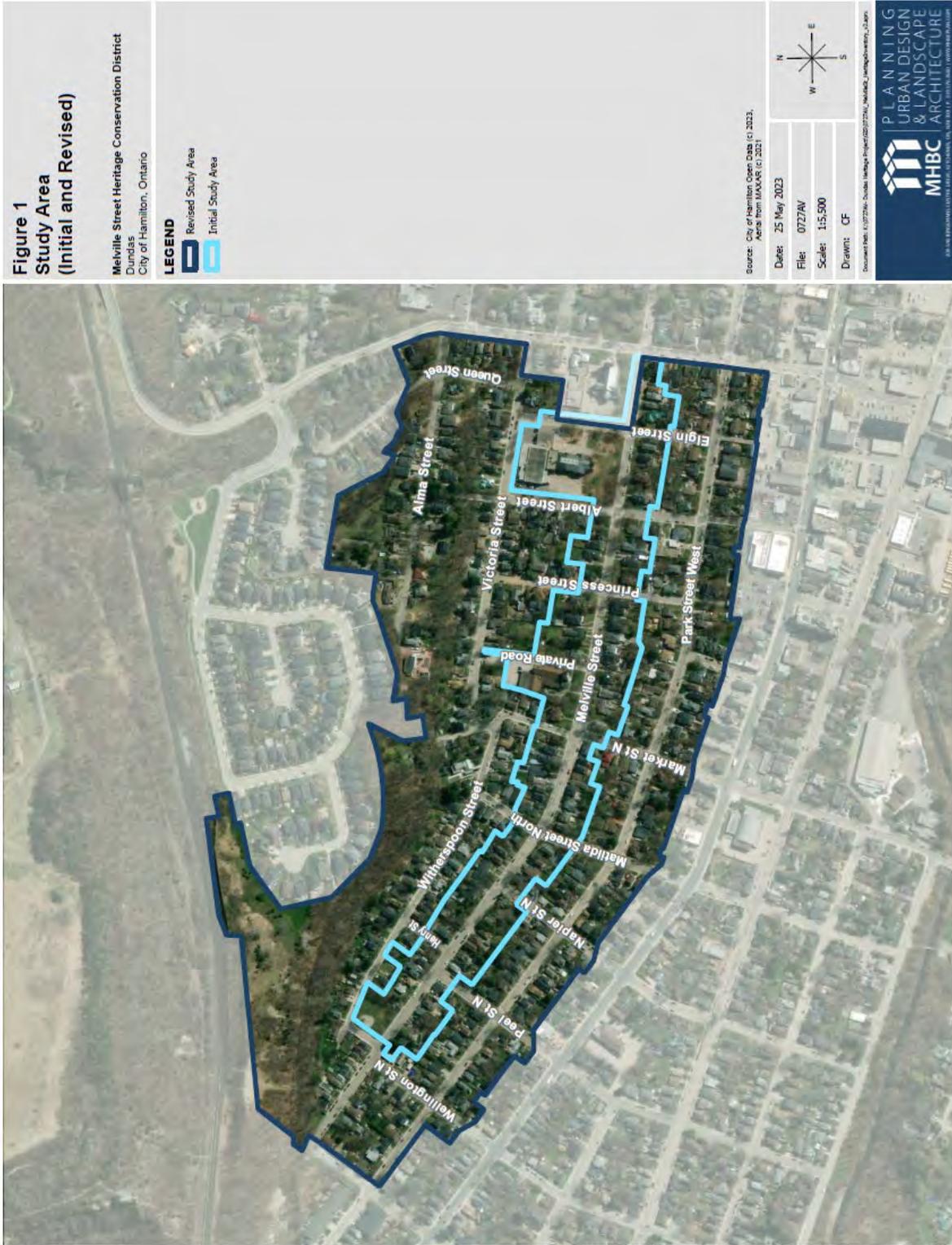
This Study acknowledges the support provided by municipal staff at the City of Hamilton, the Hamilton Municipal Heritage Committee (HMHC), the Dundas Museum and Archives and the Hamilton Public Library as well as information that was provided through the Dundas Heritage Association and the “Explore Dundas History” project initiated by the Dundas Museum and Archives.

# 1.0 Introduction

## 1.1 Background

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) was retained by the City of Hamilton (“the City”) in December of 2022 to complete a Heritage Conservation District (“HCD”) Study. On September 28<sup>th</sup>, 2022, City Council approved a Heritage Conservation Study by-law under Section 40.1 (1) of the *Ontario Heritage Act* (“OHA”) (By-law 22-258) for a portion of Melville Street in the community of Dundas between Sydenham Street to Wellington Street North. This By-law would allow for the City to undertake a Heritage Conservation District Study for a period of a year in which time the by-law may prohibit or set limitations with respect to the alteration of property and the erection or demolition of buildings or structures.

The Study was initiated in December of 2022 and during this process, preliminary results of the Study recommended that the initial Study Area (shown in light blue in Figure 1) should be expanded to review the neighbourhood in its entirety. The expanded Study Area, which is more thoroughly described in Section 3.0 of this report, was expanded to include the residential neighbourhood generally bound by Main Street West to the south, Brock Street North to the west, the base of the escarpment and Alma Street on the north and Sydenham Street to the east hereinafter referred to as “the Study Area” (see **Figure 1**).



*Figure 1: Original Melville Street Heritage Conservation District Study Area designated under interim by-law (in light blue) and Expanded Melville Street Heritage Conservation District Study Area (in dark blue) (Source: MHBC, 2023)*

## 1.2 Purpose

The purpose of a Heritage Conservation District Study is to examine the character and appearance of an area to determine if the area constitutes a Heritage Conservation District. The Study also considers and makes recommendations regarding the establishment of a Heritage Conservation District Plan to guide future changes to properties within the District area. If the Study determines that there is justification for a Heritage Conservation District, the Council may approve the Study and proceed with the preparation of the Plan which would be officiated through the approval of a designation by-law.

## 1.3 Methodology and Approach

The designation process of a Heritage Conservation District (“HCD”) is typically undertaken in two phases: the first phase includes an HCD Study, then if warranted, an HCD Plan would be prepared as per Council approval; this report constitutes the first phase of the designation process. Considering this, it is important to note that this HCD Study does not include any guidelines, policies, or restrictions for properties within the Study Area as these matters would be the content of the HCD Plan as per 41.1 (5) of the OHA.

The HCD Study follows the methodology outlined by the Ministry of Citizenship and Multiculturalism (MCM) in a document that is part of the Ontario Heritage Toolkit entitled, “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act.” Since the *More Homes Built Faster Act, 2022* has come into force, a municipality or any defined area or area of it may be designated as an HCD through a by-law under sub-section 41 (1) of the OHA if at least twenty five percent of the properties within the defined area satisfy two or more of the criteria outlined O Reg 9/06. This report is therefore mandated to use these criteria to determine whether the Study Area warrants designation under Part V of the OHA. The Statement of Cultural Heritage Value or Interest and associated heritage attributes are also guided by the Ontario Heritage Toolkit and Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada (“S&Gs”).

According to the OHA, the following is required as part of the scope of work for an HCD Study:

- (a) examine the character and appearance of the area that is the subject of the study, including buildings, structures, and other property features of the area, to determine if the area should be preserved as a heritage conservation district;

- (b) examine and make recommendations as to the geographic boundaries of the area to be designated;
- (c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;
- (d) make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. 2005, c. 6. s. 29.

The following provides the approach of this Study which is set out in steps in chronological order:

- Review of existing cultural heritage inventories and municipal heritage register;
- Review of existing policy framework and other related policies;
- Understand the historical context and community values through public consultation and research, including the review of the draft Historic Context Statement for the Downtown Dundas Built Heritage Inventory;
- Consult with municipal staff and the Hamilton Municipal Heritage Committee regarding existing processes for heritage conservation;
- Complete initial site visit for Study Area;
- Collect data from municipality to develop digital database using ArcGIS to complete on-site fieldwork;
- Complete on-site fieldwork and inventory each property located within the Study Area;
- Examine and analyze fieldwork and develop conclusions and recommendations based on the data collected;
- Evaluate the Study Area under O Reg 9/06 to determine if it warrants designation under the OHA;
- Determine the Cultural Heritage Value or Interest of the area and develop a Statement of Cultural Heritage Value or Interest and associated heritage attributes;
- Examine and identify potential HCD boundary;
- Provide planning recommendations and other considerations related to the proposed HCD boundary in the form of the Heritage Conservation District Study report; and
- Initiate public consultation, collect input, and revise Study Report, as necessary.

Further review of the approach to the analysis of the fieldwork data is provided in Section 6.0. Information that was used to complete the Study includes but is not limited to: Local Architectural Conservation Advisory Committee (LACAC) surveys, municipal

heritage register and cultural heritage inventory entries, Draft Historic Context Statement for the Downtown Dundas Built Heritage inventory, MPAC assessments and building permit information provided by the municipality.

## 1.4 Overview of Contents

Based on the guidance provided by the Province, this HCD Study specifically includes the following components as it relates to the Melville Street HCD Study Area:

- Introduction, including methodology and approach;
- Review of policy context;
- Historic Context Statement to review pre-contact Indigenous history<sup>1</sup> and identify key milestones and themes that shaped settlement and development in the area;
- Examination and analysis of the character of the area and appearance of the Study Area, including buildings, structures, and other property features, to determine if the area should be preserved as an HCD;
- Identification of geographic boundaries of the area to be considered for designation under Part V of the OHA and determination of whether the Study Area could be an extension of the Cross Melville Heritage Conservation District;
- Objectives of designation and the recommended contents of the HCD Plan; and,
- Recommendations as to any changes that will be required to the City of Hamilton's Official Plan and to any municipal by-laws.

The conclusions and recommendations provided in this report are based upon a combination of historical research, the analysis of primary and secondary sources, the interpretation of maps and plans, field work, and the inventory of features within the Study Area boundary as well as community input. Planning documents and information were also analyzed, including, but not limited to the City of Hamilton Rural and Urban Official Plans, City of Hamilton Zoning By-law 05-200, City of Hamilton Municipal Heritage Register, and other cultural heritage inventories.

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<sup>1</sup> This Study is completed with the understanding that Indigenous cultural heritage, particularly intangible, is not adequately represented in this report and requires further reconciliation to be appropriately acknowledged.

# 2.0 Policy Context

## 2.1 Standards and Guidelines for the Conservation of Historic Places in Canada

Section 4.1 entitled “Guidelines for Cultural Landscapes Including Heritage Districts” of the *Standards and Guidelines for the Conservation of Historic Places in Canada* reviews cultural heritage landscapes. The Guidelines for Cultural Landscapes are divided into 11 sub-sections including: evidence of land use, evidence of traditional practices, land patterns, spatial organization, visual relationships, circulation, ecological features, vegetation, landforms, water features, and built features (p 50). These elements are discussed further in Sub-section 7.2 when reviewing the proposed HCD boundaries.

## 2.2 Provisions of the Ontario Heritage Act and Provincial Guidance- Updated Ontario Regulation 9/06 for HCDs

The OHA is the primary source of provincial legislation that enables municipalities to conserve, protect, and manage cultural heritage resources. There are two main parts to the OHA that concern cultural heritage resources. These are as follows:

- Part IV, which enables a municipality to “list” or “designate” individual properties that are of cultural heritage value or interest. Properties which are listed are included on the City’s Municipal Heritage Register. Properties which are designated are recognized by way of a By-law registered on-title. The City has designated over 280 properties under Part IV of the OHA. A map identifying the location of listed and designated properties within the Study Area is provided in **Appendix ‘A.’**
- Part V of the OHA enables a municipality to designate by By-law all or any part of a municipality as an HCD. Currently, the City has seven Heritage Conservation Districts designated under Part V, including the Cross-Melville Heritage Conservation District located adjacent to the Study Area, east of Sydenham Street, comprised of 57 properties.

The first step in designating a Heritage Conservation District is the completion of the Heritage Conservation District Study. The scope of a Heritage Conservation District Study is guided by the requirements of the OHA, notably subsection 40. (2), which is discussed earlier in sub-section 1.3 of this report. According to the Ministry of Citizenship and Multiculturalism (MCM) provides guidance for the OHA through the Ontario Heritage Toolkit

which includes five guides. These guides, published in 2006, are currently being updated, however, the process of an HCD remains the same. One of these guides include: “Heritage Conservation Districts, A Guide to District Designation under the Ontario Heritage Act;” in this guide, an HCD is described as follows:

*“... [a Heritage Conservation District] may comprise an area with a group or complex of buildings, or a larger area with many buildings and properties. It may also comprise an entire municipality with a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings.”*

Identifying a potential HCD requires the identification of clusters of cultural heritage resources which together form a distinctive place worthy of protection and management for the purpose of conserving its unique heritage character. According to the guide, an HCD typically embodies the following characteristics:

- A concentration of heritage buildings, sites, structures; designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use;
- A framework of structured elements including major natural features such as: topography, land form, landscapes, water courses and built form such as pathways and street patterns, landmarks, nodes or intersections, approaches and edges;
- A sense of visual coherence through the use of such elements as building scale, mass, height, material, proportion, colour, etc. that convey a distinct sense of time or place; and
- A distinctiveness which enables districts to be recognized and distinguishable from their surroundings or from neighbouring areas or ‘heterogeneity.’”

In part, the purpose of the identification and evaluation of the natural and built features located within in the Study Area boundary is to determine whether the boundary displays these characteristics listed above.

## **2.3 City of Hamilton Official Plans**

The City of Hamilton has two Official Plans - the Rural Hamilton Official Plan (“RHOP”) and the Urban Hamilton Official Plan (“UHOP”).

- The RHOP applies to land outside of the Urban Boundary and includes designations such as: agriculture, specialty crop, rural, mineral aggregate resource extraction areas, open space, and utility. Uses within these designations are limited to those associated with agricultural practices, harvesting, greenhouses, resource-based commercial, and other sensitive land uses. The escarpment lands slightly north of the Study Area is the boundary of the RHOP.
- The UHOP applies to land within the Urban Boundary, including the former communities of Dundas, Ancaster, Waterdown Binbrook and the new Urban Expansion Areas. Designations in the UHOP include various residential, commercial, and mixed use, and employment areas, as well as urban nodes, urban corridors, major transit station areas and major activity centres.

The UHOP, which applies the Study Area, was adopted by Council on July 9, 2009, approved by the Ministry of Municipal Affairs and Housing on March 16, 2011, and in full force and effect as of August 16, 2013. It was most recently consolidated in November 2022. Policies applicable to the Study Area are found in Volume 1: Parent Policies. The UHOP contains various policies relating to the management and conservation of cultural heritage resources, including tangible features, structures, sites, or landscapes that, either individually or as part of a whole, are of historical, architectural, or scenic value.

The majority of the Study Area is designated on Schedule E and E-1 of the UHOP as Neighbourhoods with the heavily vegetated areas to the north, Witherspoon Park, and the school yard at Dundas Central Public School as Open Space. Volume 1, Chapter E provides an overview of the various land designations within the City. Lands designated as Neighbourhoods primarily consist of residential and complementary facility and services to serve the residents, such as parks, institutional uses, recreation spaces, small retail stores and offices.

Schedule E of the UHOP also identifies the eastern half of the Study Area, up to Market Street North as within a Community Node. Community Nodes are in areas surrounding the downtowns of the former municipalities – in this case Downtown Dundas. These nodes are intended to provide a mix of uses including housing, employment, services, and recreation near one another and to transit. These areas are also intended to be pedestrian friendly and within proximity of former downtowns and surrounded by historic fabric. General policies in the UHOP do allow for development and redevelopment in these areas however, policies found in Volume 1, Chapter B recognize the character and historic value of the surroundings area and provide direction to ensure that new development is done in a manner that is compatible, appropriate, and respectful to the heritage context. These policies also speak to the City defining

downtown boundaries through Secondary Planning processes or other detailed Planning initiatives. Currently, there are no existing Secondary Plans for Dundas.

Volume 1, Chapter B provides policies and direction as it specifically relates to the quality of life and complete communities across the City. This chapter addresses matters such as urban design, cultural heritage resources, community facilities, health, and environmental design. Primarily as it relates to the Heritage Conservation District Study and the assessment of the historic community surrounding Downtown Dundas, there are a number of policies that speak to the preservation of cultural heritage resources, processes for identifying and assessing opportunities for the protection of heritage resources, all which recognizing that growth and intensification will occur throughout the City. Policies in this chapter provide direction that allows the City to designate properties including cultural heritage landscapes as Heritage Conservation Districts where it has been determined that it meets the criteria as set out by the *Ontario Heritage Act*.

In addition to these policies, the Study Area falls within two Established Historical Neighbourhoods:

- Colborne – all properties west of Market Street North; and,
- Sydenham – all properties east of Market Street North.

Established Historical Neighbourhoods are defined as those that were substantially built prior to 1950. These neighbourhoods exhibit unique character, provide examples of historical development patterns, and often contain concentrations of cultural heritage resources. These policies should be referenced when assessing any intensification in these neighbourhoods, they encourage any alterations to be respectful to the original building fabric including massing heights and materials, direct additions to the rear of the lot and reduce the impact to the principal facades, while preserving green front yards.

A list of policies applicable to the Study Area can be found in **Appendix 'G'**.

It should be noted that the policies of the Official Plan may not accurately reflect or conform to recent changes in Provincial policies, including the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe (or the pending Provincial Planning Statement) and the OHA which had new policies introduced on January 1, 2023. As the project progresses, updates will be made as they become available.

## 2.4 City of Hamilton Zoning By-Law

The Study Area is subject to two Zoning By-laws, as follows:

- The Town of Dundas (now City of Hamilton's) Zoning By-law No. 3581-86 which was approved by the Ontario Municipal Board on May 10, 1988, and is applicable to the Study Area. The By-law continues to be updated on a regular basis as new amendments are approved, with the most recent consolidation being dated November 2022.
- The City of Hamilton Zoning By-law No. 05-200 came into effect on May 25, 2005, and applies to the properties zoned Institutional, Neighbourhood Commercial and Neighbourhood Park within the Study Area.

The Zoning By-law provides specific land use regulations for various uses and includes provisions and requirements for matters such as building height, lot size, setbacks, landscaped area, parking and more. Zoning By-laws assist in ensuring that any new development or alterations to existing properties are done so in a manner that is compatible and appropriate for the surrounding area.

The majority of the Study Area is zoned for Low Density and Single Detached Residential land uses with a few Institutional/Public and Private Services parcels where community resources are located, Light Industrial and Parks and Recreation parcels towards the northern extent of the Study Area, and a couple Commercial/Commercial Conversion properties along the southern boundary, closer to King Street. There are a few parcels that are subject to site specific zoning to permit the uses as they exist today. See **Figure 2** for zoning map figure.

### *Residential Zoning:*

The residential areas within the Study Area are primarily zoned "Single-Detached Residential ('R2')" in Zoning By-law 3581-86, while a portion in the southeast corner is zoned "Low Density Residential (R4)". In general, the residential zones permit a range of residential uses and lot sizes, with a maximum building height of 10.5 metres.

One property, 132 Melville Street, is subject to a site-specific exception "R2/S-64" which permits human habitation on the second floor of the existing rear yard accessory structure and home occupation on the first floor.

Recently approved City By-laws (no. 21-073, 22-134, 22-192) with respect to Secondary Dwelling Units (within existing dwelling and detached), as well as Converted Dwellings apply to both the R2 and R4 zones.

#### *Institutional Zoning:*

The “Neighbourhood Institutional (‘I1’)” zone applies to two properties within the Study Area (73 Melville Street – Dundas Central Elementary School and 110 Victoria Street – St. James Anglican Church), and permits a broad range of uses such as day nursery, duplex dwelling, educational establishment, emergency shelter, home business, museum, place of worship, residential care facility, retirement home, semi and single-detached dwellings. The maximum building height ranges from 10.5 to 12 metres depending on the use.

#### *Light Industrial Zoning:*

A few properties located along the northern boundary of the study area are zoned “Light Industrial (IR).” This zone permits a number of industrial uses such as manufacturing, construction, transportation and storage, communication and other utilities, wholesale trade, retail trade, health and social services, other services, accessory uses, and waste transfer facilities and waste processing facilities.

#### *Commercial Zoning:*

Three properties within the Study Area have commercial zoning, all of which are located at the southern boundary close to the King Street corridor. The first two properties, located at 16 Sydenham Street and 108 Park Street West and contain a restaurant establishment and commercial school, respectively. Those parcels are zoned “Neighbourhood Commercial (C2)” in Zoning By-law 05-2000. This zone permits a variety of commercial uses such as commercial school, day nursery, artist studio, financial establishment, medical clinic, office, restaurant, retail, and personal service. The third property is located at 8 Market Street North and is zoned “Residential and Commercial Conversion (RCC)” which permits a variety of low-density housing forms with permission for commercial conversions within existing buildings. Commercial use is permitted including uses such as accounting and bookkeeping services, legal offices, business associations, day nurseries and various other office uses.

#### *Park Zoning:*

A large, naturalized parcel of land located at 139 Sundial Crescent located at the northern boundary of the Study Area is zoned “Park and Recreation (PR1)” which

permits a variety of recreational and natural uses such as parks and playgrounds, picnic areas, camping grounds, golf courses and other recreational uses with associated accessory buildings. There are two other small parcels located at the western end of Alma Street that have the same zoning.

Witherspoon Park, located at 70 Witherspoon Street is zoned as “Neighbourhood Park (P1)” which permits recreation uses and prohibits uses such as arenas, community centres, stadium, swimming pool, and tennis courts. This is the only neighbourhood park within the Study Area.

#### *Public and Private Service Zoning:*

The Dundas Museum and Archives property located at 139 Park Street West has site specific zoning, “Public and Private Service (PPS/S-121)”, which permits library services, museums and archives and accessory buildings.

### **Summary**

While no significant concerns were identified through the review of the existing zoning within the HCD Study Area, further review will be undertaken through the future HCD Plan stage (if pursued) to ensure the zoning is compatible with proposed HCD policies and guidelines.

## **2.5 Interim Control By-law**

At the City’s September 28, 2022, Council meeting, an Interim Control By-law (No. 22-258) was passed to “Designate a Portion of Melville Street in Dundas, from Sydenham Street to Wellington Street North, as a Heritage Conservation District Study”. This By-law applied to the above-mentioned area (the initial study area) for the period of one year and is no longer in force and effect. This By-law directed City staff to undertake a Heritage Conservation District Study in accordance with the requirements of the *Ontario Heritage Act* with the intent of examining the character and appearance of the area to determine if the entire area, or part of the area would warrant designation as a Heritage Conservation District and to make recommendations with respect to the content of a Heritage Conservation District Plan. During the one-year period, property owners within the identified study area were prohibited to alter their properties, including the erection, demolition and removal of legally existing buildings or structures except for the following:

- a. An expansion to a maximum of 25% of the existing gross floor area;
- b. A change to the interior;

- c. A change to the façade where it does not address a public street or highway;
- d. The reconstruction or replacement which are totally or partially destroyed by fire, accident, or natural disaster, provided it is reconstructed on its original site and the floor area and dimensions are not increased; and,
- e. The erection of a new accessory building or structure.

These restrictions did not apply to scope of work previously approved through Building Permits for the alterations, erection, demolition, or removal of six properties within the initial study area which included: 56 Melville Street, 136 Melville Street, 138 Melville Street, 172 Melville Street, 183 Melville Street, and 188 Melville Street.

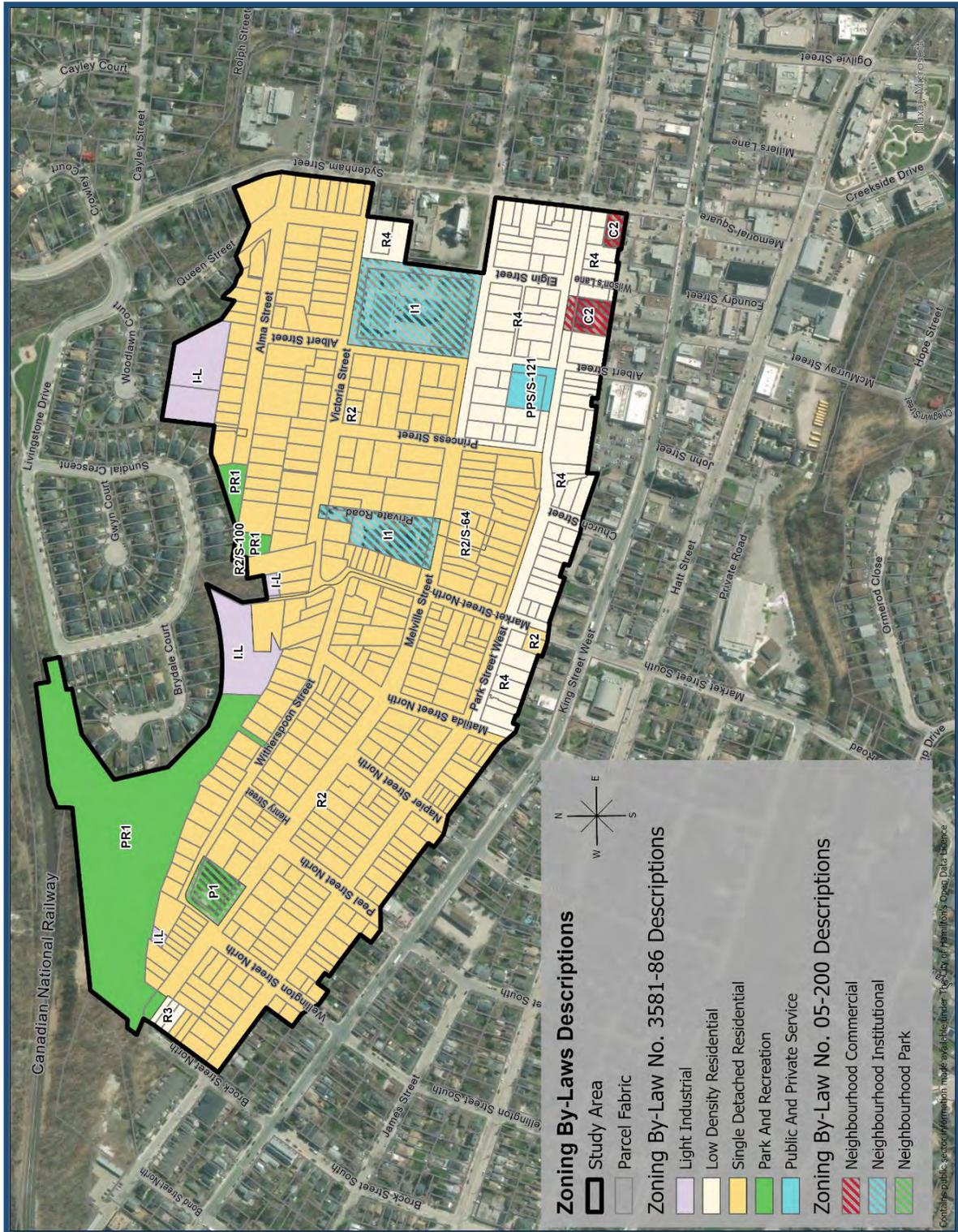


Figure 2: Hamilton's Zoning By-law map excerpts depicting Study Area (Source: MHBC, 2023)

## 2.6 Site Plan Control

Site plan control is a development approvals process which allows a municipality to review and provide feedback and guidance on development projects across the city. The intent of the mechanism is to address matters such as landscaping, location of parking, drainage, building location and design and other individual site level matters.

