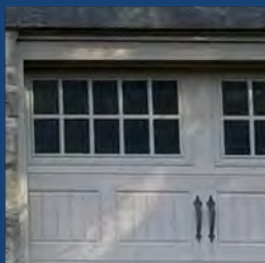
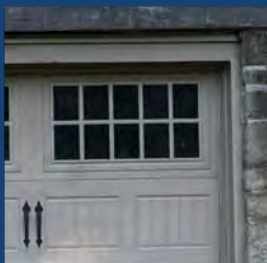
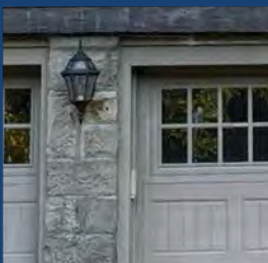
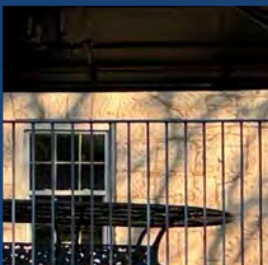


## CULTURAL HERITAGE IMPACT ASSESSMENT

159 & 163 Sulphur Springs Road,  
Hamilton, Ontario

Prepared For 2691715 Ontario Inc. &  
2568843 Ontario Inc. (Mizrahi Developments)





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# BACKGROUND INFORMATION

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The Subject Lands are located at 159 and 163 Sulphur Springs Road, Ancaster, Ontario ('Subject Lands'), are presently owned by 2691715 Ontario Inc. & 2568843 Ontario Inc. (*Mizrahi Developments*). Contact information is provided below:

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This combined Cultural Heritage Evaluation and Heritage Impact Assessment was prepared by The Biglieri Group Ltd. ("TBG"). TBG is an urban planning, design, and heritage consulting firm based out of Toronto and Hamilton that specializes in the conservation and stewardship of cultural heritage resources across Ontario.

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