The entirety of the City of Hamilton is designated as a Site Plan Control area. The types of properties subject to site plan control include industrial, commercial, institutional, and some classes of residential projects.

Due to recent changes in provincial legislation as a result of *Bill 23, More Homes Built Faster Act, 2022*, the City of Hamilton is currently working to update various development application processes, including the Site Plan Control process. Rules around the role of Site Plan Control have been changed with some of these changes resulting in potential impact to residential areas and properties as follows:

- Permission for up to three residential units on any lot with full municipal servicing;
- Exemption from Site Plan Control for buildings with 10 units or less;
- Elimination of the requirement for more than one parking space per unit, potentially resulting in more on-street parking;
- Removal of the ability for municipalities to comment on the exterior design of buildings (i.e., building material); and,
- Exclusion of landscaping features in the right-of-way from Site Plan, unless they impact health, safety and/or accessibility.

Should this project progress to an HCD Plan, monitoring of the City's process updates will be required to ensure that any changes are reflected in future documents to ensure that any area, subject to an HCD designation is conserved as a special area when City policies change. It may be appropriate for the HCD Plan to further investigate the Site Plan process to determine if there are refinements and efficiencies that could be implemented with respect to overlapping review of Heritage Permits and Site Plan applications.

## 2.7 Property Standards

The City of Hamilton currently has a Property Standards By-law in place (By-law 23-162), amended August 2021, which provides for general direction related to the

maintenance of property. The By-law covers various matters related to the maintenance and upkeep of buildings and properties both interior and exterior elements such as structural components (i.e., walls, chimneys, roofs, foundations), electrical, plumbing, heating, ventilation, landscaping, doors, windows, porches etc.

In addition to the standards, requirements and obligations that apply to all other properties, Section 27 of the By-law provides general standards for properties designated under Part IV and Part V of the OHA, while Section 28 addresses designated properties that are vacant and/or damaged. These sections address matters related to general upkeep and maintenance of heritage attributes, with specific policies requiring the continuation of utilities such as heat and ventilation and window boarding to limit and reduce the amount of further damage in vacant and/or damaged buildings.

It may be appropriate to further investigate this matter as part of the HCD Plan process (if pursued), to ensure the requirements and obligations of the By-law remain consistent with the direction of a future HCD Plan. It may be necessary to include additional protection mechanisms or recommend updates to the By-law.

## **2.8 Tree Preservation**

District designation under Part V of the *OHA* extends the ability to address protection to trees and landscape features as part of the definition of 'property' contained in the Act. Trees are often significant features within the landscape as they contribute to the mature character of neighbourhoods, and as worthy of conservation and management as the built environment. As such, they may be protected if included in a designation under the Act.

The *Municipal Act* enables Councils to pass by-laws for the preservation of non-invasive historically planted trees. While the City of Hamilton does not have a City-wide private tree by-law, the former Town of Dundas does that was introduced prior to amalgamation. By-law 4513-99, as amended, is a By-law to prohibit or regulate the injury or destruction of trees in certain areas of Dundas as well as replanting. Of note, the By-law does pertain to properties within the Cross-Melville Heritage Conservation District.

The City does have Tree Protection Guidelines (TPG) which seek to provide direction and guidance for property owners and developers on how to inventory trees, as well as identifies principles for tree protection and retention during construction and Planning Act applications.

In addition to By-law 4513-99 and the TPG, the City worked with stakeholders, residents and various City departments to prepare an Urban Forest Strategy (UFS). This document, approved by Council in July of 2023, looks to guide protection, care and planting of trees and forests on public and privately-owned land to assist in sustaining the City's urban forest. The UFS provides an overview of existing conditions, policies, partnerships, health benefits, as well as explores the challenges and opportunities for the City's forest. Dundas is currently estimated to have the highest percentage of canopy coverages within the urban area at approximately 40.3%. The Study Area consists of a high number of mature trees that contribute to the City's urban forest, but also to the character and health of the area. It is common for Heritage Conservation Districts Plans to identify mature vegetation (of a certain size) as an attribute.

As such, the future HCD Plan (if prepared) should explore amending by-law 4513-99, as amended, to include any area subject to Part V designation under the OHA to ensure consistency with the existing Cross-Melville HCD, as well as specific policies surrounding the preservation of mature vegetation.

## **2.9 Heritage Conservation District Plan Guidance**

To ensure that there is no conflict between planning and development objectives and the pursuit of sound heritage conservation and management, the HCD Plan (if pursued) should identify appropriate changes to City policies and by-laws, as well as outline any new measures to be pursued. These could include the following matters:

- Potential changes to the Official Plan or Zoning By-law provisions applicable to the Study Area;
- Potential revisions to approaches for Site Plan Control for the area within any potential HCD;
- Review of tree preservation provisions, to ensure that guidance is meeting the needs of the area, and applicable changes recommended;
- Potential additional guidelines or policies that could apply to any potential HCD or other lands within the Study Area.

As previously noted in this report, the City of Hamilton's Official Plan already provides the legislated framework for undertaking the potential designation process of a Heritage Conservation District, in addition to the recent updates under the OHA, including the

prescribed O. Reg 9/06. Please note, that all properties within the Heritage Conservation District Study Area proposed for designation, whether contributing or non-contributing, will be protected under the OHA. Differing policies, however, will apply depending on the status of the property.

## 2.9 Financial Incentive Programs

The City of Hamilton offers a number of municipal incentive programs through their Economic Development Action Plan, Invest in Hamilton that aims to assist property owners and developers in off-setting costs of improvements and developments. There are two programs that would apply to residential properties designated under Part V of the OHA to assist with costs associated with the restoration and conservation of designated heritage features. An overview of these programs is as follows:

*Hamilton Community Heritage Fund Loan (HCHFL) Program:* This program offers a 0% interest loan up to a maximum of \$50,000 for properties and buildings designated under Part IV or V of the OHA. This loan would apply to work associated with the restoration and conservation of designated heritage features.

*Hamilton Heritage Conservation Grant (HHCG) Program:* The program provides matching grants (50%/50%) between \$1,000 and \$5,000 for properties and buildings designated under Part IV or V of the OHA. The matching grant is intended to provide financial assistance for projects that conserve and restore cultural heritage resources.

Another potential financial incentives that may apply to properties within the Study Area include Development Charge (DC) exemptions. A variety of exemptions apply to affordable housing, rental housing, secondary dwelling units (SDUs), places of worship (excluding revenue generating space), and the adaptive reuse of heritage buildings within existing building envelopes (excluding sections that are not covered by heritage designation).

# 3.0 Study Area

## 3.1 Introduction

The Study Area is within the community of Dundas, which is north of Ancaster, west of the limits of the urban area of the City of Hamilton and south of the community of Flamborough. On September 28<sup>th</sup>, 2022, City Council approved an interim HCD study area by-law (By-law 22-258) for a portion of Melville Street in the community of Dundas between Sydenham Street to Wellington Street North under Section 40.1 (1) of the OHA. The Study was initiated in December of 2022 and during this process, preliminary results of the Study recommended that the initial Study Area should be expanded to review the neighbourhood in its entirety.

In January of 2023, the Study Area was expanded to be bound by the south side of Park Street West to the south, Brock Street North to the west, north side of Witherspoon Street along the escarpment and continuing along the north side of Alma Street on the north and Sydenham Street to the east (with the exception of three properties located within the boundaries of the Cross-Melville HCD including 54, 60 and 62 Sydenham Street) hereinafter referred to as “the Study Area” (see **Figure 3**). The expanded Study Area is immediately west of the Cross-Melville HCD, north of the commercial corridor and south of the Niagara Escarpment.

The Study Area contains a total of 424 parcels which include:

- Eight (8) designated properties under Part IV of the OHA; and,
- 80 properties previously listed on the City's Inventory of Heritage Properties.

The Study Area does not include any ‘listed’ (non-designated) properties on the Municipal Heritage Register. The Study Area is located within the Sydenham and Colborne Established Historical Neighbourhood boundaries. See **Figure 4** for heritage status of all properties located within the Study Area and neighbourhood boundaries. Please note, that the City has commenced work, including a draft Historic Context Statement, as part of the “Downtown Dundas Built Heritage Inventory,” but the survey work is pending. The Study Area includes properties that would be included in this inventory.



*Figure 3: Map Figure of Expanded HCD Study Area: (Source: MHBC, 2023)*

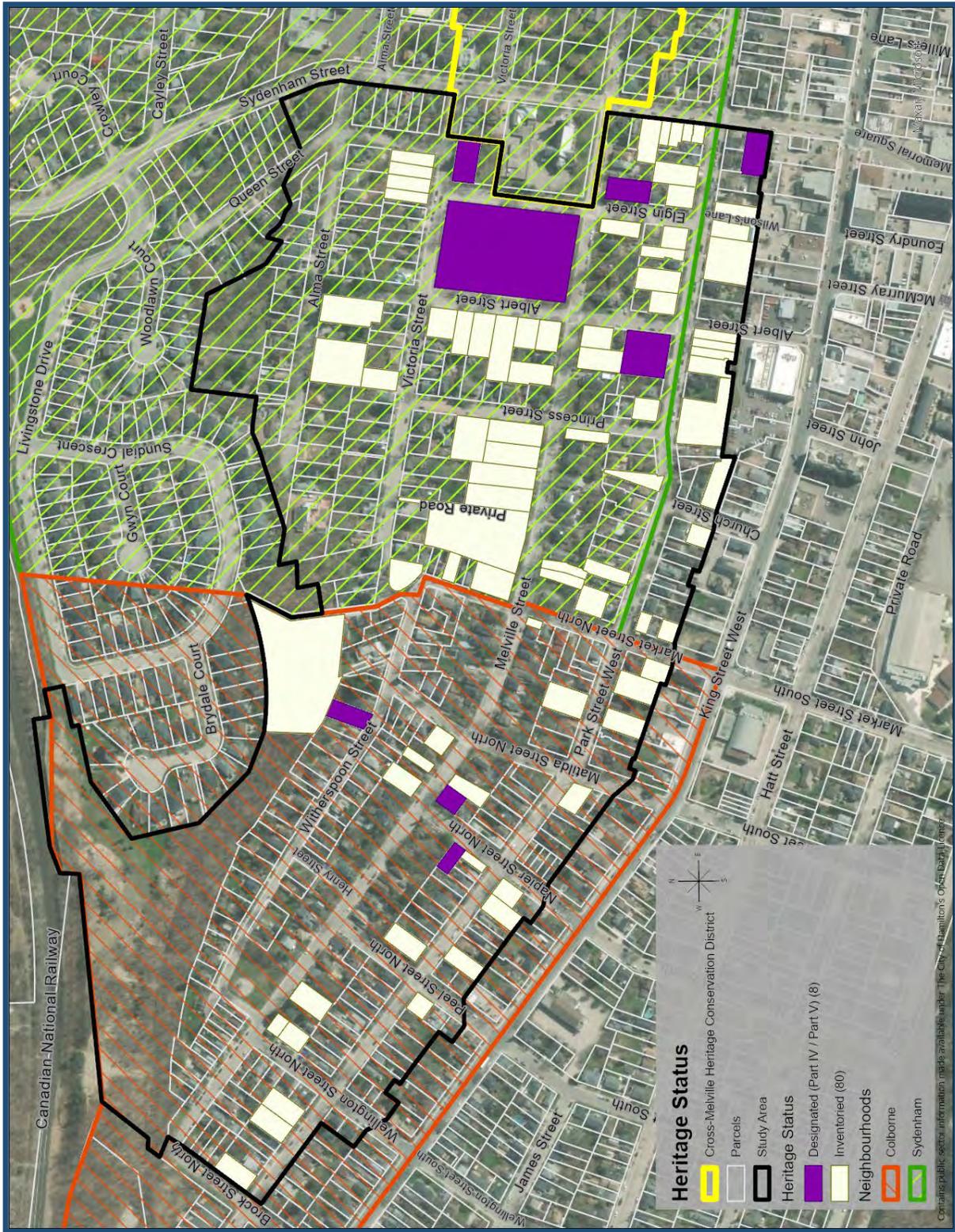


Figure 4: Map figure identifying heritage status of properties within the expanded HCD Study Area (Source: MHBC, 2023)

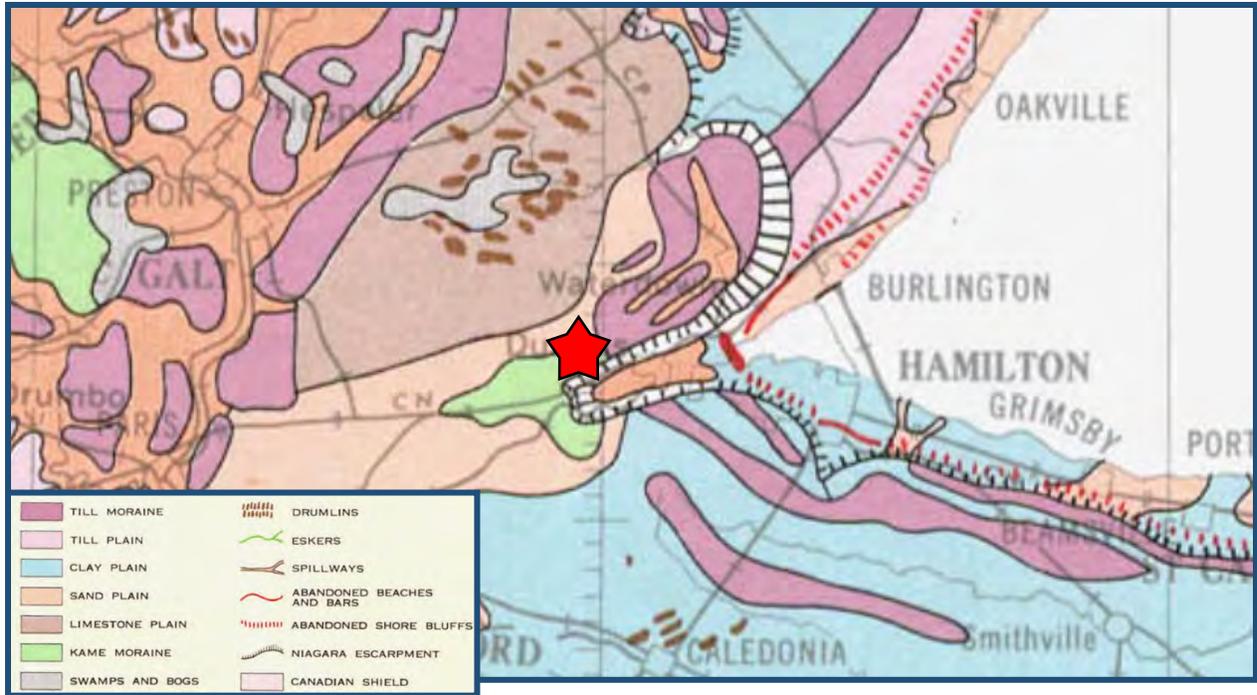
## 3.2 Physiographic Context

The physiographic context of the Study Area is characterized by the Great Lakes – St. Lawrence Lowlands, which extend from the west end of Lake Huron to the head of Lake Erie north-easterly to the Strait of Belle Island. The community of Dundas is considered part of the West Lowlands area. These lowland areas were affected by the Pleistocene era glacial movements and their surficial deposits, which occurred between approximately 80,000 and 10,000 years before present. The West Lowlands is separated by the Niagara Escarpment, extending from the Niagara River to the Bruce Peninsula (Canadian Ministry of Natural Resources). The Study Area is south of the Niagara Escarpment which is a World Biosphere Reserve (see **Photos 1 & 2**).



*Photos 1 & 2: (left & right) View of Niagara Escarpment from Study Area (Source: MHBC, 2023)*

The context of the Study Area includes soil types ranging primarily from sand plain, till and lame moraine (Government of Canada Physiography of Southern Ontario Map, see **Figure 5**). The vegetation in this area is characterized by Ontario's Carolinian deciduous forest region, dominated by agriculture and urban areas, with scattered woodlots remaining (Ministry of Natural Resources and Forestry, 2019).

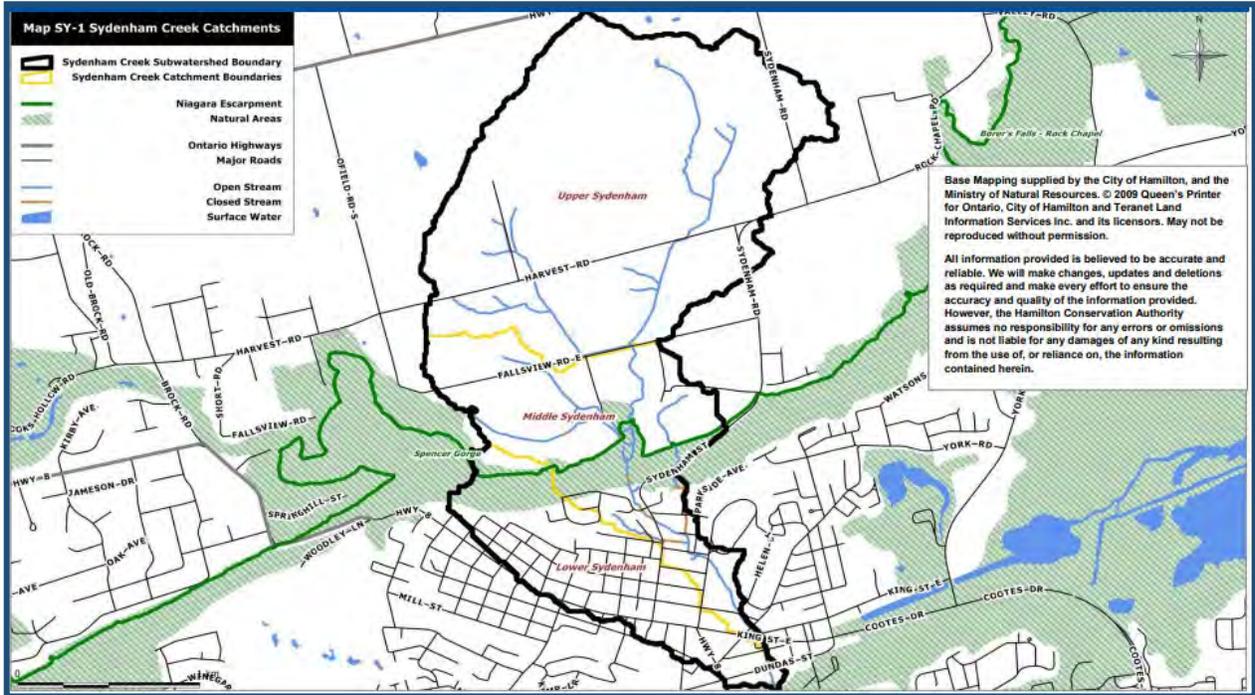


*Figure 5: View of Physiography of Southern Ontario Map. The approximate location of Dundas noted with red star. (Source: Government of Canada, 1957, accessed online in 2023 at [open.canada.ca](https://open.canada.ca))*

## Natural Features and Topography

The community of Dundas is part of the Spencer Creek watershed which is one of seven major watersheds within the Hamilton Conservation Authority (HCA) jurisdiction. The Study Area is located specifically within the Sydenham Creek sub watershed (see **Figure 6**). This sub watershed is located north of and within the former Town of Dundas and reaches the former municipal limits of Dundas and Flamborough and runs from Highway 5 between Ofield Road South to the west and Sydenham Road to the east and feeds into the Lower Spencer Creek to the south (Hamilton Conservation Authority).

The combination of the topography as a result of glacial landforms, valley lands, as well as vegetation provides the backdrop of Dundas. These natural features and topography have influenced and shaped the ways in which humans utilized natural resources and created settlements. This includes the use of the area and its natural features by Indigenous communities, as well as Euro-Canadian settlers beginning in the early 19<sup>th</sup> century.



*Figure 6: View of boundaries Sydenham Creek sub watershed; red star indicating approximate location of Study Area (Source: Hamilton Conservation Authority).*

# 4.0 Historical Context

The Study Area for the Melville Street Heritage Conservation District has a history that contains associations with both pre-contact and post-contact time periods. The following section provides a broad summary of how the area was utilized over time and how it developed into part of the former Town of Dundas (also known as the “Valley Town”) in the City of Hamilton.

## 4.1 Pre-Contact Indigenous History/ History of the First Peoples<sup>2</sup>

The pre-contact period of history in Ontario specifically refers to the period of time prior to the arrival of Europeans in North America. The prehistory of Ontario spans from the time the first inhabitants arrived in the Paleo-lithic period to the late Woodland period, just before the arrival of Europeans and the “contact” period, in the 16th and 17th centuries. The periods (and sub-periods) of Indigenous history in Ontario includes the Paleo period (beginning approximately 11,500 B.C.E.), the Archaic Period (9,500 B.C.E. to 2,900 B.C.E), and the Woodland period (900 B.C.E) to approximately the 16th century).

One of the oldest settlement sites in the area is that of Princess Point, City of Hamilton in the vicinity of Cootes Paradise Marsh. Excavations completed demonstrated that First Nation communities lived in the area from the Early Archaic era (8000-6000 B.C.E.) until the end of the Woodland period in 1650 A.D. (Haines et al. , p 232, 2011) (see **Photo 3**). The people of the “Princess Point Complex” were most occupied in the Early Late Woodland period between 500-1000 A.D (Haines et al., 232, 2011). The Princess Point site was settled near marshes and shores, including those at head of Lake Ontario, and they engaged in horticulture, hunting and fishing (Dundas Museum and Archives).

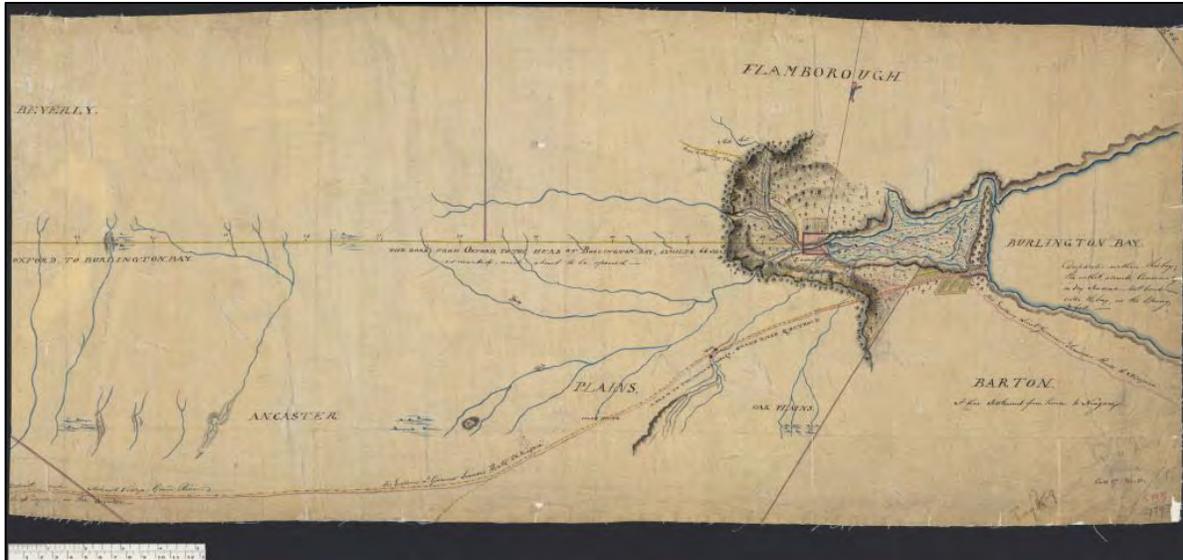
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<sup>2</sup> This section of the report is written with acknowledgement that it is not supplemented by Indigenous oral history or other related resources.



*Photo 3: Photograph of Princess Point Vessel 44 (Source: Canadian Journal of Archaeology, 2011)*

From the early 16<sup>th</sup> century, the area was dominated by the Neutral Confederacy until the mid-17<sup>th</sup> century when they were displaced by the Seneca. The Neutral Confederacy was a collection of distinct nations that were united by their cultural and linguist background (Dundas Museum and Archives). The Neutral peoples were known to the Wendat as the “Attiwandaron (Attiwandaronk, Attawandaron), meaning, “-those who speak a slightly different language” (Dundas Museum and Archives). The European naming of these peoples as ‘neutral’ was due to the apparent neutrality between the conflicting Wendat and Haudenosaunee peoples which was an economic advantage as they had a monopoly over major flint quarries which allowed them to control the materials required for making weapons (Dundas Museum and Archives). The Neutrals engaged in trade, warfare (although contrary to the perspective of the European settlers) and politics. It is claimed that Governor’s Road to the south (part of the historical Dundas Street) was modeled after an historical Indigenous route travelled by the Anishinaabe, Haudenosaunee and Leni-Lenape as a historic land route for trade (see **Figure 7**).



*Figure 7: Part of the River Thames in Upper Canada, from whence it discharges itself into Lake St. Clair to Oxford in its Upper Forks, and from Hence to the head of Burlington Bay, shewing the route of Lieut. Governor Simcoe in the year 1793 (Source: Library and Archives Canada).*

The Neutral people shared a similar cultural background with the Wendat to the north and the Haudenosaunee to the south-east; some of these shared traditions included the use of the longhouse construction constructed of bark slabs and timber and typically surrounded by a palisade (Dundas Museum and Archives). The Neutral people practiced agriculture (particularly the Three Sisters) and hunted animals such as: deer, raccoons, wolves, beavers, squirrels, and turkey (Dundas Museum and Archives). The Neutral people occupied the area until the time of European contact which is reviewed in the following sub-section.

## 4.2 Post-Contact History

In the early 17<sup>th</sup> century, French missionaries visited the area bringing with them smallpox which had already affected the Wendat people to the north (Dundas Museum and Archives). Furthermore, the incoming of European weapons led to the decline of flint trade which greatly impacted the Neutral people in addition to the impact from the smallpox epidemic. In the 1640s, the Seneca were expanding their fur hunting territory which led to famine in the area. In 1651, the Seneca began to “-eradicat[e] the remaining Neutral villages. Neutral people were killed en masse, and those who survived were taken captive, assimilated into the Seneca nation” (Dundas Museum and Archives). A decade later, the Seneca retreated to their homeland and the area was

inhabited by the Mississaugas (the southern and easternmost nation of the Anishinaabek people).

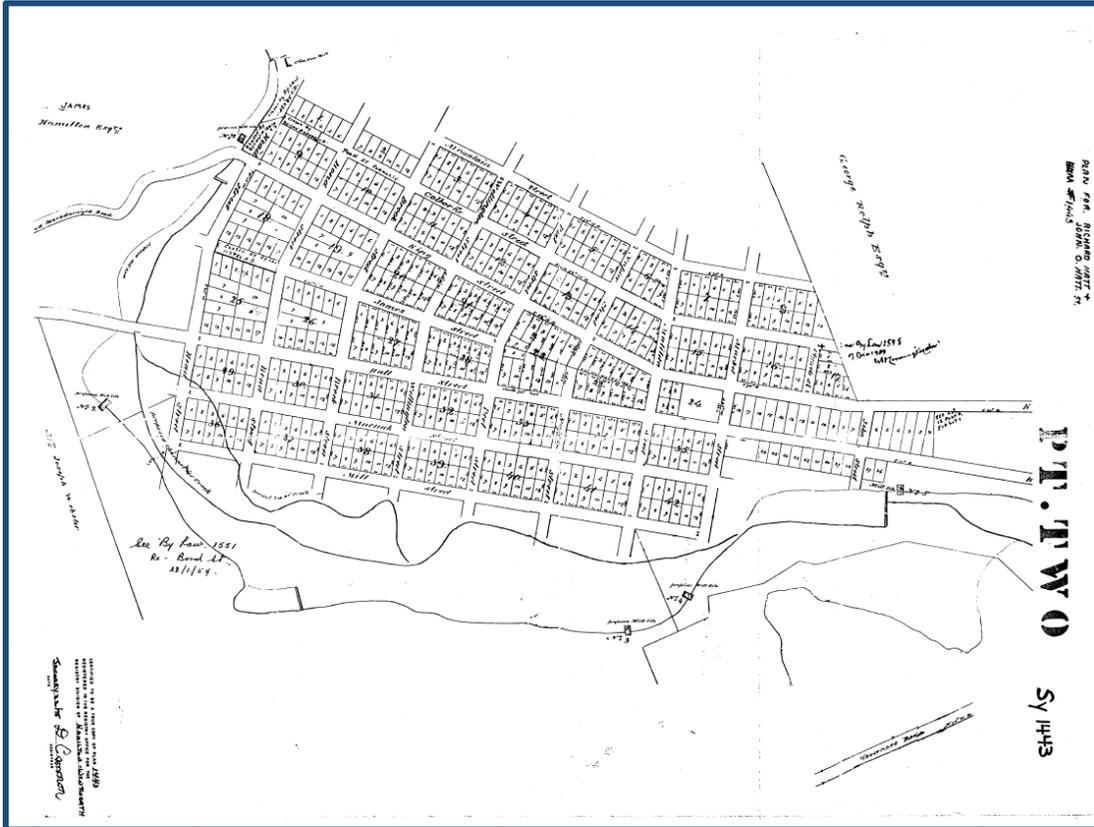
The incoming of the Mississaugas resulted in a cultural shift as they were culturally different than the Neutral and Haudenosaunee peoples including their language and religion (Dundas Museum and Archives). They constructed 'Anishinabek lodges' that were intended as temporary and seasonal homes. During their occupation, they had a peaceful relationship with the Haudenosaunee peoples. The Haudenosaunee Confederacy developed the 'Dish with one spoon' agreement concept which was used for the Confederacy (Seneca, Cayuga, Oneida, Onondaga, and Mohawk nations) and later was used with the Anishinaabeg (which included the Ojibwe, Odawa, Potawatomi, Mississauga, Saulteaux and Algonquin nations). The Mississaugas occupied the area until the arrival of the British colonists in the 1780s.

On December 7, 1792, the "Between the Lakes Purchase" (also known as Treaty 3) was signed by representatives of the Crown and Mississauga peoples which included approximately 3 million acres of land (Government of Ontario). The naming of the Treaty was claimed to be because it was "lying and being between the Lakes Ontario and Erie (Government of Ontario). The concept of the "Dish with one spoon" is 'fundamentally incompatible with that of personal private property as the Europeans saw'; therefore the agreement that was viewed by the Indigenous community to share the land without hostility was retrospectively, and incorrectly, viewed by the settlers as the ability to take possession of the land (Dundas Museum and Archives).

Following the 'Between the Lakes Treaty', the area of Dundas was originally called "Coote's Paradise" after Captain Thomas Coote, a military officer stationed at Fort George, and prominent hunters who frequented the area for hunting. In 1806, the first surveyor's map was completed for the "Village of Coote's Paradise" (Woodhouse, Vol 2, p. 25). In 1814, the name of the settlement changed to Dundas after the Crown established the Dundas post-office in Hatt's general store which was apparently due to its proximity to Dundas Street (City of Hamilton, HCS, 13). Due to its location nearby York Road and Governor's Road and Spencer Creek, the village quickly prospered with the support of the construction of several mills (Hamilton Public Library).

In 1826, the construction of the Desjardins Canal commenced although not fully completed until 1837 due to construction and financial challenges (Woodhouse, Vol 2. p. 42). Upon its completion, Dundas thrived as it provided access to particularly a warehouse area along Spencer Creek (Hamilton Public Library). The same year that the canal was completed, a portion of the Study Area was surveyed in the Hatt Plan; the Plan was

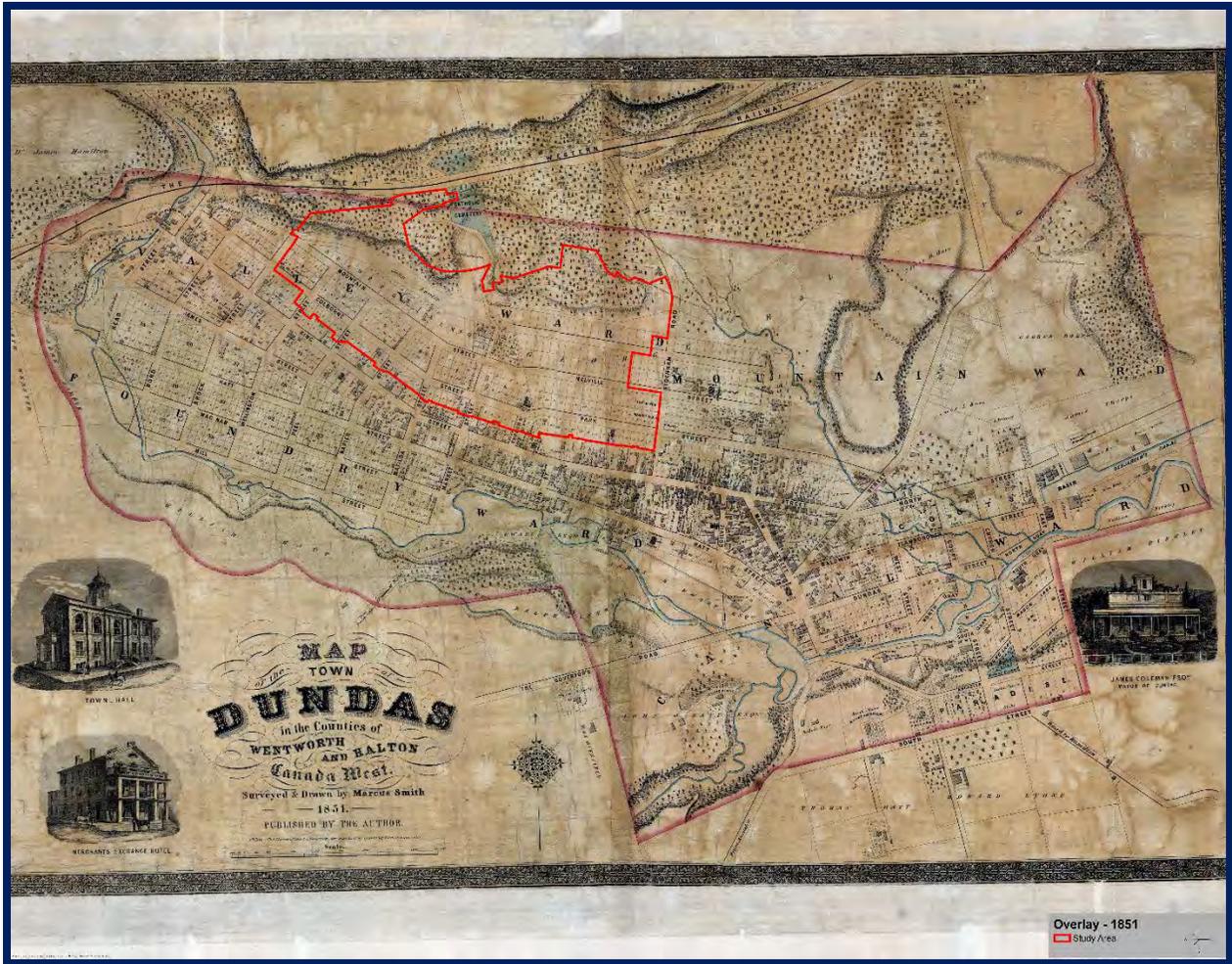
completed by surveyed Robert Kerr on the Estate of Richard Hatt Esquire (see **Figure 8**).



*Figure 8: 1837 Hatt Plan of the Village of Dundas (Courtesy of the City of Hamilton).*

In 1847, the village was incorporated as a town which led to the construction of the Dundas Town Hall which opened in July 1849 (Hamilton Public Library). Between 1840 and 1859, there was an influx in population partly due to the immigration of Irish immigrants to the area influenced by the potato famine (1845-1852) (Meyers, 1954).

By 1851, the delta of Main Street, York Street and King Street North and immediate surrounding area was densely populated. Development moved westward along King Street North Napier Street where development tapered off (see **Figure 9**). The residential community east of Sydenham Street and north of King Street North was in its early stages of development (current area of the Cross- Melville HCD). The Study Area at this point was limited in terms of development with the exception of some sporadic buildings along Park Street West (at the time the western portion was known as Colborne Street) and the brickyards at the junction of Melville, Market Street North, and Victoria Street.



*Figure 9: Map of the Town of Dundas in the Counties of Wentworth and Halton, Canada West Surveyed and Drawn by Marcus Smith Map in 1851; red boundary identifies Study Area (Courtesy of the City of Hamilton).*

Following the completion of the Greater Western Railway in 1855, the significance of the Desjardins Canal diminished leading to the eventual bankruptcy of the Desjardins Canal Company and the rise of community of Hamilton with its many port facilities and connection to the Great Western Railway (Hamilton Public Library) (Woodhouse, Vol. 2, 42-44). Several small industries flourished in the Town including the Hamilton Cotton Mills, (ceasing in 1885), the Gartshore Foundry and the Bertram-McKechnie machine shops (Globe and Mail, 1947).

It was in this general timeframe that other development plans were created for the Study Area; these included the 1855 Allan and Mathieson Plan, as well as the 1873 Witherspoon Plan along the escarpment and north of Melville Street which further developed a section of the study area adjacent to the escarpment landform (see **Figures 10 and 11**).

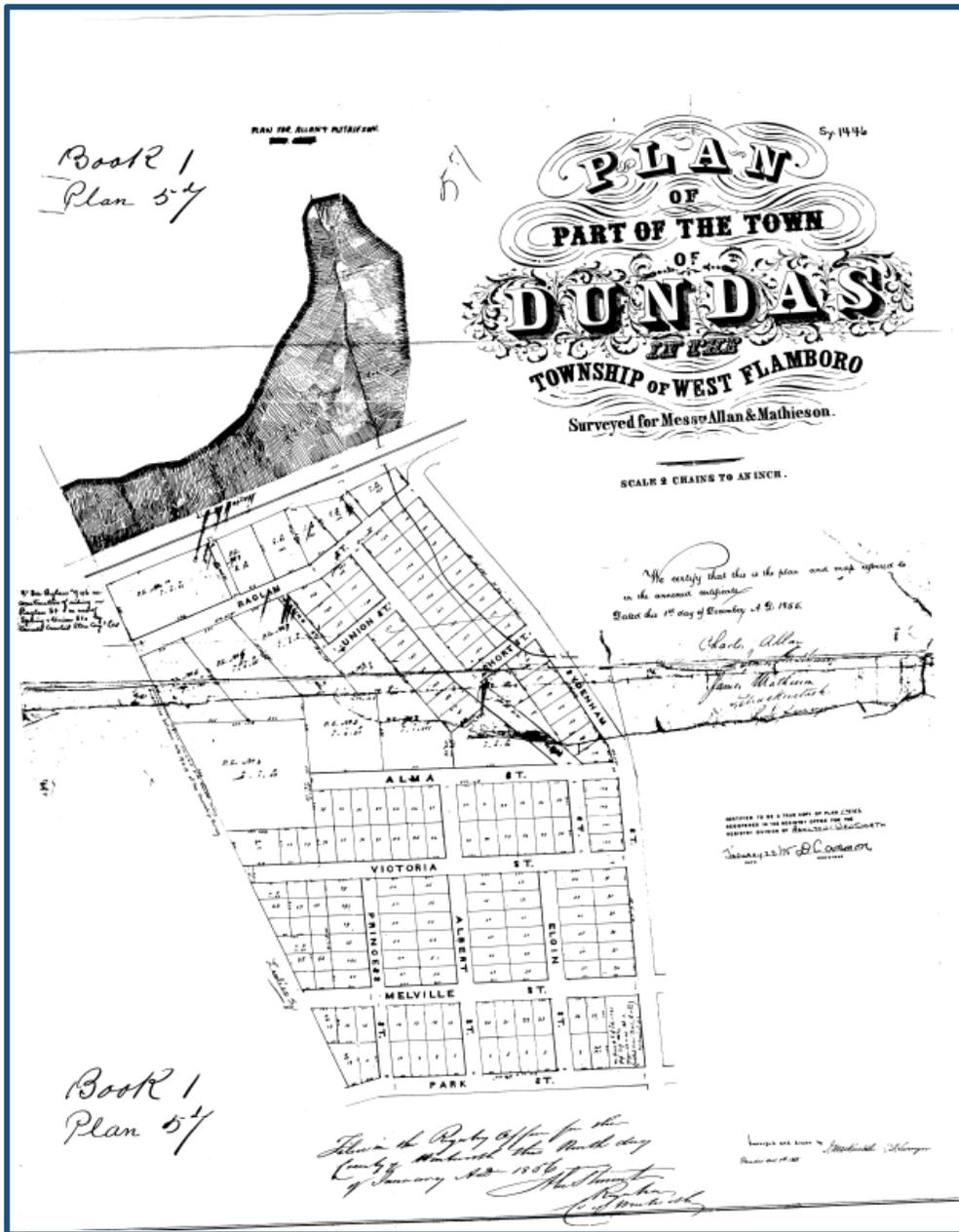


Figure 10: 1855 Allan and Mathieson Plan (Courtesy of the City of Hamilton)

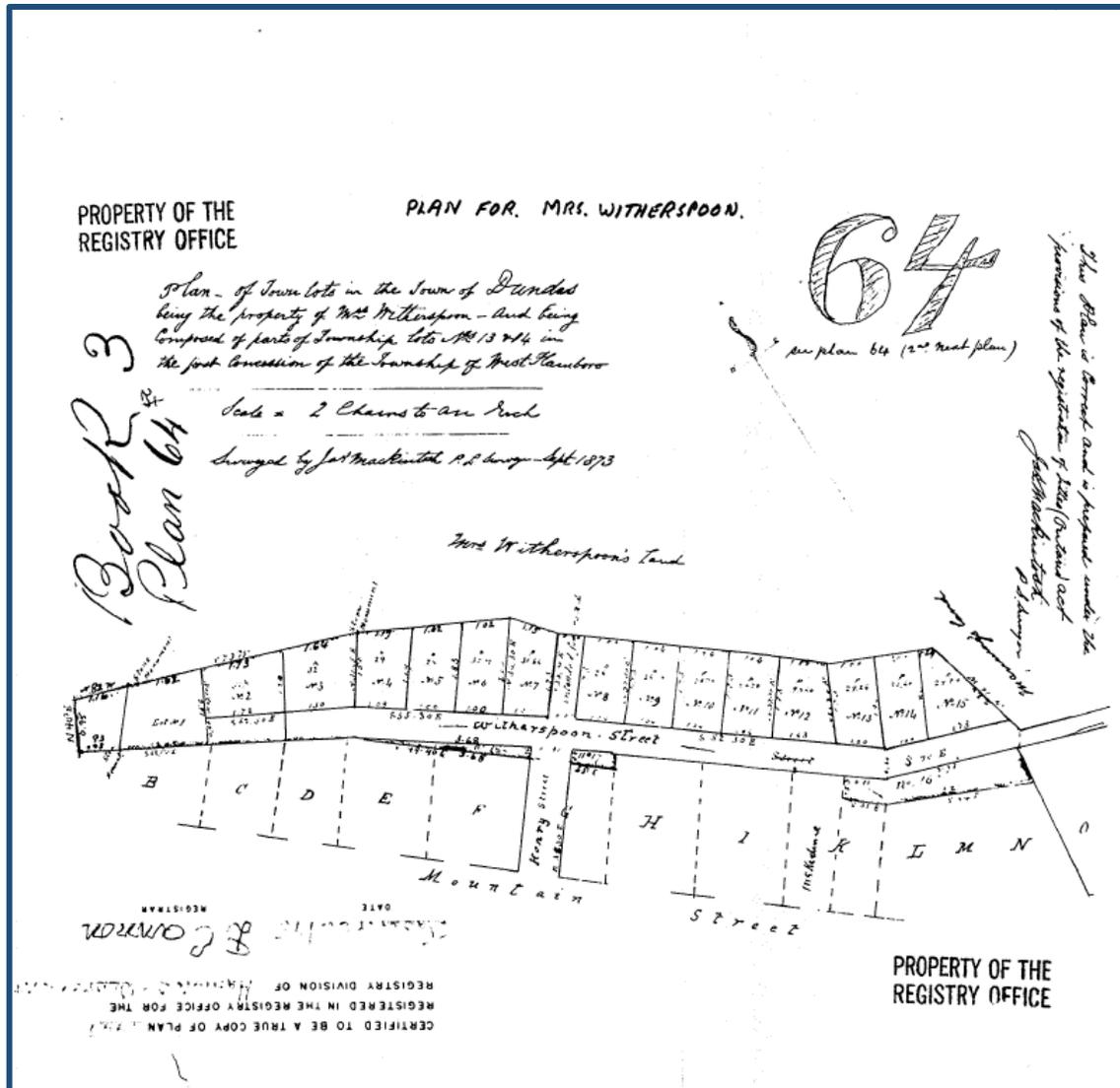
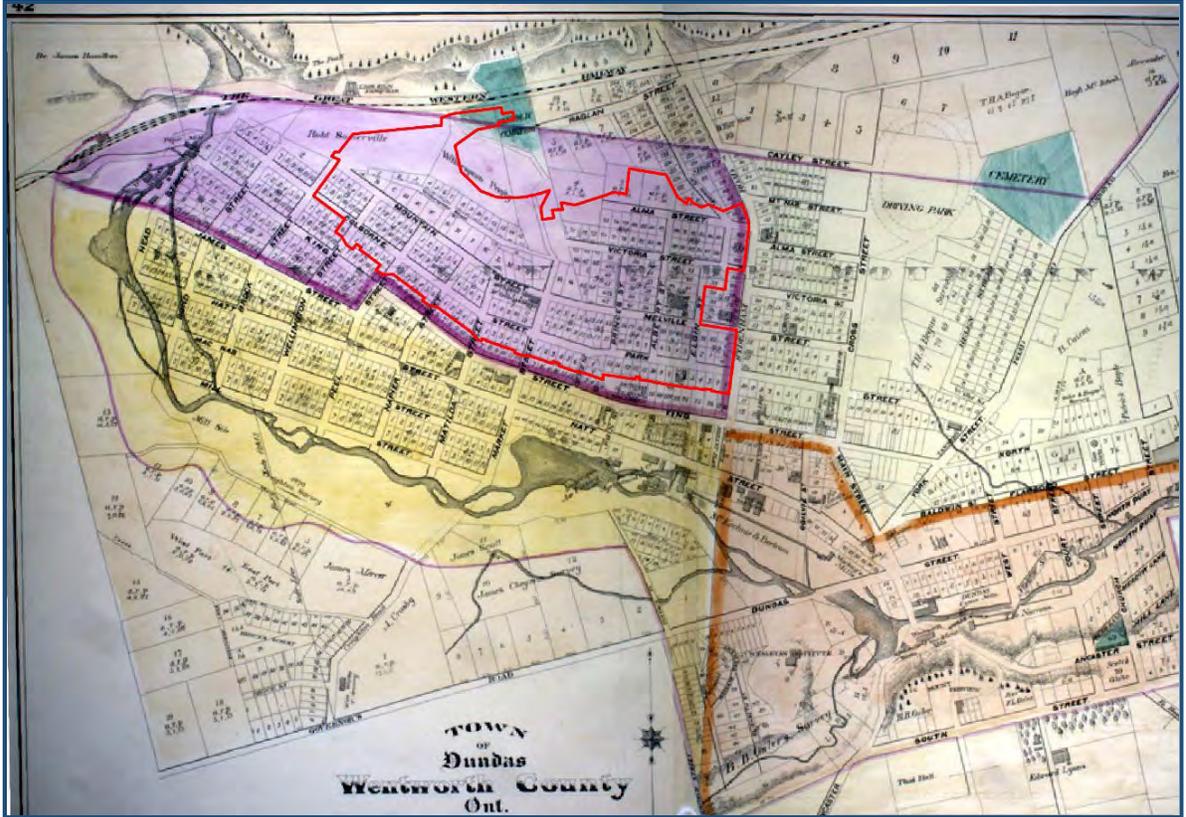


Figure 11: 1873 Witherspoon Plan (Courtesy of the City of Hamilton)

The Map of the Town of Dundas, Wentworth County, Ontario of 1875, identifies the separate wards within the Town including Mountain, Canal, Foundry and Valley; the Study Area was within the limits of the Valley Ward. Within the Valley Ward, the map identifies the Dundas Central Public School and St. James Anglican Church (see **Figure 12 & 13**).



*Figures 12 & 13: (above) 1875 Map of the Town of Dundas, Wentworth County, Ontario; red outline identifies Study Area (below) Detailed view of the Valley Ward (Courtesy of the City of Hamilton)*

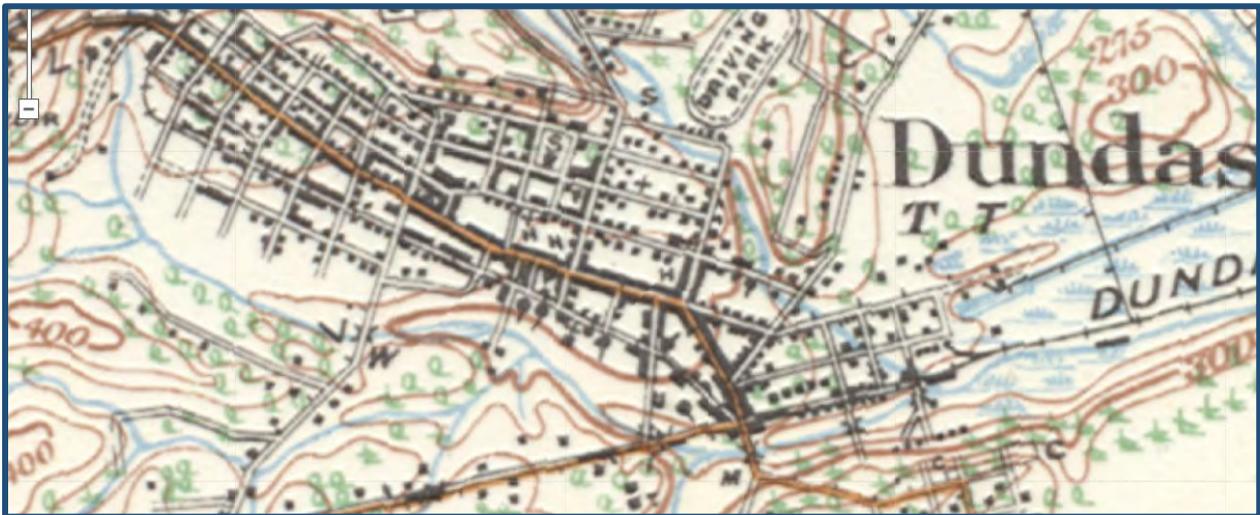
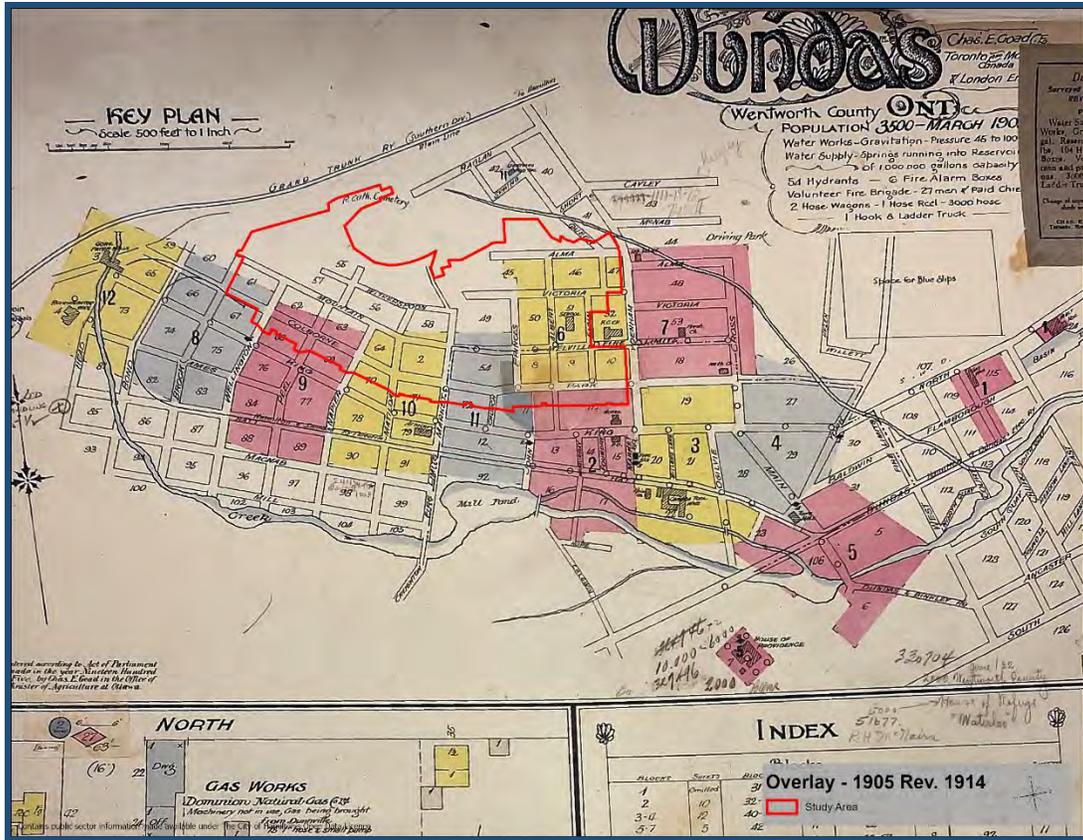
		Foundry.	Valley.								
		1036	1205	67	72						
		969	1133								
Mount'n.	Canal.										
938	850										
934	889										
	39										
	4										
WARDS.											
	Real Estate.	Personal Property.	Income.	Total.	Dogs.	Bitches.	Population.	Cattle.	Sheep.	Hogs.	Horses.
Mountain,....	\$256,960	\$25,500	\$19,450	\$301,910	51	0	934	39	0	29	57
Canal,.....	334,460	55,350	18,610	408,420	51	5	889	37	31	17	33
Foundry,....	179,115	19,900	6,100	205,115	55	0	969	30	0	12	19
Valley,.....	269,160	28,450	13,450	311,060	84	4	1133	44	0	31	65
Totals for 1875,	1,039,695	129,200	57,610	1,226,505	241	9	3925	150	31	89	174
Totals for 1874,	982,577	106,750	56,710	1,146,037	190	10	4029	178	20	103	163
Increase,.....	57,118	22,450	900	80,468	54	.....	.....	.....	11	.....	11
Decrease,.....	.....	.....	.....	.....	.....	1	104	28	..	14	.....

Figure 14: 1875 Town of Dundas Statistics (Source: Dundas True Banner, May 13, 1875)

In 1875, statistics of the Valley Ward identify that the real estate value was higher than that of the Mountain Ward (upper eastern ward including Cross-Melville) and the Foundry Ward (south of the Valley ward west of Sydenham Street). Although the development appears sporadic, the ward included the highest population out of all wards.

Following the 1873 Witherspoon Plan, the development of the Study Area increased with the support of industrial manufacturing businesses. In 1890, it was stated that 61 manufacturing plants were in operation (Meyers, 1954, 46). In 1898, the *Dundas True Banner* states "The Growing Time: Indications of Progress and Prosperity all along the line: Times are Improving and the Business Men are prepared for a steady run of trade" (December 1, 1898). By 1901, however, several manufacturing companies failed, relocated, or amalgamated (Meyers, 1954, 46).

The 1905 revised 1914 Fire Insurance Plan of the Town of Dundas demonstrates that part of Melville Street (formerly Mountain Street) to the west of Matilda as well as Witherspoon Street, the western terminus of Victoria Street and the north side of Alma Street were not included in the plan inferring that there was a lesser degree of development (see **Figure 15**). A topographic map from 1931 demonstrates, however, that between 1915 and 1930, there was further development in the Study Area (see **Figure 16**). By 1931, most of the neighbourhood had been developed.



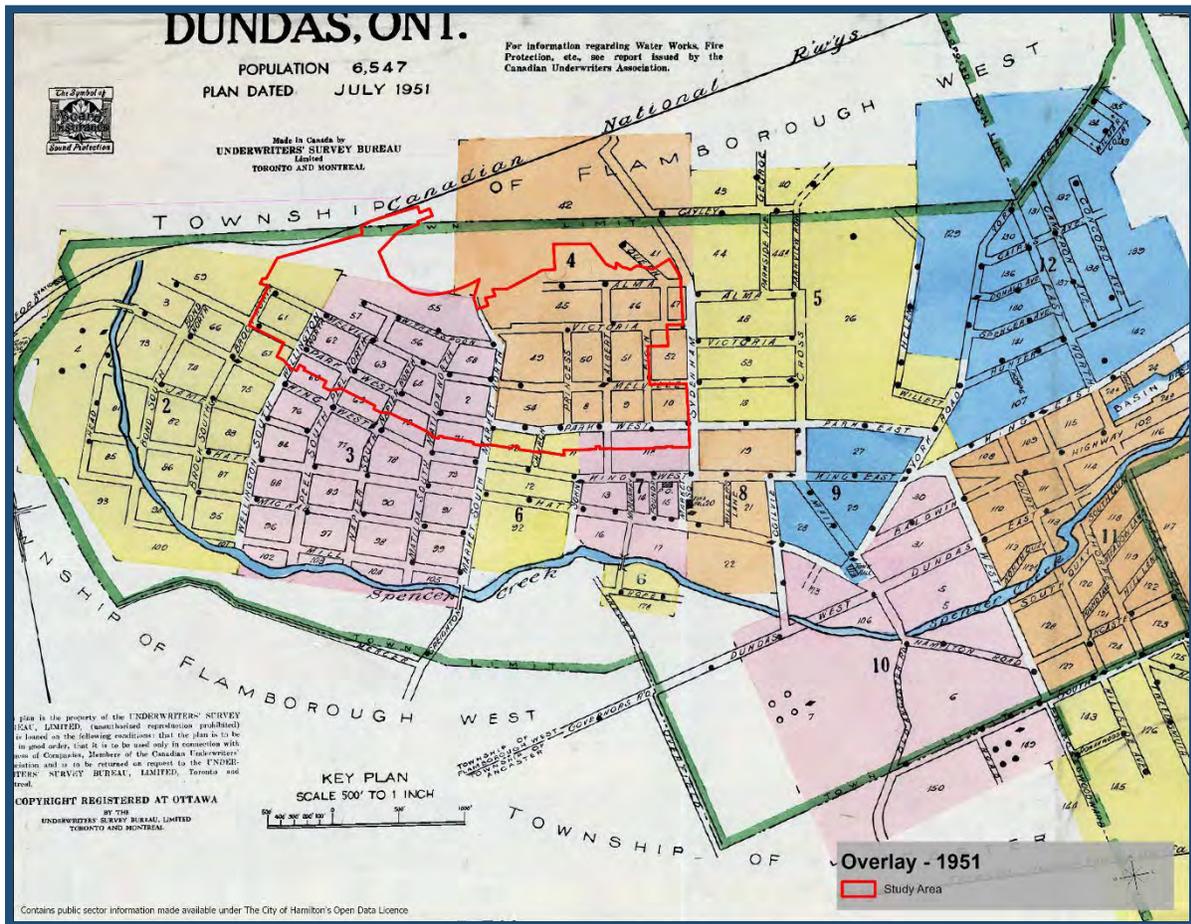
*Figures 15 & 16: (above) 1905 revised 1914 Fire Insurance Plan of the Town of Dundas (Courtesy of the Dundas Museum and Archives) (below) Topographic Map from 1931 of the Town of Dundas (Courtesy of the Historical Topographic Map Digitization Project)*

Between 1913 and 1939, there is a decline in development related to the effects of the Great Depression. However, with the coming of the war in the early 1940s, industries saw a boost as some manufacturers produced important machine tools and other war

supplies for both world wars. An article from the *Globe and Mail* from 1947 states, “Work is Slogan of Thriving Dundas” as it was the year of highest industrial employment in Dundas (Meyers, 1954, 48). By 1951, the Town was experiencing rapid growth; at this time, the entirety of the Study Area was considered developed and included in the Fire Insurance Plan of the Town (see **Figures 17-19**). Around this time, initiatives commenced for the safeguarding of historical records by the Dundas Historical Society, two of which members included Henry Bertram and H. Graham Bertram- the son and grandson of Bertram & Sons founder John Bertram (City of Hamilton, HCS, 34). In 1956, the Dundas Museum and Archives was opened at 139 Park Street West.



**Figures 17 & 18:** (above) Excerpt of news article from *Hamilton Spectator* on December 13, 1941 (Courtesy of the Hamilton Public Library) (below) Excerpt from the *Hamilton Spectator* from March 31, 1951 (Courtesy of the Hamilton Public Library)



*Figure 19: Excerpt of Fire Insurance Plan of the Town of Dundas in 1951; red boundary identifies Study Area (Courtesy of the Hamilton Public Library)*

In the 1950s, the population of Dundas almost doubled in size, although partly because 2,700 acres of land from the townships of Ancaster and West Flamboro were annexed in 1960 (The Hamilton Spectator, January 19, 1963). The leading industrial plants included: John Bertram and Sons Company Limited, Grafton's Limited, Lennard's Knitting Mills and the Hamilton Cotton Mill (which had closed but had reopened) and Valley City Manufacturing (The Hamilton Spectator, January 19, 1963). In 1954, a study showed that 55% of the town's residents were employed in local industry supporting the working-class neighbourhoods that included the Study Area (Meyers, 1954, 48). In 1963, several residents were commuters employed in Hamilton, however, there were also quite a few people coming into the town to work for local industries. In the same year, the Dundas Museum and Archives expanded its growing collection, eventually transferring storage into the Doctor's Office, which was relocated from 85 King Street West onto the property

in 1974 (City of Hamilton, HCS, 34) (see **Photo 4**). In 1964, the Dundas Valley School of Arts was established.



*Photo 4: Moving the Doctor's Office from 85 King Street West to 139 Park Street in 1974  
(Courtesy of the Hamilton Public Library)*

The increase in population following WWII subsequently resulted in an increase in new development. In 1972, the members of the Dundas Heritage Society provided the Town Council with a booklet that was “-designed to assist council in charting the growth in the town without destroying the social and aesthetic values” (The Hamilton Spectator, April 15, 1972). The booklet reviewed the stresses of development in both commercial and residential areas and was developed as they were “particularly concerned about the fact that the town’s official plan [was] drastically revised in a piecemeal fashion that [did] not heed Dundas’ cultural heritage” (The Hamilton Spectator, April 15, 1972). In terms of the residential areas, the following was recommended, “In the town’s residential areas, older neighbourhoods should be encouraged to replace dilapidated housing with new homes that will blend in with existing ones. The new subdivisions do not require further development. New Homes should not be allowed to exceed 35 feet in height and small

apartments should be limited to 55 feet- about the same height as the many shade trees” (The Hamilton Spectator, April 15, 1972). This information provides an initial understanding of the community’s view of development within the older residential neighbourhoods of the Town which was under pressure due to the increase in population.

In the 1980s, several new developments emerged providing new housing in Dundas which appealed to ‘young professionals’ (The Hamilton Spectator, May 1, 1982). As the newer suburbia on the outskirts of the town development in the 1980s, the mature residential neighbourhoods became increasingly in demand for their ‘picturesque qualities’; an article in *The Hamilton Spectator* states, “Dundas’ past is evident in charm and character of its houses: picturesque town of most sought after places to live” (May 13, 1989). Even with the pressures of a growing population the Study Area has limited infill (1983+). In January 2001, the Town of Dundas amalgamated with the City of Hamilton (Hamilton Public Library).

The following graphic (**Figure 20**) illustrates the evolution of the Study Area in a timeline manner.

# A BRIEF HISTORY OF DUNDAS

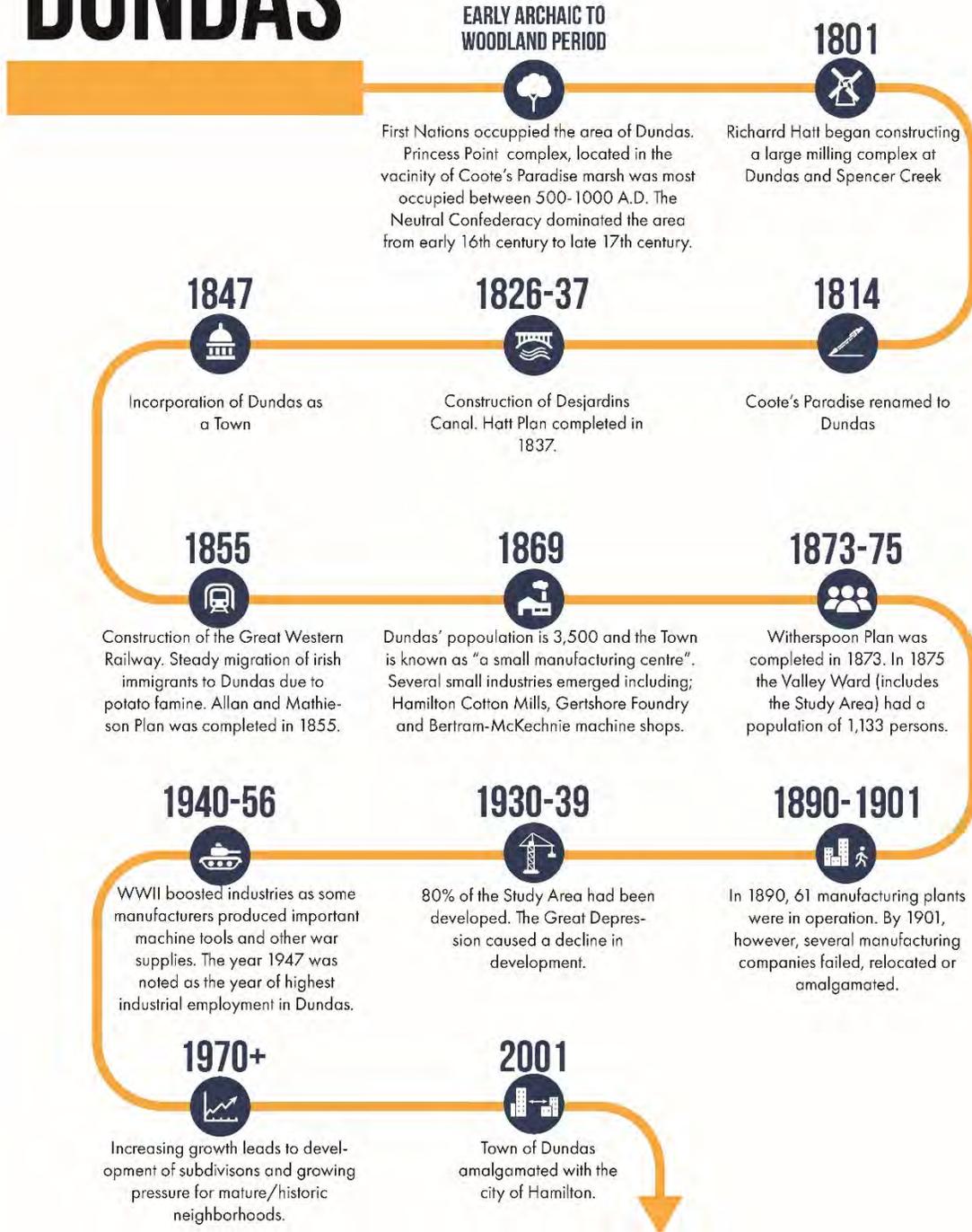


Figure 20: Brief historical overview of Dundas with focus on the Study Area (MHBC, 2024).

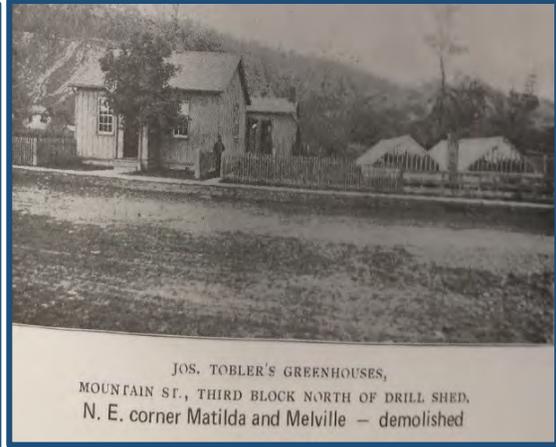
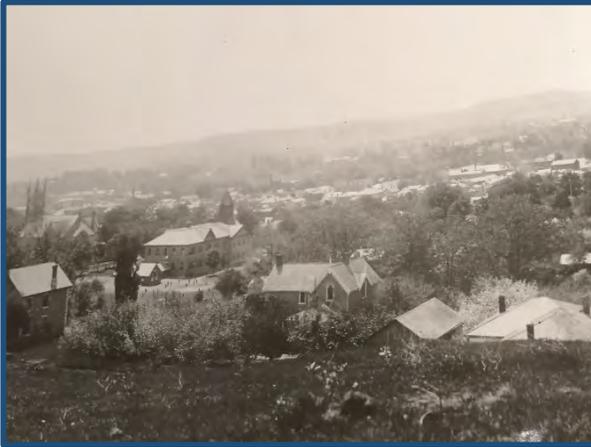
### 4.3 Historic Context Statement

The establishment of the Study Area, which historically was known as the “Valley Ward”, was predominately developed after 1873 when the Witherspoon Plan was completed. Although the area was surveyed in both 1837 and 1855, many of the lots remained vacant except for some sporadic buildings until the latter half of the 19<sup>th</sup> century. The development of the neighbourhood was spurred by the need for housing for the industrial workforce during the time when Dundas was a manufacturing hub. Several of the original owners and tenants included skilled industrial workers such as: machinists, millwrights, carpenters, tinsmiths and manufacturers in addition to general labourers that worked for the Town’s machine tool and cotton factories. The prominence of the emblematic “Worker’s Cottage” of Dundas supports the existing aesthetic of the area while maintaining an image of its history.

The second industrial revolution (1870-1914) and its impact on the development of communities within south-western Ontario, particularly its manufacturing prowess, is an over-arching theme in the context of Dundas and particularly within this community during the Victorian (1850-1901) and Edwardian (1901-1910) eras. The use of rental housing allowed for the flux of labourers coming and going depending on the demands of the market and equally for the notable business owners who were involved heavily in both business and politics locally and outside of the Town.

A review of the socio-cultural background of the Study Area demonstrates that Irish ethnicity was historically the primary ethnicity in the area, which was an after effect of the influx of emigrants from Ireland due to the potato famine (1845-1852). The presence of St. Augustine’s Parish is a visual marker of the importance of the Roman Catholic Church to this community. In addition to the predominantly Irish Catholic population, there was also a population of Lowland Scottish and English immigrants as well which supported the need for Protestant places of worship (Dundas Baptist Church and St. James Anglican Church).

By 1930, approximately 80% of the Study Area had been developed. Although development continued minimally in the Study Area post-World War II, the concentration of pre-1930 buildings and structures provide insight on the historical development of this Late Victorian and Edwardian working-class community.



*Photos 5-10: (above left) Photograph of Dundas Central Public School from the escarpment in the 19<sup>th</sup> century; (above right) Photograph of north east corner Matilda and Melville Street in 19<sup>th</sup> century; (middle left) Photograph of Dundas towards escarpment in the 19<sup>th</sup> century; (middle right) Photograph of 157 Melville Street in the 19<sup>th</sup> century; (below left) Photograph of Dundas Central Public School in 1858 ; (below right) Aerial of railway line and the former Canada Cut and Crushed stone operations with portion of the study area along the left of the photograph in the latter half of the 20<sup>th</sup> century (Courtesy of the Dundas Museum and Archives)*

# 5.0 Fieldwork

## 5.1 Introduction

Prior to embarking on the on-site fieldwork, data collected from the municipality was pre-populated into the ArcGIS program. Field work was undertaken between January 2023 and March 2023 to compile an inventory of all the properties within the Study Area. The purpose of field work was to record information regarding all the properties within the Study Area boundaries and analyze the data to provide an objective conclusion as to the character and associated character defining elements of the landscape, if warranted.

On-site fieldwork was undertaken primarily on foot and photographs were taken of each property, including built and natural features visible from the public realm, as well as streetscapes. The information compiled for each property within the Study Area boundary was entered into a Geographical Information System (GIS). The information collected for each property included information such as: the address (including legal description), architectural style, approximate date of construction, and whether or not the property was determined to be “contributing” or “non-contributing” to the character of the Study Area (this approach is discussed in sub-section 6.1 of this report). The contributing status was used to supplement the analysis of the identified Study Area under O Reg 9/06 which can be reviewed in sub-section 6.4 of this report.

## 5.2 Overview of Fieldwork

### 5.2.1 Initial Site Visit (December 2022)

An initial site visit was completed on December 19, 2022, to complete a general review of the Study Area. The initial site visit concluded that there are several well-maintained historic properties within the Study Area, however, there was a lesser degree of integrity and historic architectural concentrations towards the western end of the area. The area predominately retains its historic stock of buildings and there appears to be limited infill. The area is well vegetated with a tree-lined boulevard and some larger gardens and open space, particularly the park at 70 Witherspoon Street and the institutional properties.



*Photos 11-16: (above left) View of dwellings on the south side of Melville Street across from the Dundas Central Public School; (above right) View looking south along Albert Street from Melville Street; (middle left) View of 91 Victoria Street which includes a historic building that has been significantly altered; (middle right) View of the Melville Street streetscape looking westward from Peel Street North; (below left) View of grouping of housing on south side of Napier Street; (below right) View of historic stone building at 29 Wellington Street North (Source: MHBC, 2022).*

### 5.2.2 On-site Fieldwork and Inventory (January –April 2023)

Fieldwork was completed digitally using tablet devices to record information which was populated into the ArcGIS database. Information that was gathered for the database was based on the City's Inventory Form which is included in **Appendix 'F'** of this report. The data included:

- Address;
- Heritage Status;
- Property Status
- Type of property (i.e., residential, commercial, landscape);
- Integrity;
- Condition;
- Date of Construction (MPAC and other);
- Date Constructed Notes;
- Architect/ Builder/ Craftsperson;
- Massing;
- Building Height;
- Building Cladding;
- Roof type and materials;
- Architectural style;
- Name of HCS Area;
- Notable Building Features;
- Setback;
- Accessory Features and Structures;
- Contributing Status
- Contributing and Non-contributing categories (depending on status);
- Site Visit Status;
- Additional Notes; and,
- Recommendation for Part IV Designation; and,
- Landscape Features.

#### Property Profile Fieldwork Review

Information from the City's Municipal Heritage Register and inventories were pre-populated into the database prior to fieldwork and included information such as: address, heritage status, date of construction, integrity, architectural style, height as well as historical notes. The objectives of the review of properties were:

- Photograph the property;
- Review and confirm date of construction, height and architectural style of buildings or structures on-site;
- Identify heritage integrity (preserved/intact, modified, compromised, demolished) of built form;
- Identify properties with landscape features;
- Identify properties that could be candidates for Part IV designation; and,
- Identify contributing status.

An excerpt of a property profile entry within the ArcGIS system which includes the above-mentioned information as well as photographs is shown in **Figure 21**.



Figure 21: Sample view of property profile (73 Melville Street) in the ArcGIS database used to collect data on-site (Source: Esri, 2023).

### 5.2.3 Data Collection

The information collected on-site was included in ArcGIS which is intended to be transferred to the City. In addition to the digital database, property profiles were created for each property as well as inventory sheets which are included in **Appendix 'C'** and **Appendix 'D'** of this report.

### 5.2.4 Community Value and Public Consultation

#### 5.2.4.1 Community Resources

Local media provides information regarding the community's opinion of a variety of topics and is a rich resource to help understand the values that a community holds. In review of local newspaper articles, books and ephemera, the Study has a better understanding of the community and its value for the Study Area and its evolution as a mature neighbourhood. The following lists some of the sources that were reviewed:

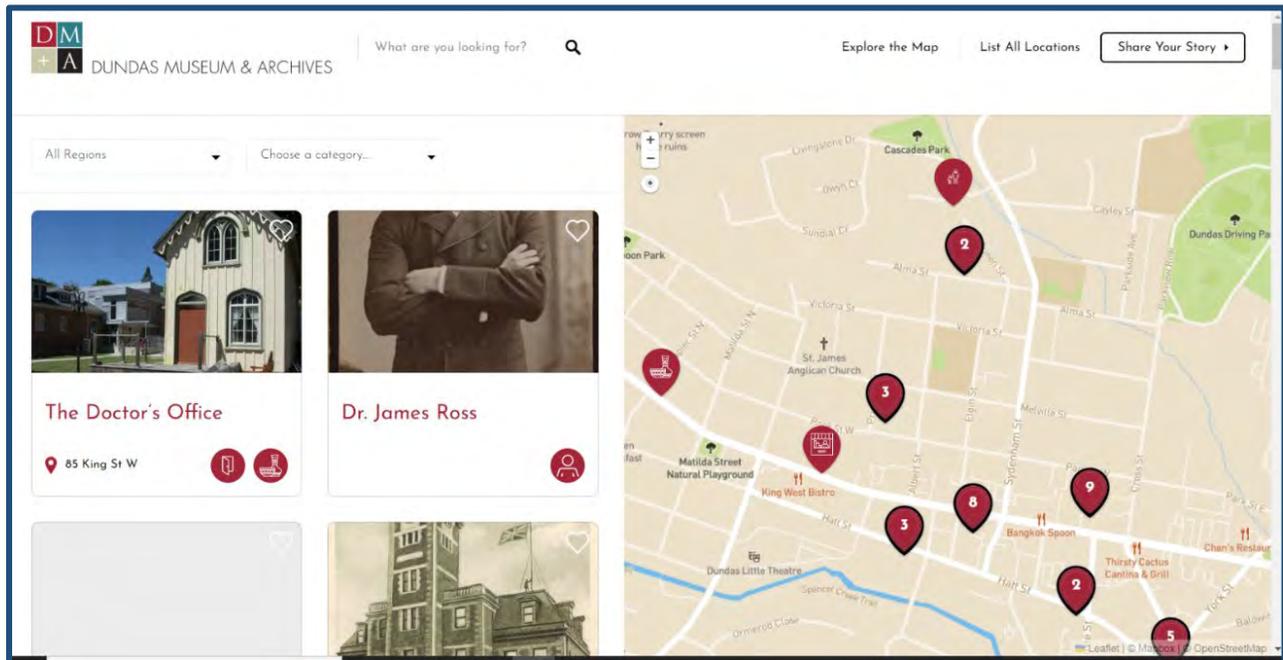
- *The Dundas Star*
- *Dundas True Banner*
- *Hamilton Daily Times*
- *Hamilton Herald*
- *The Hamilton Spectator*
- *Explore Dundas (Dundas Museum and Archives Project Initiative)*
- *Dundas Heritage Association Walking Tours*
- *The History of the Town of Dundas Series by the Dundas Historical Society compiled by T. Roy Woodhouse*
- *The Valley Town*
- *All Roads Lead to Dundas*
- *W.L. Mackenzie Slept Here*
- *General Scrapbooking by local community held at the Hamilton Public Library*
- *Draft Historic Context Statement for the Downtown Dundas Built Heritage Inventory*

There have been several initiatives within the community as it relates to the history of the Study Area; two in particular include: Central School Walking Tour by the Dundas Heritage Association and the "Explore Dundas History" project which is an initiative of the Dundas Museum and Archives (see **Figures 22 & 23**).

# Central School Walking Tour

## 1. 73 Melville Street: Central Public School

Built in 1857 as the Dundas Union School the original building consisted of two storeys with four classrooms below and two above. A painted wooden bell tower adorned the building until the 1950's. This building housed the second kindergarten in North America to be associated with the public school system. The structure itself is simple Classical Revival with flat pilasters accenting doors and windows. Sympathetic early additions behind the bell tower (removed in the 50's) repeat the gabled roof lines.



*Figures 22 & 23: (above) Excerpt of the Central School Walking Tour (Source: Dundas Heritage Association); (below) Excerpt from the “Explore Dundas History” webpage on the Dundas Museum and Archives website (Source: Dundas Museum and Archives)*

MHBC Staff attended the Dundas Museum & Archives on January 4<sup>th</sup> and 18<sup>th</sup> and March 23<sup>rd</sup> and 30<sup>th</sup> 2023 and the Hamilton Public Library on January 18<sup>th</sup>, 2023, to access local archival material, fire insurance plans, local historical photographs, and books. Figure 24 below shows the City's webpage that is dedicated to the Study.



*Figure 24: View of webpage dedicated to the Heritage Conservation District Study (Source: City of Hamilton).*

#### 5.2.4.2 Community Open House

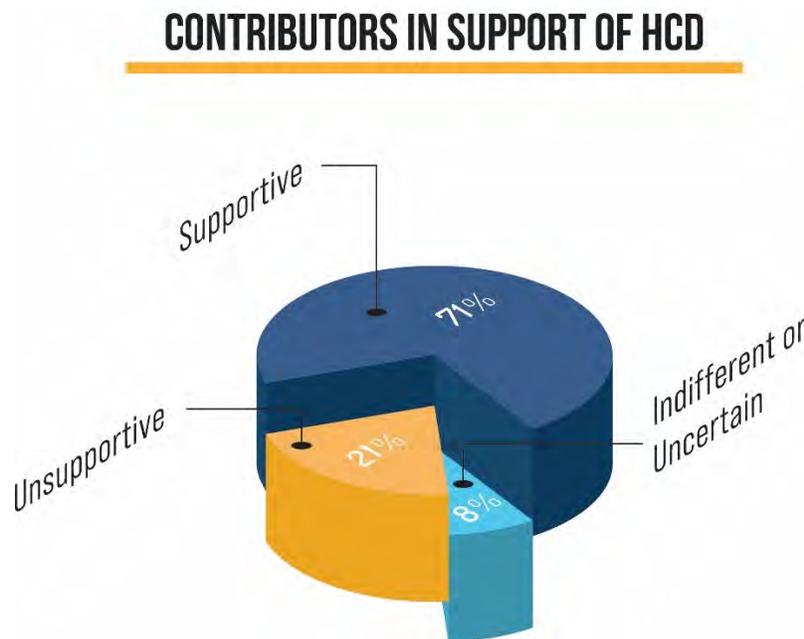
A public open house was held on June 14<sup>th</sup>, 2023, at the Dundas Museum and Archives which was attended by approximately 41 residents<sup>3</sup>. As part of the public consultation process, the residents were provided with the Draft Heritage Conservation District Study Report to review. The draft HCD report provided two (2) options for the Heritage Conservation District. A postcard was sent to the residents within the Study Area to provide notice of this event (see **Appendix 'E'**). The open house provided residents with the opportunity to review the highlights of the report and request further information and provide commentary. Comment and survey sheets were provided in hard copy as well as on the City's website (the online survey was available until July 19<sup>th</sup>, 2023, see **Appendix 'E'** for sample templates of the survey and comment forms); there were also opportunities for the residents to review the draft property profiles and provide written comments

<sup>3</sup> Numbers of attendees is based on persons who signed in at the open house.

directly on the documents (see **Photos 17-21**). Comments received during the open house related to the addition of historical information and comments related to the two (2) options which were presented. Option 2 included a higher concentration of contributing resources in comparison to Option 1 which included the western end of the Study Area. Although both options meet the criteria for designation, Option 2 contained a higher concentration of heritage resources and included the majority of properties that have physical and historical associations and architectural groupings among other factors and had a defined geographical area that was assessed to be more easily discernable and administered while conserving the highest concentration of contributing resources in the area. Option 2 was identified as the 'preferred option' to the public. These options are discussed more fulsomely in Section 7.2.2 of this report.

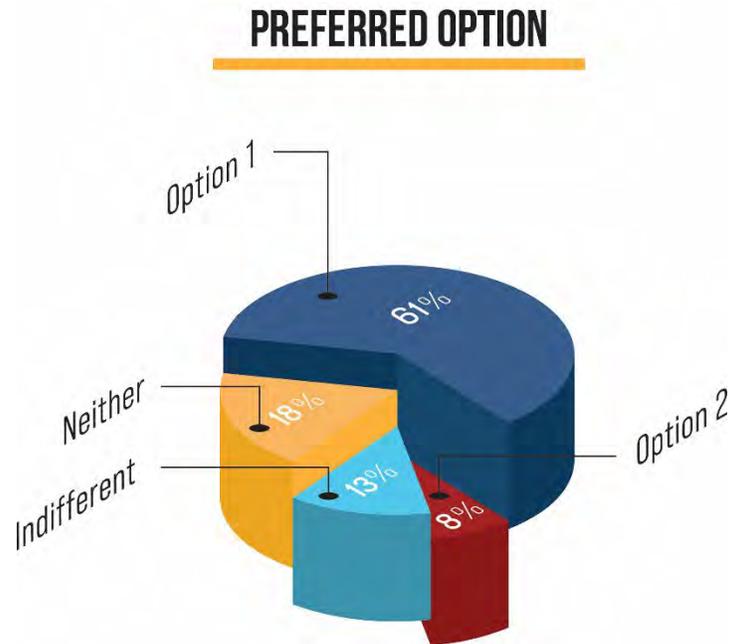
#### 5.2.4.5 Community Feedback

Community feedback was provided through survey forms provided at the open house as well as online. There was a total of 38 contributors combined that completed the survey. Based on the community's input, the majority of contributors were in support of an HCD. There was a total of 27 (71%) contributors in support of an HCD, 3 (7%) contributors that were indifferent/ uncertain, and 8 contributors (22%) that were unsupportive of an HCD. The following **Figure 25** provides a summary in regard to the support for the HCD:



*Figure 25: Figure showing the results from the community survey regarding the support for an HCD (MHBC, 2024).*

Furthermore, when asked which option that the contributor preferred, the majority of contributors selected Option 1, which provided a broader HCD boundary. There was a total of 22 (57%) that supported Option 1, 5 (13%) contributors that supported Option 2, 3 (7%) contributors that were indifferent and 7 (18%) contributors that were not supportive of an HCD. The following **Figure 26** provides a summary in regard to the presented options for the HCD:



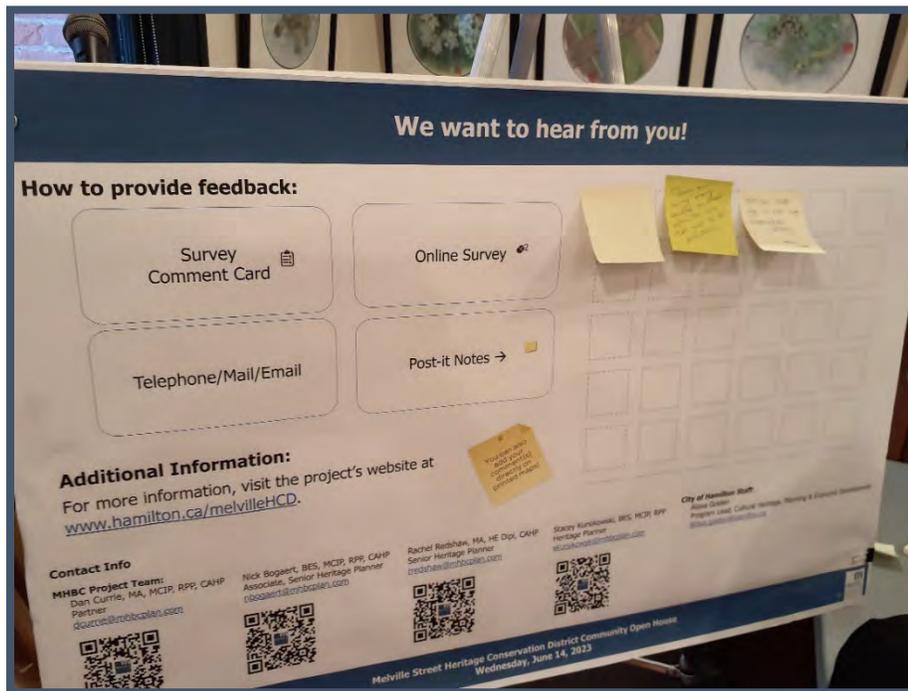
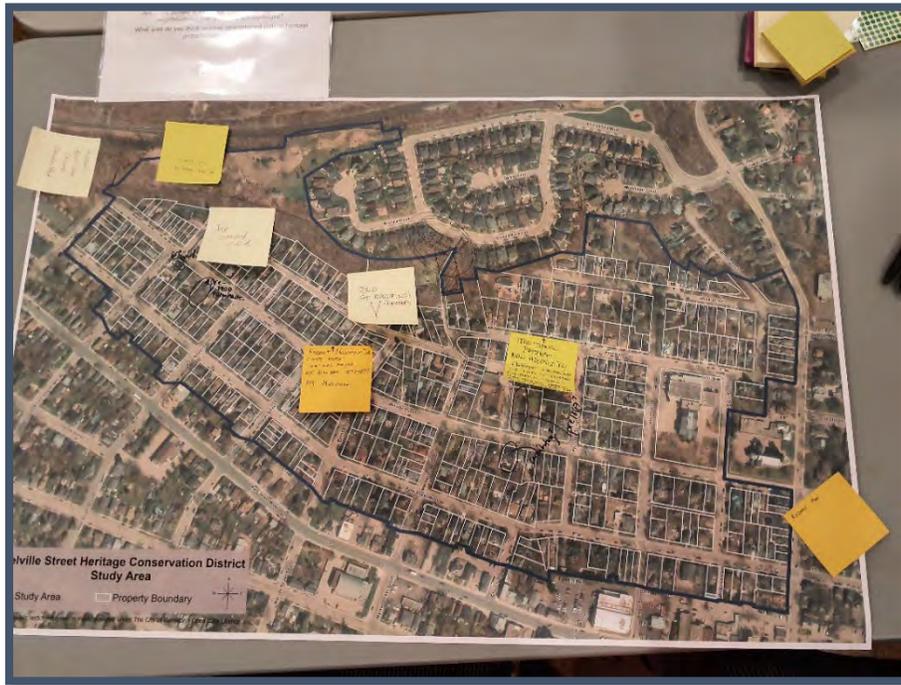
*Figure 26: Figure showing the results from the community survey regarding the preferred option for the HCD boundary (MHBC, 2024).*

In addition to survey forms, there were comment forms that were completed by seven (7) contributors. Contributors explained that they felt that the HCD boundary should be similar to Option 1 which includes a broader area including a greater mix of both mill owners and mill workers housing. The comments generally reinforced the importance of the historic character of the area.

Additional information regarding historical associative value was provided to the project team from the public which was incorporated into the property profiles.



*Photos 17-19: Various photographs from the community open house on June 14<sup>th</sup>, 2023, located at the Dundas Museum and Archives (Source: MHBC, 2023).*



*Photos 20 & 21: Photographs of community input and feedback from the community (Source: MHBC, 2023).*

## 5.3 Fieldwork Findings

When observing the on-site conditions and the built-form inventory within the Study Area, there were a variety of components that provided information that helped inform the recommendations. The following sub-section reviews the components used to analyze the HCD Boundary in this Study:

- Construction Dates/Building Chronology
- Architectural Styles
- Building Height
- Roof Type and Material
- Integrity
- Building Cladding Material
- Parking
- Setbacks
- Contemporary Infill
- Landscape Features
- Views and Vistas

The above-mentioned components were supported by the findings of historical research and identification of historical associative value within the boundary of the Study Area, and additionally each property was given a status of contributing or non-contributing in relation to the historic character of the area.

### 5.3.1 Construction Dates/Building Chronology

A review of the construction dates of all the properties within the limits of the Study Area provided a timeframe for periods of major construction. Properties in the mapping that are classified as “N/A or unknown” would indicate properties that are landscaped/open space and currently vacant. Building construction data for each property was provided by the City using MPAC data, while available Fire Insurance Plans and understanding of time periods associated with architecture also contributed to gathering an overall understanding of the Study Area’s chronology.

In review of the data, the majority of buildings in the Study Area were constructed between 1870 and 1930 ( $\pm 73\%$ ) with the greatest concentration of buildings constructed between 1880 and 1920. While there is a fairly equal distribution of circa 1900 buildings across the entirety of the Study Area, there is a higher concentration of earlier buildings from the 1830s to the 1880s in the eastern half of the Study Area. There is a higher concentration of buildings from the 1920s to 1940s in the area west of Market Street North. While buildings from the 1960s onwards can be found throughout, there is a noticeable concentration along Alma Street.

An interesting component that was incorporated into the review was the inventory conducted by the City and local residents who prepared an inventory of pre-confederation buildings. Within the Study Area, there are 32 buildings identified as being constructed prior to 1867 which represents 7% of the total properties. These properties are identified with a small flag on **Figure 25**.

In conclusion, it was determined that approximately 80% of the Study Area was developed by 1930.

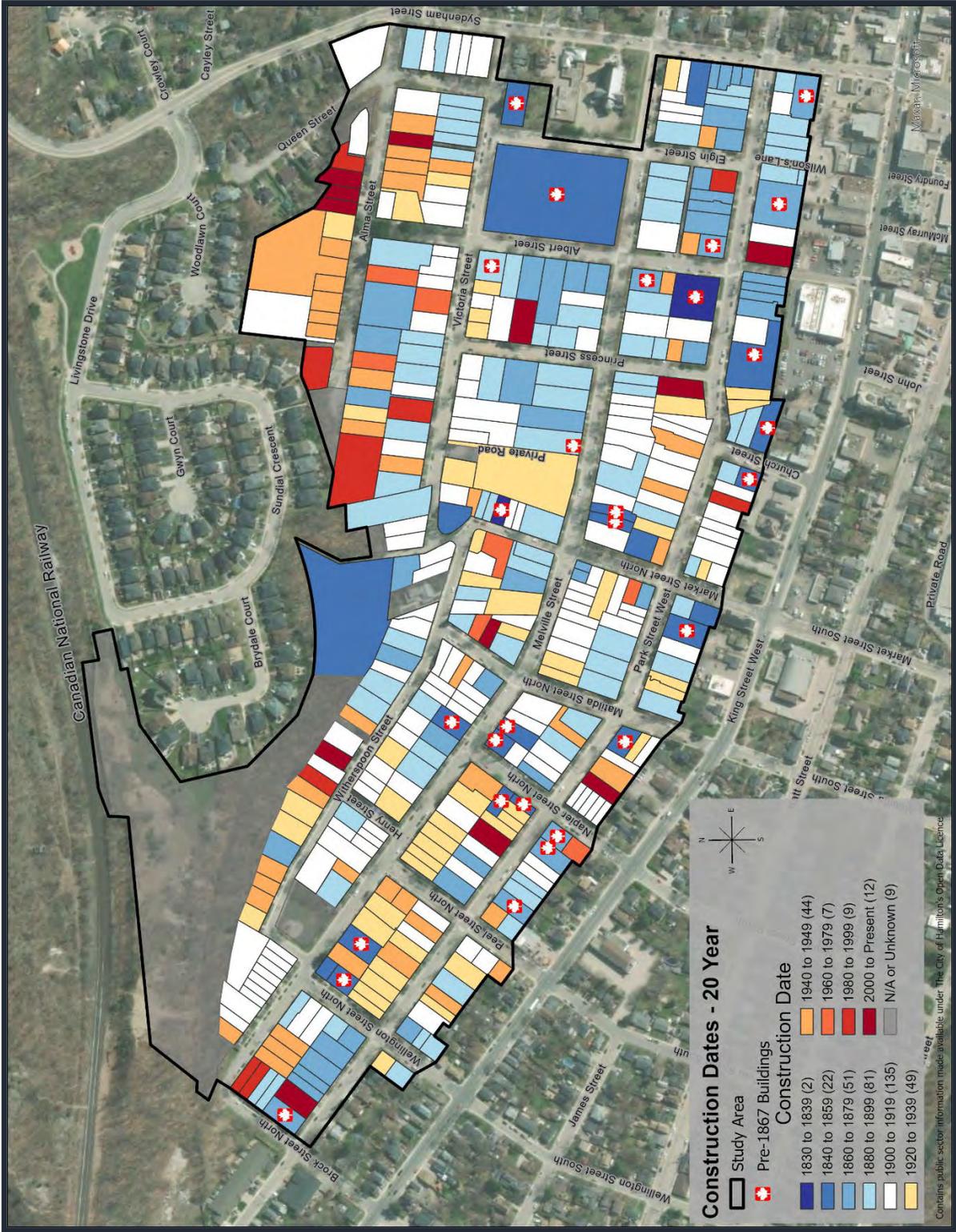


Figure 25: Construction Dates/Building Chronology within the Study area (Source: MHBC, September 2023)

### 5.3.2 Architectural Styles

There was a large variety of architectural styles that were identified in the area which is demonstrated in **Figure 26** on the following page. A review of architectural styles within the Study Area identified the following most prevalent/ concentrated architectural styles included:

- Late Victorian: Romanesque Revival, Italianate, and Queen Anne Revival– 11%
- Edwardian Classicism (includes American Foursquare) – 11%
- Cottages: Worker's, Ontario, and Gothic Revival– 16%

The concentration of these architectural styles reflects the increase in construction identified in **Figure 25** between 1880 and 1920 during which time these styles were popular. A review of the characteristics of these architectural styles and examples are provided on the following pages. Buildings that were not identifiable as a particular representation of an architectural style but rather of a type that includes similar massing, form, material, and era of construction that supports prevalent architectural style were identified as 'vernacular'. This typology includes buildings that were formerly representative that have undergone minor to moderate alterations that have removed or concealed attributes portraying a particular architectural design, however, the design continues to present a form and massing similar to the representative historic building stock associated with the character of the area. There were 95 vernacular buildings identified in the Study Area (22%). Approximately 18% of the buildings were identified as 'altered/ unknown' due significant alterations.

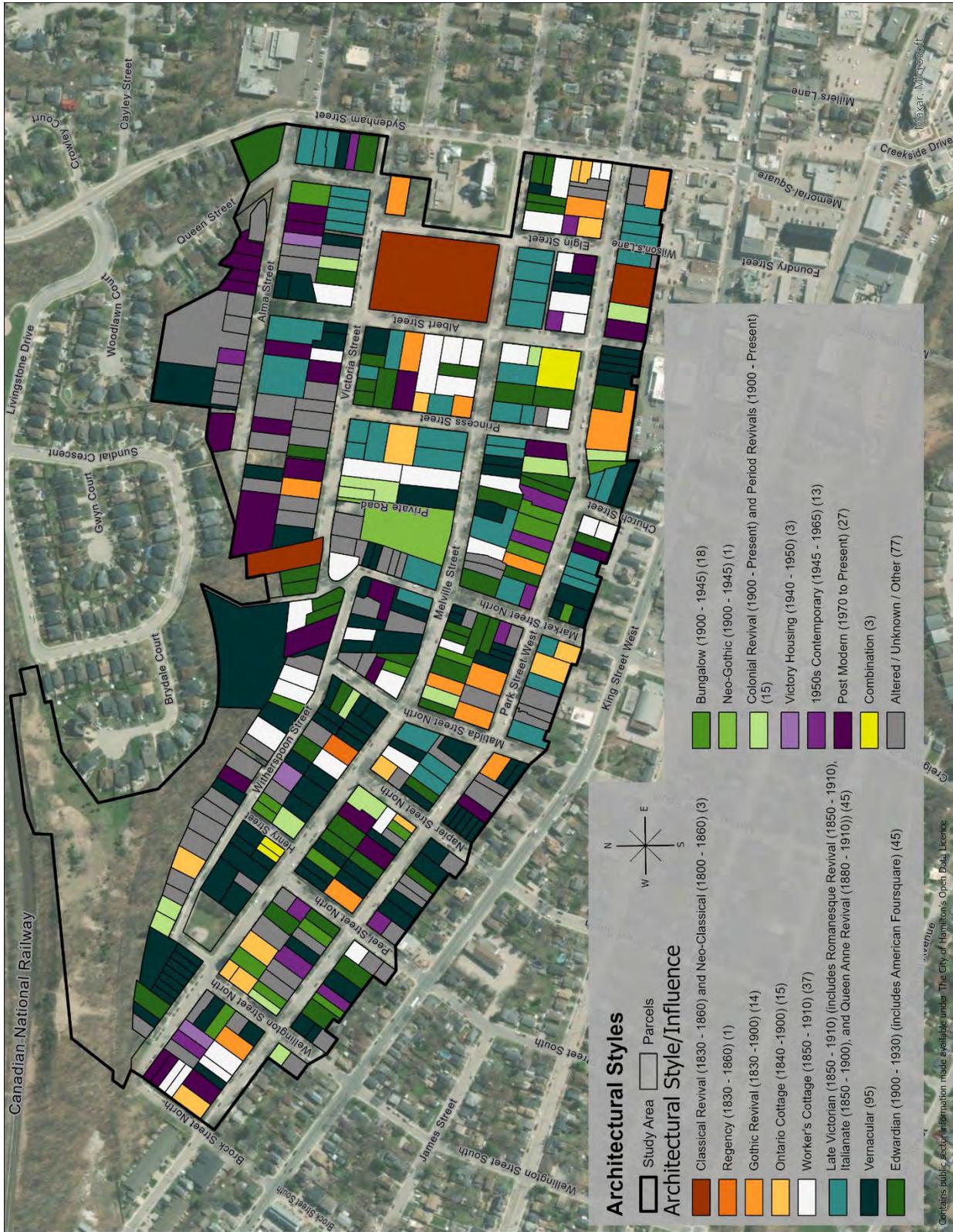


Figure 26: Architectural styles within the Study area (Source: MHBC, 2024).

### ***Late Victorian including Queen Anne Revival (“Late Victorian”)***

The Late Victorian period was prevalent in the latter half of the 19<sup>th</sup> century during the reign of Queen Victoria of Great Britain. Architectural styles during this era were typically highly decorative including dichromatic and polychromatic brickwork and detailed woodwork and included styles such as: Second Empire, Romanesque Revival Victorian Gothic, Italianate, and Queen Anne Revival. The Queen Anne Revival architectural style became popular primarily between 1890 and 1914 and is the most prevalent Late Victorian architectural style in the Study Area. The architectural style is characterized by asymmetrical facades, irregular rooflines, front-facing gables, overhanging eaves, wraparound verandas, circular or square turrets, ornamental spindles and finials, fish scale shingling and detailed textures. Queen Anne dwellings within the Study Area, are identifiable by their massing typically 2 ½ storeys with detailed brickwork (including lintels and banding), protruding front bays, verandahs, use of fish scales and decorative woodwork in gables (Mikel, 90-95) (see **Photos 25 & 26**).



*Photos 17 & 18 - (left) Example of a Queen Anne Revival dwelling located at 132 Melville Street; (right) Example of Queen Anne semi-detached dwelling located at 100-102 Park Street West (Source: MHBC, 2023)*

### ***Edwardian Classicism including American Foursquare (“Edwardian”)***

The Edwardian architectural style, also referred to as Edwardian Classicism, was popular between 1901 and 1930 commencing during the reign of King Edward VII between 1901 and 1910 and continuing two decades later. The Edwardian style incorporated Classical elements and was more modest in design in comparison to the more flamboyant architectural styles of the Victorian period. The Edwardian suburban

house often included a gable front with a front porch with clustered columns, often with classical influences played out by Ionic columns, dentil mouldings and pediment features (Mikel, 81-87). The Edwardian architectural style evolved after the reign of King Edward into variations such as the American Four-Square style which is identified by its square floor plan, pyramidal hipped roof, and centred hipped dormer on the front façade.



*Photos 19 & 20 - (left) Example of Edwardian building located at 31 Princess Street, c. 1916 (right) Example of Edwardian building influenced by the American Four-Square architectural style, located at 122 Melville Street, c. 1904 (Source: MHBC, 2023)*

## ***Cottages***

### Worker's Cottage

The Worker's Cottage is a common, almost emblematic, architectural style in Dundas and seen in various iterations throughout the Study Area. The dating of this type of architecture spanned over the latter half of the 19<sup>th</sup> century, becoming popularized in the 1860s, into the early 20<sup>th</sup> century. Due to the historic industrial nature of Dundas and the surrounding Hamilton area, it was common for the construction of these types of dwellings for labours and skilled workers alike. These cottages were both owned and rented to local workers. The Worker's Cottages are 1 to 1 ½ storeys with a central doorway and flanking windows (MacRae and Adamson, 43). The more typical Worker's cottage seen in Photo 12, would be described as one storey in height with a hipped roof and square floor plan. The material of these buildings varies significantly throughout the Study Area ranging from stone to brick to synthetic cladding in modified dwellings.



*Photos 21 & 22 - (left) Example of Worker's Cottage dwelling located at 121 Park Street West, c. 1876; (right) Example of Worker's Cottage dwelling located at 42 Albert Street, c. 1860  
(Source: MHBC, 2023)*

### Ontario Cottage

The Ontario Cottage was an early architectural style of the European settlers to Upper Canada and one of the most common of the 19<sup>th</sup> century designs in rural Ontario. The architectural style gained popularity in the 1820s, originally constructed from timber logs (often dove-tailed in south-western Ontario), stone and then more commonly brick (particularly after the Crimean War of 1853- 1856). There are several early examples of this style within the Study Area dating from 1840. The architectural style includes simplistic, symmetrical centre hall entry way, rectangular plans, and gabled roofline (MacRae and Adamson, 35). Since two storey buildings were more heavily taxed, typically these would be 1 ½ storeys in height with a summer kitchen to the rear. Often a dormer was included, particularly in later renditions, to allow for greater height while avoiding additional taxes. The majority of examples in the Study area included an added central hipped or shed dormer as well as added porches (see **Photos 23 & 24**).



*Photos 23 & 24 - (left) Example of an Ontario Cottage located at 8 Market Street North c. 1840; (right) Example of an Ontario Cottage located at 53 Witherspoon Street, c. 1870 (Source: MHBC, 2023)*

### Gothic Revival Cottage

The Gothic Revival architectural style is one of the most prevalent architectural styles in Ontario in the 19<sup>th</sup> century leading into the early 20<sup>th</sup> century. The architectural style was inspired by the architectural details of Gothic architecture in Europe. Some of the key characteristics of this style including a central medium to high-pitched gable on the front façade with a lancet or semi-arched window positioned within the gable as well as verge boarding, hood molds and front entryway with a transom light (Mikel, 62) (see **Photos 25 & 26**).



*Photos 25 & 26- (left) Example of a Gothic Revival Ontario Cottage located at 223 Park Street West, c. 1889; (right) Example of a Gothic Revival Cottage located at 97 Park Street West, c. 1872 (Source: MHBC, 2023)*

### 5.3.3 Integrity

During the fieldwork inventory, each property was assessed for its integrity. Properties were classified as either compromised, modified, preserved/intact, or new/recent infill. Although the prescribed regulation does not consider the integrity of the built form, it is an aspect that is considered in the Ontario Heritage Toolkit as it relates to evaluating candidacy for designation and identifying heritage attributes. The following provides the description of 'integrity' as per the Ontario Heritage Toolkit.

*Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property....* (OHTK, Heritage Property Evaluation, 26).

*Integrity: A building, or structure, together with its site, should retain a large part of its integrity – its relation to its earlier state(s) – in the maintenance of its original or early materials and craftsmanship* (OHTK, Heritage Conservation District, 22).

Based on the above, the following provides the degrees of integrity that were utilized to determine the overall integrity of the Study Area:

- *Preserved/Intact:* Properties identified as preserved/intact are those in the Study Area that retain the majority of their original features including original or early materials and craftsmanship.
- *Modified:* Properties that have been classified as modified include buildings and structures that have had some original features removed or replaced; this includes moderate unsympathetic alterations that have concealed original features, particularly in instances where the reversibility is unknown.
- *Compromised:* Properties that have been classified as compromised are those that have been heavily altered unsympathetically and in an irreversible manner in so much that the majority or all of the original features have been removed/replaced.

The following provides the percentages of properties within the above-mentioned classifications (see **Figure 27** for map figure identifying integrity within the Study Area and **Photos 27-29** for examples of each classification):

- 16.2% compromised
- 64.1% modified
- 11% preserved/intact

The remaining percentage is attributed to the new/infill properties and vacant properties. In conclusion, approximately a tenth of the Study Area is considered to have

preserved/intact heritage integrity, which is concentrated to the east of Matilda Street North.



Figure 27: Integrity of Built Form within the Study Area (Source: MHBC, 2024)

## Examples of Integrity Classification



*Preserved/Intact:* Properties identified as preserved/intact are those in the Study Area that retain the majority of their original features including original or early materials and craftsmanship.



*Modified:* Properties identified as modified include buildings that have had some original features removed or replaced; this includes moderate unsympathetic alterations that have concealed original features, particularly in instances where the reversibility is unknown.



*Compromised:* Properties identified as compromised are those that have been heavily altered unsympathetically and in an irreversible manner in so much that the majority or all of the original features have been removed/ replaced

*Photos 27-29 - (above) Example of a 'Preserved/Intact' Building; (middle) Example of a 'Modified' Building; (below) Example of a 'Compromised Building' (Source: MHBC, 2023)*

### 5.3.4 Building Heights

The Study Area is a low density mature established historical neighbourhood consisting primarily of 1 to 2 ½ storey dwellings, fairly equally distributed across the entire area (see **Figure 28**). There are four 3 storey buildings-including one church and three dwellings- while one property (Dundas Museum & Archives) is identified as irregular due to the various buildings on site but is generally 1 ½ to 2 storeys in height. The three dwellings that are identified as having heights of 3 storeys are located on Alma Street and on Park Street West and coincide with contemporary infill properties, constructed in recent years. Overall, the building heights are generally consistent with the various architectural styles, predominantly cottages, Edwardian and Queen Anne which are characterized by 1 to 1 ½ storey and 2 ½ storeys respectfully.



Figure 28: Building heights within the Study Area (Source: MHBC, 2023)

### 5.3.5 Building Cladding Material

The most prevalent building cladding materials that were identified throughout the Study Area include: red, red/brown brick, synthetic siding (which includes aluminum, vinyl, or composite) as well as traditional stucco (particularly using the pebbledash/ roughcast stucco finish) (see **Photos 30-32** for examples in the Study Area). Traditional stucco is made of Portland cement, sand, lime, and water, whereas the non-traditional stucco (also known as Exterior Insulation and Finishing System “EIFS”), is made of synthetic material which is not historic in origin.

During the fieldwork inventory, the prominent/main building material was recorded. In many instances, there were modern alterations including non-original cladding in gables or dormers, or on additions. Due to the number of various materials throughout the Study Area and on some buildings, the predominant cladding material was selected for the Study.



*Photos 30-32 - (left) Example of a red brick dwelling; (middle) Example of a pebbledash stucco clad building; (right) Example of a building clad with synthetic siding (Source: MHBC, 2023)*

### 5.3.6 Roof Type and Material

The roof types and materials were documented during the fieldwork which resulted in observations that there were two prominent roof types within the Study Area which included:

- Gabled roofline ( $\pm 53\%$ )
- Hip roofline ( $\pm 28\%$ )

The predominant roofing material was asphalt shingles which consisted of approximately 92% of the Study Area (see **Figure 29** for rooflines and materials within the Study Area).

The review did not document specific details such as roofs with multiple gables or hip lines, and unless determined to be a notable feature, dormers were incorporated into the overall roof structure. Numerous dwellings were recognized to have roofline adjustments including additional dormers that were not original or standard for that architectural style.

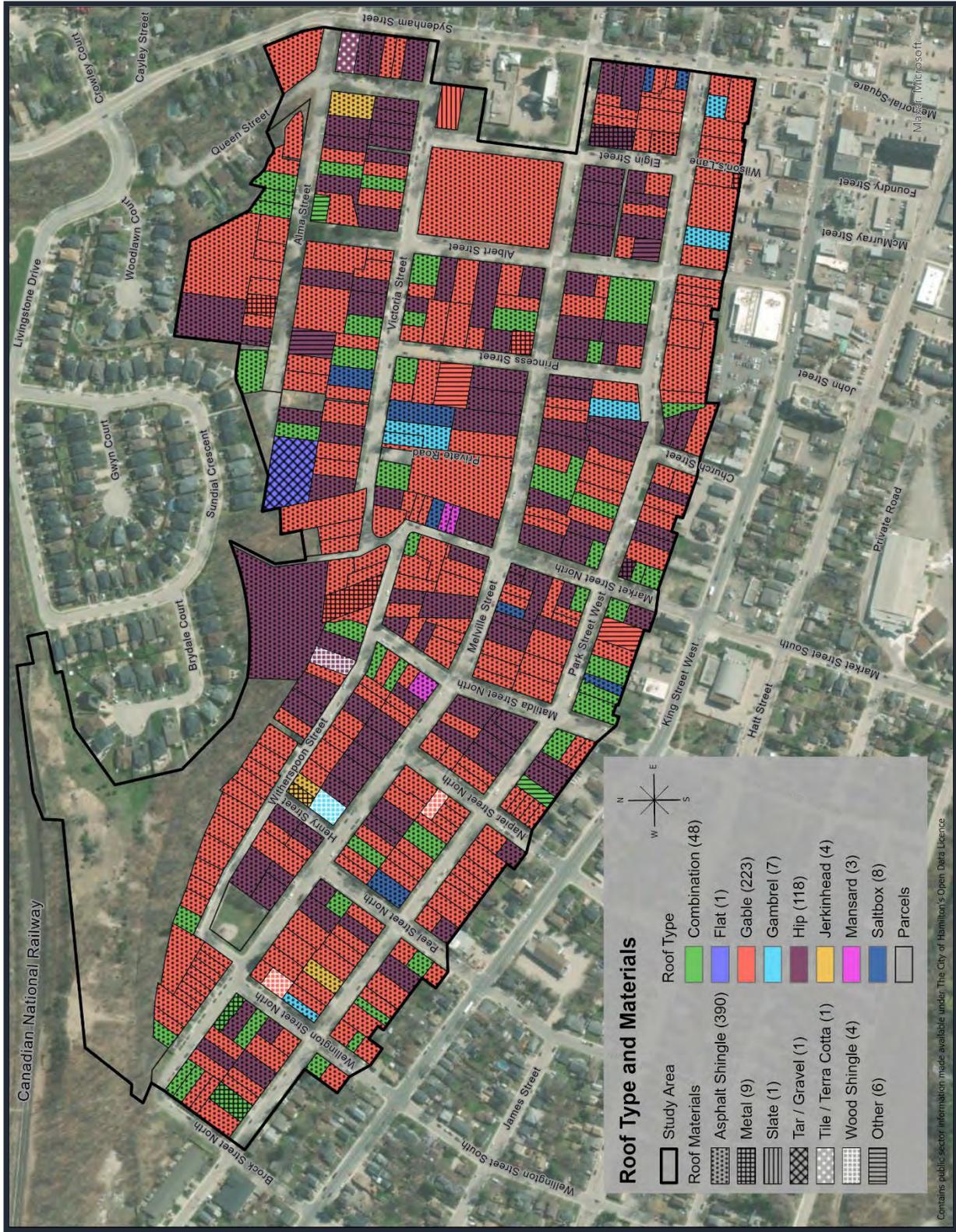


Figure 29: Roof Type and Material within the Study Area (Source: MHBC, September 2023)

### 5.3.7 Parking

As part of the fieldwork, parking configurations for each property was documented (see **Figure 30**). Within the Study Area, there is a variety of parking configurations which included: on-site surface parking, attached garages, detached garages, and on street parking (see **Photos 33-36**). The majority of properties have no garages and utilize on-site surface parking for their vehicles (59%) which is reflective of the historic neighbourhood, the majority of which pre-dates the use of automobiles.

Detached garages are located at the end of driveways or, in the case of many corner lots, off the flankage side yard. There were a few properties that had attached garages, mostly attributed to the infill properties, however, some of which were additions to older homes. For the most part, these attached garages were setback from the front façade as to not detract from the original built form. A few properties had no parking pad/driveway and as such, utilize on-street parking which is permitted on both sides of the streets within the Study Area.

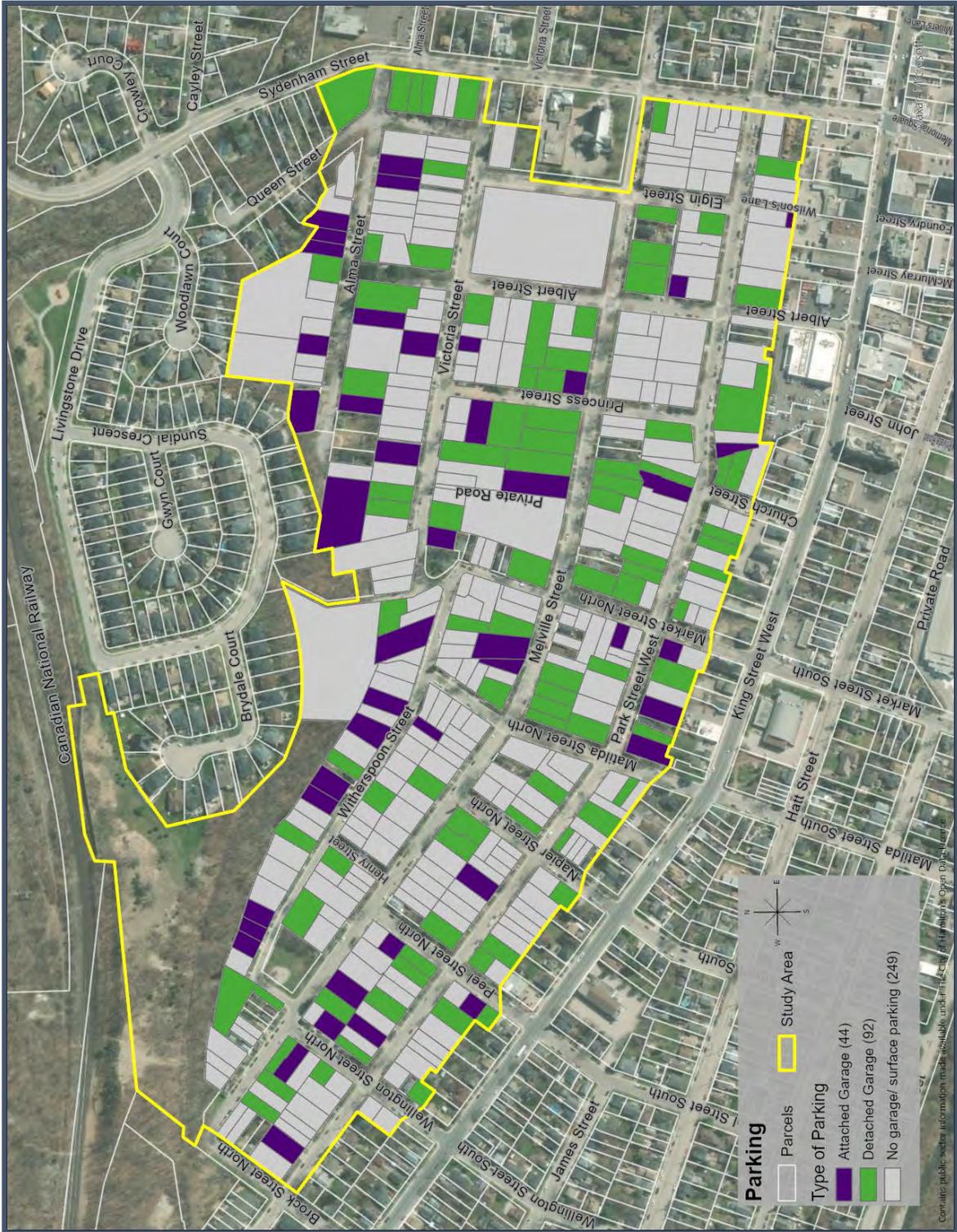


Figure 30: Parking within the Study Area (Source: MHBC, 2023)



Example of Attached Garage



Example of Detached Garage



Example of Surface Parking



Example of Street Parking

*Photos 33-36 - (above) Example of an attached garage; (upper middle) Example of a detached garage; (below middle) Example of surface parking (below) Example of street parking' (Source: MHBC, 2023)*

### 5.3.8 Setbacks

As part of the Study, the setbacks of properties were collected. The following provides a classification of setbacks:

- ROW (at the Right-of-Way)
- Shallow (1.0 - 7.0 metres)
- Deep (7.0 metres +)
- Corner Lot
- Irregular (unique orientation and setbacks)

As a result of the established nature of the neighbourhood, many of the buildings are in relative proximity to the front lot lines with shallow front yard setbacks (see **Figure 31**). Through the field work, a small number of properties were identified as having deeper setbacks; some of these properties were original dwellings on larger parcels/blocks that were severed over time. In the case of Alma Street, the properties on the north side of the street have a deeper front yard setback due to the topography.

The Study Area's linear grid pattern with several small side streets, results in numerous corner lots, often with deep flankage yards with mature vegetation. A higher concentration of larger lots can be found in the eastern portion of the Study Area, accommodating larger buildings and greater setbacks, which appear more consistent with those in the Cross Melville Heritage Conservation District, while properties further west tend to have smaller lot fabric with more visually dense streetscapes.

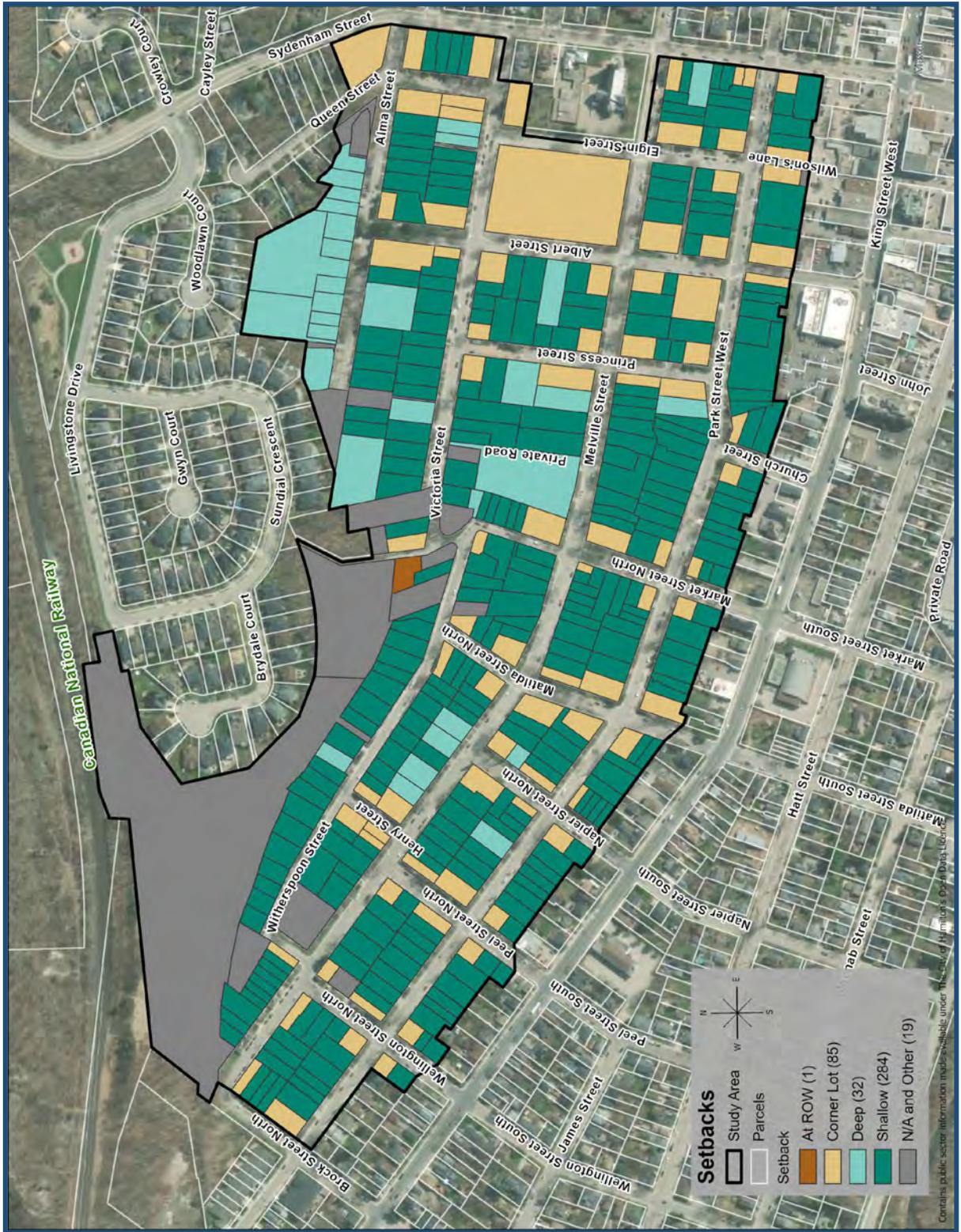


Figure 31: Setbacks within the Study Area (Source: MHBC, 2023)

### 5.3.9 Contemporary Infill

As part of the Study, buildings or structures constructed during or after 1983 were identified as contemporary infill for the purposes of understanding the presence of newer development within the Study Area. The 40 year threshold was utilized based on the provincial checklist for the *Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes*.

To date, the overall Study Area has not yet been heavily impacted by contemporary infill as only 21 properties were identified as being constructed after 1983 which constitutes approximately 6% of the overall Study Area (see **Figure 32**). Many of the contemporary infill buildings dwellings are of a modern architectural style and of note one dwelling on Park Street West was constructed in 2000 and replicates the Ontario Gothic Cottage style of architecture. New construction should be legible and distinguishable while being sympathetic to the surrounding mature neighbourhood. There appears to be a variety of interpretations of what 'compatible infill' is ranging from replicas to contrasting, contemporary designs.

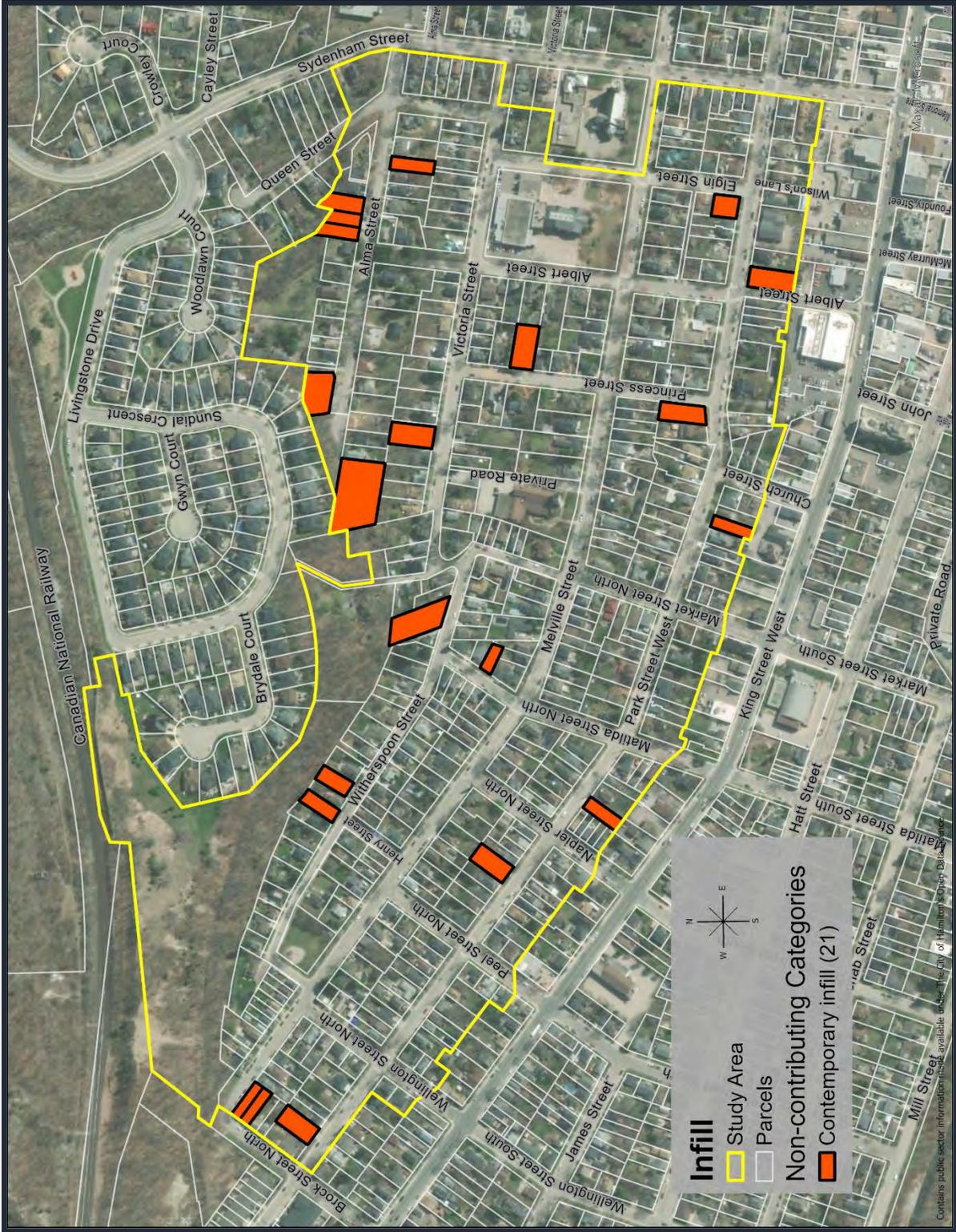


Figure 32: Contemporary infill within the Study Area (Source: MHBC, September 2023)

### 5.3.10 Landscape Features

Cultural heritage landscapes can include, but are not limited to: streetscapes and historical settlements; these types of landscapes can be identified as follows:

**Historical settlements:** groupings of two or more structures with a commonly applied name.

**Streetscapes:** generally, consists of a paved road found in a more urban setting, and may include a series of houses that would have been built in the same time period; it also includes elements such sidewalks, trees, cross-section of local roads and curbs.

Landscape features also can have cultural heritage value or interest independently and could include, but not limited to: heritage trees, statues, memorials/ plaques, installations, and fencing.

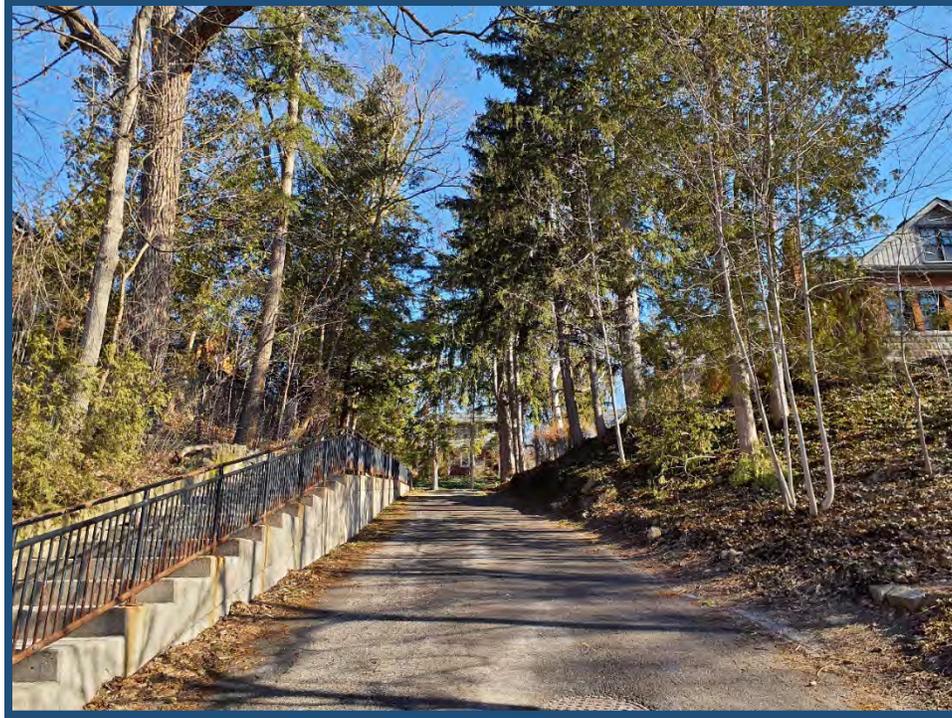
Based on the above, the following landscape features were identified:

- Historical settlement patterns in the Study Area are reflected in the circulation pattern of streets, land patterns including areas with historic registered plans and the associated historic lot fabric that is retained,
- Streetscapes which include treed boulevards (see following page for map figure identifying City inventoried trees along boulevards) (see **Figure 33**):
  - Melville Street (between Elgin Street and Matilda Street North) particularly along south side of Dundas Central Public School (see **Photos 33 & 34**);
  - Park Street West (between Albert Street and Matilda Street North)
  - Matilda Street North
  - Sydenham Street
  - Victoria Street
  - Albert Street (\*unique streetscape) (see **Photo 35**)
- Unique junction of Victoria Street, Witherspoon Street and Market Street North (see **Photo 36**);
- Use of hedgerows and small fences (particularly on corner or double wide lots) and low-lying vegetation along front porches; and,

- The landform consisting of the Niagara Escarpment abutting the north end of the Study Area.



*Photos 33 & 34 - (above) View of Melville Street looking westwards from the Dundas Central Public School; (below) View of treed frontage along the north side of Melville Street along the Dundas Central Public School (Source: MHBC, 2023)*



*Photos 35 & 36 - (above) View of Albert Street looking northwards towards Alma Street; (below) View of intersection of Victoria Street, Witherspoon Street and Market Street North looking south-east (Source: MHBC, 2023)*



Figure 33: The City's tree inventory represented within the Study Area (Source: MHBC, 2023)

### 5.3.11 Views and Vistas

*The Standards and Guidelines for the Conservation of Historic Places* (Second Edition) defines in Section 4.1.5 “Visual Relationships” which is included as part of a character-defining element of a historic place and relates to an observer and their relationship with a landscape or landscape feature or between the relative dimensions of landscape features (scale). *The Ontario Heritage Toolkit* acknowledges that views of a heritage attributes can be components of its significant cultural heritage value or interest. This can include relationships between settings, landforms, vegetation patterns, buildings, landscapes, sidewalks, streets, and gardens, for example. The following is the definition of a view:

*View means a visual setting experienced from a single vantage point and includes the components of the setting at various points in the depth of field.*

Views can be either static or dynamic. Static views are those which have a fixed vantage point and view termination. Dynamic views are those related to a route (such as a road or walking trail) which includes a series of views of an object or vista. The vantage point of a view is the place in which a person is standing. The termination of the view includes the landscape or buildings which is the purpose of the view. The space between the vantage point and the termination (or object(s) being viewed) includes a foreground, middle-ground, and background). Views can also be ‘framed’ by buildings or features. The following provides the definition of a vista:

*Vista means a distant visual setting that may be experienced from more than one vantage point and includes the components of the setting at various points in the depth of field.*

While there may be many vantage points providing views and vistas of a property, landscape, building or feature, these must be evaluated to determine whether they make an important contribution to the understanding of the identified cultural heritage value or interest of the Study Area. Although there are several views related to individual properties, the Study did not determine that there were significant vistas that would visually provide an understanding of the collective community.

# 6.0 Analysis

## 6.1 Identifying Contributing Properties

One of the integral components of defining a boundary is determining whether properties are “contributing” or “non-contributing” to a special character area. To holistically approach the Study, both qualitative and quantitative data was used to assess potential character areas and contributing status. Qualitative data was yielded from the initial review of the Study Area, historical research and community engagement and quantitative data that was generated from the information gathered from on-site fieldwork in terms of the quantity of various factors (i.e. height, architecture, construction date).

**Table 1.0** below reviews the qualifications for both contributing and non-contributing properties. Note that a 40-year threshold was used for identifying infill in consideration of the threshold utilized by MCM in the provincial checklist for the *Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes*.

As examined in **Table 1.0**, there are several factors that result in a property’s identification as ‘contributing’, however, it was determined that some properties maintain and define the character area while others support the area. As a result, this Study has determined that there are two categories under the contributing status: Contributing ‘A’ and Contributing ‘B’; whereas, Contributing ‘A’ includes properties which are predominately representative and maintain/define the character area and Contributing ‘B’ includes properties which are vernacular and other representative architectural styles that support the character of the area. The following provides further clarification on contributing and non-contributing status which was used to guide the evaluation of the Study Area:

Table 1.0- Contributing Categories	
<b>Contributing A</b>	<ul style="list-style-type: none"> <li>The property is a Protected Heritage Property including properties designated pursuant to Part IV of the <i>Ontario Heritage Act</i> and subject to a heritage conservation easement; or</li> <li>The property includes a built feature that is <u>representative</u> of an architectural style which <u>maintains and defines</u> the character of the area and retains the majority of its heritage integrity or may include limited minor alterations; <i>or</i></li> <li>The property includes built feature that is considered rare, unique, or early; <i>or</i></li> </ul>

	<ul style="list-style-type: none"> <li>• The property includes a community recognized landmark; <i>and/or</i></li> <li>• The property includes key landscape feature(s); <i>or</i></li> <li>• The property has historical/ associative value in addition to one of the above.</li> </ul>
<b>Contributing B</b>	<ul style="list-style-type: none"> <li>• The property includes a built feature that is an example of a vernacular design common in the area with limited minor alterations that <u>supports</u> the character of the area; this may include former representative buildings that have undergone minor to moderate alterations that have removed or concealed attributes portraying a particular architectural design, but continue to present a form and massing similar to the representative historic building stock associated with the character of the area; <i>or</i>;</li> <li>• The property includes a built feature of a representative architectural style constructed within the general historic era of similar massing and scale that <u>supports</u> the character area, but determined not to be a prominent style;</li> <li>• The property includes supportive landscape feature (s) <i>or</i>,</li> <li>• The property has historical/ associative value in addition to one of the above.</li> </ul>
<b>Non-contributing</b>	<ul style="list-style-type: none"> <li>• The property includes a built feature wherein the original architectural details have been irreversibility lost or covered; <i>and/or</i>,</li> <li>• The property includes a built feature with a form, massing and/ or material that is not consistent with the historic building stock; <i>and/or</i>,</li> <li>• The property includes a built feature that has an orientation and setback that is inconsistent with that of the historic character of the area;</li> <li>• The property includes a built feature that is considered contemporary infill (constructed after 1983-4); <i>or</i></li> <li>• The property is vacant and does not include contributing landscape features.</li> </ul>

To fulfill the requirements to determine if the Study Area warrants designation as an HCD, the approach to ‘contributing’ and ‘non-contributing’ resources has been used to calculate the percentages for each appropriate criteria within O Reg 9/06. The most recent consolidation O Reg 9/06 on January 1, 2023, includes criteria specific for an HCD. As a pragmatic approach, this Study uses contributing (A and B) and non-

contributing status to support the completion of this evaluation in sub-section 6.4.2 of this report. Please note, both contributing and non-contributing properties within the proposed HCD area will be protected under the OHA.

## 6.2 Contributing Properties

Based on the review of contributing properties identified in the fieldwork and final review of this assessment, there were a total of 292 Contributing Properties which represents approximately 69% of the parcels included in the Study. Based on the sub-categories of the contributing properties there were:

- 161 Contributing 'A' properties (38%)
- 131 Contributing 'B' properties (31%)

Subsequently, there were 132 *non*-contributing properties which constitutes approximately a third of the overall Study Area (31%), as shown in **Figure 34**. There was a lesser degree of contributing properties along the western end of the Study Area including Witherspoon Street as well as along Alma Street due to a combination of infill, different orientation, setback, scale or massing, architecture or material and significant alterations.

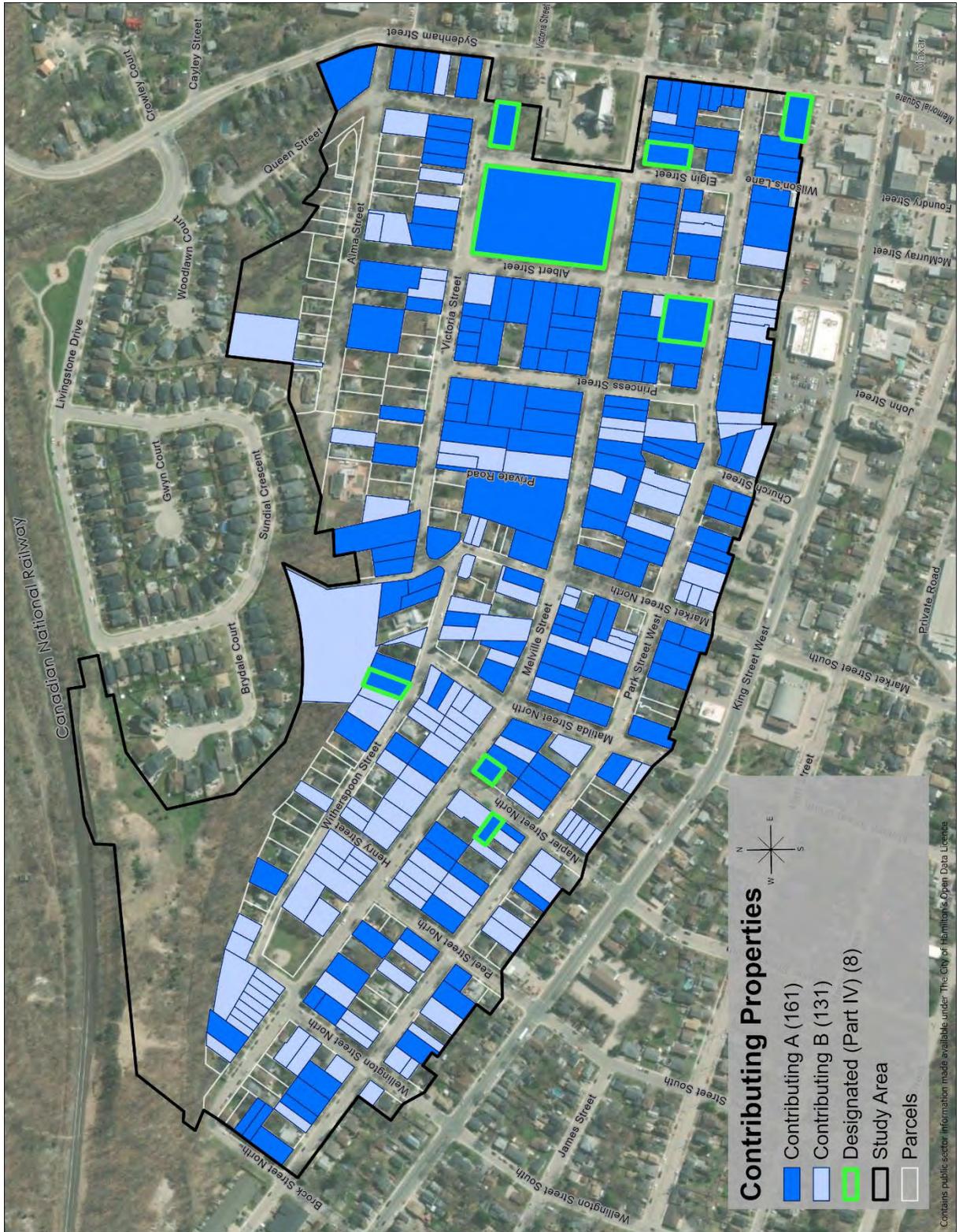


Figure 34: Contributing properties identified in blue within the Study Area (Source: MHBC, September 2024)

## 6.3 Determining Overall Character and Heritage Attributes

The Ministry of Citizenship and Multiculturalism (“MCM”) provides a document within the Ontario Heritage Toolkit entitled, “Heritage Conservation Districts, A Guide to District Designation under the Ontario Heritage Act.” The document outlines the evaluation of heritage attributes of an HCD which includes the following:

- Historical Associations
- Architecture, Vernacular Design, and Integrity
- Architectural Details and Relationship to Neighbouring Buildings
- Landmark Status or Group Value

The following sub-section reviews these factors within the context of the Study Area.

### 6.3.1 Historical Associations

The historic context statement, described in sub-section 4.3 of this report, provides an overview of the history of the Study Area. The Study Area includes associations with several notable persons within the community including, but not limited to:

#### *Local Business Owners*

- James Scott (shareholder in the Desjardins Canal and built Dundas Town Hall and operated Dundas Steam Planing Mill)
- Bertram Family (Betram & Sons Foundry)
- Lennard Family (S. Lennard and Sons Ltd.)
- Pennington Family (Valley City Manufacturing)
- Clark Family (Woolen Mills)
- Hourigan Family (axe foundry in Dundas 1859-1910)

#### *Local Politicians:*

- William Hatt (son of Richard, founder of Dundas)
- Samuel Lennard (Mayor of Dundas in 1919) and Frank Lennard (Member of House of Commons of Canada)
- James Scott (Town councillor between 1856-1863)
- Daniel Fields (Member of Town Council 1859-1871, Reeve 1864-65)
- A. Bennett (Committee to draft the Act of Incorporation for the Town in 1847)
- George Barton (Mayor of Dundas in 1855)

- Daniel Field (Town Council 1859-1871, 1864-65)
- Alex Shaver (former MP)

*Local Builders and Contractors:*

- James Scott
- Patrick O'Connor
- Casey & Mercer (William Casey and James Mercer)
- Kelly McPhie
- Jesse Cooper

*Architects:*

- George Davidson- 50 Albert Street
- Edwards- 113 Melville Street
- Freeman Marcy- 161 Melville Street
- Francis Hawkins- 73 Melville Street (Dundas Central Public School)
- Ralph Adams Cram- 137 Melville Street (St. James Anglican Church)

The Study Area provided rental housing not only for the working class, but also a high-income demographic which was primarily towards the eastern end of Melville Street.

### **6. 3.2      Architecture, Vernacular Design, and Integrity**

The architecture styles that are prevalent in the Study Area include Late Victorian (including Romanesque Revival, Italianate, and Queen Anne Revival), Cottages (including Worker's Cottages, Ontario Cottages, Gothic Revival Cottages) and Edwardian Classicism (including the American Foursquare variation).

The Study Area includes 47 properties that have been identified as 'preserved/intact' which consists of approximately 11% of the overall Study Area. There are 272 properties that have been identified as 'modified' as they still retain some of their heritage integrity, however, alterations have been made that have removed or concealed heritage attributes; 'modified' properties consists of 64.1% of the total Study Area. Therefore, 75.1% of the total Study Area includes both 'preserved/intact' and 'modified' properties. The majority of properties that retain their integrity, as discussed in sub-section 5.3.3 of this report, are located within the eastern half of the Study Area.

### 6.3.3 Architectural Details and Relationships to Neighbouring Buildings

The following identifies architectural details and relationships to neighbouring buildings that are predominant in the Study Area which are consistent with the architectural styles discussed in sub-section 5.3.2 of this report (see **Figure 35**):

- Predominant use of red brick and traditional stucco (non-synthetic) with a pebble dash/ rough cast finish;
- Decorative brickwork including: voussoirs, variety of brick coursing, protruding brickwork;
- Gabled (many of which are front facing) and hipped rooflines with gabled and hipped dormers;
- Front porches supported by Classical columns with pediment porch roof details;
- Verandahs and porches;
- Bay windows and window openings in open front facing gable (singular opening as well as tri-pane/pseudo- Palladian window);
- Front entryway with transom window;
- Decorative shingling, particularly in front facing gable; and,
- Similar front yard setbacks (2-7 metres) which create consistent groupings.



*Figure 35: Examples of common architectural details within the Study Area (Source: MHBC, 2023)*

### 6. 3.4 Landmark Status or Group Value

There are four landmarks located within the Study Area which include:

- St. James Anglican Church;
- Dundas Central Public School;
- Dundas Museum and Archives; and,
- Dundas Baptist Church and Sunday school.

Although not considered a landmark, the “Old Glove Factory” located at 132 Melville Street, which once supplied women’s gloves for the Eaton’s catalogue, is adaptively re-used as an art studio (currently used as Deborah Doran Pottery) and is a publicly known/recognized building in the community.

There were collections of properties that were identified as having group value for the following reasons:

- Groupings of three or more buildings of the same architectural style;
- Historical semi-detached buildings; and,
- Groupings of individual buildings constructed by the same builder with historical associations.

The Study Area includes groupings of buildings constructed for worker’s rental housing including 128-134 Park Street West constructed by James Mercer and William Casey in 1875 (who also built the planing mill on Market Street) and several buildings that were built by Patrick O’Connor for rental use including 101-103 Park Street West (nearby his blacksmith’s shop on the northwest corner of Park and Sydenham Streets), and 24-32 Sydenham Street.

**Figure 36** on the following page identifies the above-mentioned landmarks and groupings; please note that some properties qualified for more than one factor.



Figure 36: Identification of landmarks and groupings in the Study Area (Source: MHBC, 2023)

## 6.4 Evaluation under Ontario Regulation 9/06- Criteria for Determining Cultural Heritage Value or Interest

### 6.4.1 Understanding the Ontario Regulation 9/06 Framework

Since the *More Homes Built Faster Act, 2022* has come into force, a municipality or any defined area or area of it may be designated as an HCD through a by-law under sub-section 41 (1) of the OHA if at least twenty five percent of the properties within the defined area satisfy two or more of the criteria outlined in O Reg 9/06 as amended by O Reg 569/22. To complete this mandated evaluation, the approach to contributing and non-contributing properties was utilized in addition to background historical research and community input. Although, the updated prescribed criteria do not include sub-categories, the following provides a summary of the approach to the quantifying physical/design value, historical/associative and contextual values.

**Physical/Design Value (Criteria 1-3):** In order to determine physical/design value, the percentage of buildings that represented architectural styles contributing to the character of the area (i.e. Late Victorian, Edwardian Classicism, Cottages) were collected in addition to pre-confederate (1867) buildings and rare and unique buildings that were identified on-site that contributed to the overall identified character of the area. Properties of artistic merit and craftsmanship were determined through the properties identified as maintaining the majority of their integrity. Historical associative value, 'type of property' and on-site observation were tools used to identify potential properties that demonstrate a high degree of technical or scientific achievement.

**Historical/Associative Value (Criteria 4-6):** Historical research, including the review of local documents and Local Architectural Conservation Advisory Committee (LACAC) surveys, was used to identify properties that were determined to have historical/ associative value. Properties that included buildings or structures constructed pre-confederation (prior to 1867) were also included as contributing to the theme of the early development of the Town. Properties that were considered 'contributing' were considered to yield or have potential to contribute to the understanding of the Study Area. Architects, builders, and craftsmen were identified in the database and used to determine this percentage.

**Contextual Value (Criteria 7-9):** To determine contextual value, percentages were generated from the number of properties contributing properties because they were of a representative architectural style (Contributing 'A') or vernacular design (Contributing 'B') to determine if they define, maintain, or support the area. Percentages generated from review of Study Area as a whole (windshield survey and on-site fieldwork) and historical associations (i.e., groupings of housing) were utilized to determine physical, functional, visual, and historical contextual value. Lastly, on-site observations were used to determine if the properties were defined by, planned around or themselves a landmark.

### 6.4.2 Evaluation under Ontario Regulation 9/06

The full evaluation under O. Reg 9/06 is included in **Appendix 'H'** of this report which provides a detailed review of the percentages and rationale for each criterion within O. Reg 9/06 as it pertains to the Study Area. In conclusion, the Study Area satisfies at least twenty five percent of three (3) prescribed criteria as outlined:

- **Criteria 1)** The properties have design value or physical value because they are rare, unique, representative, or early examples of a style, type, expression, material, or construction method (45.3%);
- **Criteria 5)** The properties have historical value or associative value because they yield, or have the potential to yield information that contributes to an understanding of a community or culture (69%); and,
- **Criteria 7)** The properties have contextual value because they define, maintain, or support the character of the district (69%).

Therefore, the Study Area has demonstrated that it warrants designation under Part V of the OHA. The Statement of Cultural Heritage Value or Interest and associated heritage attributes which has been guided by the Ontario Heritage Toolkit and the prescribed regulation can be found in the following sub-section 6.5.

## 6.5 Statement of Cultural Heritage Value or Interest/ Character Statement

The Study Area represents and reflects a working-class residential neighbourhood of the Victorian (1837-1901) and Edwardian (1901-1914) eras within the community of the former Town of Dundas. The neighbourhood was largely developed between 1880 and 1930 between the Late Victorian and Edwardian eras primarily for workers' housing that supported the Town's machine tool and cotton factories. The majority of original owners included skilled industrial workers such as: machinists, millwrights, carpenters, tinsmiths, and manufacturers in addition to general labourers. The neighbourhood included a stock of rental housing for general labourers and skilled workers, but also for notable local businessmen, specifically manor houses constructed along the eastern end of Melville Street. During this time period, the Study Area supported the Town's labour force when it was recognized as a 'manufacturing' hub in the latter half of the 19<sup>th</sup> century and early half of the 20<sup>th</sup> century.

The topography of the Niagara Escarpment guided the formation of the surveys that would be the blueprint for this community. The Hatt Plan of 1837 included the early formation of Mountain Street (which would become an extension of Melville Street) and Colborne Street (which would become an extension of Park Street West). The Allan and Mathieson Plan of 1855 included the formation of the consistent grid pattern of east-west streets of Alma, Victoria, Melville and Park Streets and north-south streets of Elgin, Albert, and Princess Streets. These circulation patterns, established pre-confederation, are still present. The junction of Witherspoon Street, Victoria Street and Market Street North emerges as a geographical anomaly, the result of the limitations of three historical surveys of Hatt (1837), Allan and Mathieson (1855) and Witherspoon (1873) terminating in this area, creating a unique physical and visual relationship within its surroundings.

The predominant architectural styles are: Late Victorian (including Queen Anne Revival), Cottages (Worker's, Ontario, and Gothic Revival) and Edwardian Classicism (including American Foursquare). The neighbourhood includes several Worker's Cottages which were both owned and rented to general labourers. The use of red brick is prevalent throughout the neighbourhood due to the local brickyards in the 19<sup>th</sup> century (located just north of Victoria Street and Market Street North). The use of stucco, particularly rough cast/pebbledash, is also a common form of building cladding. Architectural features that are consistent throughout the neighbourhood include: gabled and hipped rooflines, decorative brickwork (including voussoirs and a variety of brick coursing), Classical elements (i.e. dentil moulding, pediment porch rooflines, Ionic columns) of front porches; verandahs, bay and Palladian windows, transom and sidelights indicative of the Victorian and Edwardian eras. In general, a heightened level

of integrity of built form is concentrated towards the eastern end of the Study Area in addition to the landmarks and identified groupings in the overall area.

There is a concentration of particular architectural styles, subsequently resulting in similar massing, scale, and material, as well as similar shallow setbacks that define, maintain and support the surrounding area. Clusters of buildings with the same architectural style, including semi-detached units, create a visual linkage. Builders such as Casey Mercer and Patrick O'Connor who constructed buildings along Park Street West create historical linkages within the neighbourhood.

The second industrial revolution and its impact on the development of communities within southwestern Ontario, particularly its manufacturing prowess, is an over-arching theme in the context of Dundas and particularly within this community during the Victorian and Edwardian eras. Several notable families lived in the Study Area including, but limited to: Burton, O'Connor, Baker, Lennard, Clarke, Hatt, Scott, and Pennington.

The Study Area contains several landmarks including: the Dundas Central Public School, the St. James Anglican Church, Dundas Baptist Church and Sunday School and the Dundas Museum and Archives. The early residents of the community were primarily of Irish descent, many of whom were immigrants or descendants of immigrants who left Ireland at the time of the Irish Potato Famine (1846-1849), although there were also many Scottish (Lowland) families as well. The inclusion of both Protestant and Catholic Places of Worship (St. Augustine's Parish-although within the Cross-Melville HCD, St. James Anglican Church, and Dundas Baptist Church) reflect the social-cultural background of the neighbourhood which consisted of Scottish Protestants and Irish Catholics. The residential community originated in the 1860s simultaneous with the establishment of Dundas Central Public School in 1857, Places of Worship including St. Augustine's Parish (1863) and Dundas Baptist Church (1866), and the proximity to industrial places of employment.

The Dundas Central Public School, constructed in 1857, was one of the earliest buildings in the neighbourhood and dominates the entirety of the block bound by Melville, Albert, Elgin, and Victoria Streets. Its Neo-Classical architectural articulations and spatial organization within the context of the parcel results in a grandeur positioning and appearance as a landmark. Although it does not appear as if the surrounding development was in concert with its unique positioning, its function as an educational institution naturally would have been an impetus to residential development.

## Heritage Attributes:

- Concentration of building stock constructed between 1880 and 1930 which include a collection of prevalent representative architectural styles including: Late Victorian (including Queen Anne Revival), Edwardian Classicism (including the American Foursquare variation); and Cottages (including Worker's Cottages, Ontario Cottages, Gothic Revival Cottages);
- Concentration of supportive architecture constructed within historic era including: modest vernacular architecture, Colonial Revivals, Period Revivals and Bungalows;
- Building cladding primarily includes: brick, stone and stucco;
- General massing of one to two-and-a-half storeys of buildings;
- Pre-confederation survey areas and their lotting patterns and streets (1837-51-RP-1443, Pt 2, Hatt Plan and 1855-RP-1446\_Plan for Allan and Mathieson) ; applies to Melville Street, Park Street West, Victoria Street, Elgin Street, Albert Street, Princess Street, Market Street North, Matilda Street, Napier Street, Peel Street, Wellington Street and Brock Street;
- Interrelationship between historic residential dwellings, educational institutions, places of worship and places of work;
- Collection of landmarks including: the Dundas Central Public School, the St. James Anglican Church, Dundas Baptist Church and Sunday School and the Dundas Museum and Archives;
- Unique junction of Witherspoon Street, Victoria Street and Market Street North;
- Narrow treed boulevard along Melville Street between Sydenham Street, Albert Street and Matilda Street;
- Modest front yard landscaping including low-lying plantings, hedgerows and small fencing (on corner or double wide lots) and hardscaped walkways; and,
- Narrow, one laneway driveways with parking located to the rear.

# 7.0 Heritage Conservation District Boundary

## 7.1 Heritage Conservation District Boundary Methodology and Approach

One of the key components of a HCD Study as required by the OHA is the identification of a recommended boundary. Section 40(1)(b) of the OHA specifies the following as it relates to identifying a recommended boundary as part of a HCD study:

*(b) examine and make recommendations as to the geographic boundaries of the area to be designated;*

The Ontario Heritage Toolkit notes that while all HCDs are unique, they generally share a set of common characteristics. These characteristics are listed in the Toolkit as follows:

*“A concentration of heritage buildings, sites, structures; designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use;*

*A framework of structured elements including major natural features such as topography, land form, landscapes, water courses and built form such as pathways and street patterns, landmarks, nodes or intersections, approaches and edges;*

*A sense of visual coherence through the use of such elements as building scale, mass, height, material, proportion, colour, etc. that convey a distinct sense of time or place;*

*A distinctiveness which enables districts to be recognized and distinguishable from their surroundings or from neighbouring areas.”*

## 7.2 Identification of the HCD Boundary Options

### 7.2.1 Examination of the HCD Boundary

The recommended boundaries for the Melville Street HCD Study were identified based on several factors, including:

- The identification of contributing and non-contributing properties based on the data collected during fieldwork which demonstrates a concentration of heritage buildings, structures and landscapes that are linked;
- The framework of structured elements such as: street patterns including intersections and landmarks;
- The sense of visual coherence which is demonstrated by the similarity in building scale and mass, material, proportion, and age of construction (primarily between 1880 and 1930) in the neighbourhood that conveys a distinct sense of time or place; and,
- Location of existing Cross-Melville HCD boundary (the existing Cross- Melville HCD boundary traverses centrally along Victoria, Elgin and Melville Streets which interfaces the Melville Street Study Area).

As part of the identification of the HCD boundary, the Study reviewed the feasibility of the extension of the Cross-Melville HCD. The following provides the Statement of Cultural Heritage Value or Interest of the District based on the background study report that identifies physical/design, historical associative and contextual values:

*The Cross-Melville area constitutes a superb collection of buildings with particularly fine architectural attributes. Tree planted along the streets enhance the surroundings of individual buildings and provide expansive canopies over adjacent streets. Developed in the 1840s and 1850s as the first exclusively residential area distinct from the commercial and industrial locales of Dundas, this neighbourhood is associated with numerous prominent citizens, mayors, and councillors, including George Rolph, William Notman, Alexis Begue, and the Grafton family. (David Cuming and Associates and Unterman McPhail Heritage Resource Consultants, pp i) and ii).*

Based on the Statement of Cultural Heritage Value or Interest described in sub-section 6.5, it was concluded that the character of the Study Area and the Cross-Melville HCD were not cohesive and that they both have distinct characteristics. Therefore, the integration of the Study Area into the Cross-Melville HCD, as an extension to the neighbourhood, is not recommended.

### **7.2.2 Determining HCD Boundary Options**

There were two options that are presented for consideration in this sub-section related to the implementation of an HCD for the Melville Street HCD Study (see **Figures 35 & 36**). The proposed boundaries were determined based on a variety of factors that contribute to the Melville Street HCD Study Character Statement described in sub-

section 6.5 of this report and influenced by the “Guidelines for Cultural Landscapes, including Heritage Districts” (Section 4.1) of the S&Gs. The following identifies factors that were used to guide the boundary options:

- Concentration of contributing built features (including, but not limited to, buildings or structures constructed between 1880-1930 and representative of prominent architectural styles including: Late Victorian (including Queen Anne Revival), Edwardian Classicism (including the American Foursquare variation); and Cottages (including Worker’s Cottages, Ontario Cottages, Gothic Revival Cottages);
- Historical land patterns as it relates to early surveys and plans and spatial organization (historical surveys of 1837, 1855 and 1873);
- Visual relationships between built features and landscape elements (i.e., tree boulevard, pedestrian paths, background of the Niagara Escarpment);
- Concentration of historic landmarks/ notable buildings;
- Circulation routes and patterns (street patterns and parking);
- Landscape (ecological, vegetation and water) and elements (i.e., narrow treed boulevards, walls/fences);
- Landforms/topography (Niagara Escarpment); and,
- Concentration of previously identified potential and identified cultural heritage resources, including pre-confederation buildings and structures identified by the City and through additional research completed in this report.

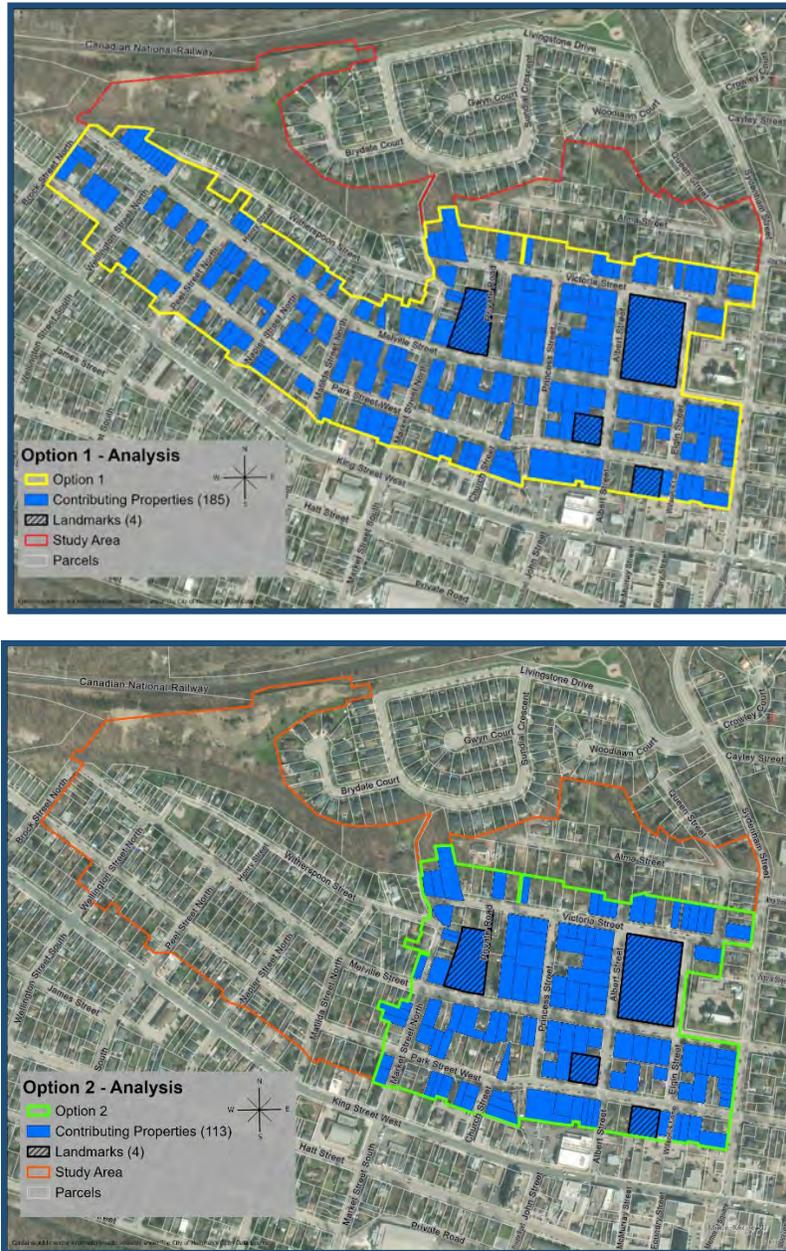
The proposed HCD boundaries omit both Witherspoon Street (approximately 5% of contributing properties) and Alma Street (approximately 1% of contributing properties) as these both had a limited number of contributing resources. However, the north side of Victoria Street, which includes several heavily altered and new buildings, has been included due to the high concentration of contributing resources on the south side of the street.

## 7.3 Review of the HCD Boundary Options

### 7.3.1 Initial HCD Boundary Options

The initial draft report completed in May of 2023 reviewed two options for the proposed HCD boundaries which both met the criteria to warrant designation under Part V of the OHA as a sub-set of the Study Area. Please note that these options were developed prior to the establishment of sub-categories of contributing properties (Contributing ‘A’ and ‘B’) **Figures 37 and 38** identify the suggested boundary limits, contributing resources, designated properties (under Part IV of the OHA) and landmarks. Option 2

included a higher concentration of contributing resources in comparison to Option 1 which includes the western end of the Study Area. Although the western end included several contributing properties, they were dispersed due to intermittent groupings of non-contributing properties. The initial report recommended Option 2 as it contained a higher concentration of heritage resources and included the majority of properties that have physical and historical associations and architectural groupings (see sub-section 6.3.4.).



*Figure 37 & 38: (above) Option 1 for the Proposed HCD Boundary; (below) Option 2 for the Proposed HCD Boundary (Source: MHBC, 2023)*

### 7.3 District Boundary Recommendation

Based on further refinement of the approach to discerning Contributing Status of properties based on the prescribed O. Reg 9/06 and the feedback and input from the public consultation and engagement process (reviewed in Sub-section 5.2.4 of this report), it is recommended that Option 1 be pursued to best address the conservation of the character area seen in **Figure 29**.



Figure 39: Recommended HCD Boundary (Source: MHBC, 2023)

# 8.0 Recommended Objectives of District Designation

## 8.1 Introduction

Section 40 (2)(c) of the OHA identifies that a HCD Study shall consider and make recommendations as to the objectives of designation of the area as an HCD. The purpose of the HCD study is to identify the heritage character and attributes of an area and provide a rationale for designation and appropriate boundary. The purpose of the HCD Plan is to manage change within the District while ensuring the District's identified cultural heritage resources are conserved and protected. Most HCD Plans provide both policies and guidelines which are tailored to suit the unique character of the area. Policies are prescriptive and direct what 'must' occur, while guidelines are intended to provide direction on a particular course of action and describe what 'should' occur.

Given the various and diverse interests and values that may exist within the recommended HCD area, it is important to recognize the assumptions and objectives that are to be sought in managing and overseeing it. The following sections should form the HCD Plan if a decision is made to proceed with this phase of the process.

## 8.2 Objectives of Designation of HCD

The primary objective of the proposed designation of the Melville Street HCD Study Area as an HCD is to manage change in a manner that results in the conservation of its unique cultural heritage character and heritage attributes.

The term "conservation" is defined by the *Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada* as follows:

*All actions or processes that are aimed at safeguarding the character defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve "Preservation," "Rehabilitation," "Restoration," or a combination of these actions or processes.*

The purpose of an HCD is not to “freeze” or restore the physical components of a historic place to a particular period of time. Instead, the goal of conservation (through the HCD Plan) is to maintain the identified character as described in this Study; this is achieved through providing policies and guidelines for appropriate change management of a designed cultural heritage landscape, which continues to evolve.

In designating the Study Area, or a portion thereof, under Part V of the OHA, several key objectives are sought as follows:

- To maintain and conserve the cultural heritage character and heritage attributes of the identified character areas within the Melville Street HCD Study Area;
- To ensure the continued appreciation, enhancement and interpretation of the heritage resources located within the recommended boundary;
- To avoid the loss or removal of heritage buildings and landscape features and encourage only those changes that are undertaken in a manner that if such alterations were removed in the future, impacts to the essential form and integrity of the heritage property and materials would be minimized or avoided;
- To encourage building and property owners to make repairs and undertake maintenance of property in order to conserve the overall character and appearance of the District and preserve authentic heritage fabric;
- To maintain the low-profile built form within the District, which is generally that of a 1.5 -2.5-storey building height, and to permit greater heights where it is compatible with the District objectives;
- To support existing uses and the appropriate adaptive re-use of heritage buildings;
- To prevent the establishment of those land uses and associated built forms which would be out of keeping with or have adverse effects on the identified character of the District;
- To prevent the demolition of existing buildings, natural features, or structures which are contributing to the identified heritage character, unless necessary for matters related to public safety;
- To facilitate appropriate new development, infill, and alterations (such as Secondary Dwelling Units), that is sensitive to, compatible with, and distinguishable from the character of the District;
- To support the continuing care, conservation, and maintenance of heritage properties wherever appropriate by providing guidance on sound conservation practice and encouraging applications for funding for eligible work; and,
- To examine available financial incentive programs and finding sources and support the adoption of other appropriate funding programs within the City's

capability to provide ongoing support to District property owners for applicable projects.

### **8.3 Recommended Melville Street HCD Plan Content**

Policies and guidelines for contributing cultural heritage resources would be intended to conserve authentic heritage fabric and manage change appropriately. Policies and guidelines for non-contributing properties would be intended to allow for compatible new development which minimizes or avoids impacts. The policies and guidelines of the HCD Plan would consider the type of tangible cultural heritage resource, being either built heritage structures or natural heritage resources, and those which are intangible, such as views.

It is expected that the Melville Street HCD Plan will contain a number of provisions that satisfy the requirements of Subsection 41.1(5) of the OHA including the following:

- A statement of the objectives to be achieved in designating the area as an HCD;
- A statement explaining the cultural heritage value or interest of the HCD;
- A description of the heritage attributes of the HCD and of properties within the District;
- Policies for both contributing and non-contributing resources in order to provide a balance between the conservation of the heritage character of the area, while guiding compatible new development (including infill, redevelopment, and Secondary Dwelling Units (SDUs));
- Design guidelines for alterations and additions to contributing buildings and structures;
- Design guidelines for alterations and additions to non-contributing buildings and structures;
- Policies regarding the demolition and removal of buildings and structures;
- Landscape conservation guidelines for both public and private property;
- Funding initiatives;
- Recommended changes to municipal planning and administrative procedures; and
- Descriptions of alterations or classes of alterations that can be carried out without obtaining a heritage permit under section 42 of the OHA.

The above items should be carried forward to future work on the recommended HCD Plan.

## 8.4 Considerations for the City of Hamilton Official Plan and By-laws (including Zoning By-law)

Many policy changes have been introduced or amended by the Provincial government in recent months. As a result, several of the City's policy documents, guidelines and application processes will be required to be updated or amended to address these changes. As a result, modifications to policies surrounding the protection of heritage resources, what qualifies as a heritage resource, along with requirements and permissions for assessing properties may be impacted. There may be an opportunity for the City to utilize more generalized wording in order to ensure that any current or future Heritage Conservation Districts are included in any specific requirements or processes.

Schedule "E" of the Official Plan identifies the area surrounding downtown Dundas as a "Community Node", this includes the eastern portion of the Study Area ending at Market Street North, while Schedule "E1" designates the area along King Street West as "Mixed Use – Medium Density" from Dundas Street/East Street North ending at Market Street North. Policies for both of these designations reiterate the importance of conserving areas of heritage value associated with the downtowns of the former municipalities of Dundas, Ancaster, Stoney Creek and Waterdown and their surrounding neighbourhoods, as well as including additional policies that provide guidance to ensure that new development or redevelopment in these areas is done in a manner that is appropriate and respectful to historic built form and character of the area through adequate transitions, design and built form, while promoting walkable communities. Policies within the Community Node and Mixed Use – Medium Density designations states that the City shall define downtown boundaries, heights and densities through secondary planning processes or other detailed planning initiatives, however, currently no secondary plan or detailed planning initiative exist for the area surrounding downtown Dundas.

Furthermore, the entirety of the Study Area falls within Established Historical Neighbourhoods which are subject to specific Official Plan policies that seek to ensure the appropriateness of alterations, additions, or new construction. While these policies are in place, they are only enforced if a property is subject to a *Planning Act* application, including Minor Variance or Consent applications. Despite these policies, there are numerous properties within Established Historical Neighbourhoods where developments have been permitted that are not in keeping with the surrounding historic context. The Study Area, much like many other Established Historical Neighbourhoods

throughout Hamilton, provides desirable locations and large lot fabric, however, may not provide the scale and massing of housing stock that is desirable in the 21<sup>st</sup> century. This can result in the demolition and new construction of incompatible built form that detracts from the historic character of an area. Additionally, as a result of new Provincial legislation and the demand and opportunity for alternative housing options, municipalities may see an increase in the number of applications for new buildings and alternative housing options. As such, there may be a need for the City to implement additional policies and guidelines within the Established Historical Neighbourhoods policy section to further enforce and ensure compatible built form.

Lastly, the Tree Preservation By-law 4513-99 that applies to specific areas within Dundas would be required to be amended to include any new Heritage Conservation District boundaries as a result of the outcome of this Study and any subsequent Plan. Given mature vegetation is typically an attribute that contributes to the character of an HCD, should the City of Hamilton proceed with a City-Wide Tree Preservation By-law, it is suggested that wording be included that speaks to Heritage Conservation Districts in general, rather than specific mention of each district. This would reduce the administrative tasks associated with amending the By-law as new Heritage Conservation Districts are approved.

## **8.5 Other Considerations**

The future HCD Plan process should further investigate financial incentive options and provide recommendations for potential additional incentives that City Staff and Council could explore.

Should the City not wish to proceed with Part V designation of the entire Study Area, or a portion thereof, and understanding the context of the Established Historical Neighbourhood across the entirety of the City, the City could seek to explore alternative options to incentive the protection of heritage resources, not just those protected under the OHA. Innovative programs or guidelines could assist in offering desirable alternatives and incentives to retaining heritage assets across all Established Historical Neighbourhoods while not completely prohibiting demolition or new development. Established Historical Neighbourhoods within Hamilton generally include high concentrations of character properties that contribute to the historic character of the City, alternatives could assist in encouraging retention, provide economical and administrative relief to the City, while allowing for property owners to address contemporary housing needs.

## 9.0 Conclusion

The Melville Street Heritage Conservation District Study has followed the requirements of the OHA as it relates to the required components of a Heritage Conservation District Study and the prescribed regulation. The Study has determined that the Study Area meets the prescribed criteria under O Reg 9/06 to warrant designation under Part V of the OHA. The Statement of Cultural Heritage Value or Interest and associated heritage attributes are provided in sub-section 6.5 of this report.

The research, field work, inventory work, and public consultation has resulted in the formulation of the recommended District boundary as presented in sub-section 7.3 of this report. This boundary is based upon, and consistent with, the legislative criteria for HCDs, as set out in the Ontario Heritage Toolkit, which includes a framework of structured elements, a concentration of cultural heritage resources, distinctive character and visual coherence of features as detailed in this report.

Based on the work undertaken as part of the Study, this Study recommends that the HCD boundary proposed in this report be pursued as an HCD and that there is merit in proceeding with the preparation of an HCD Plan.

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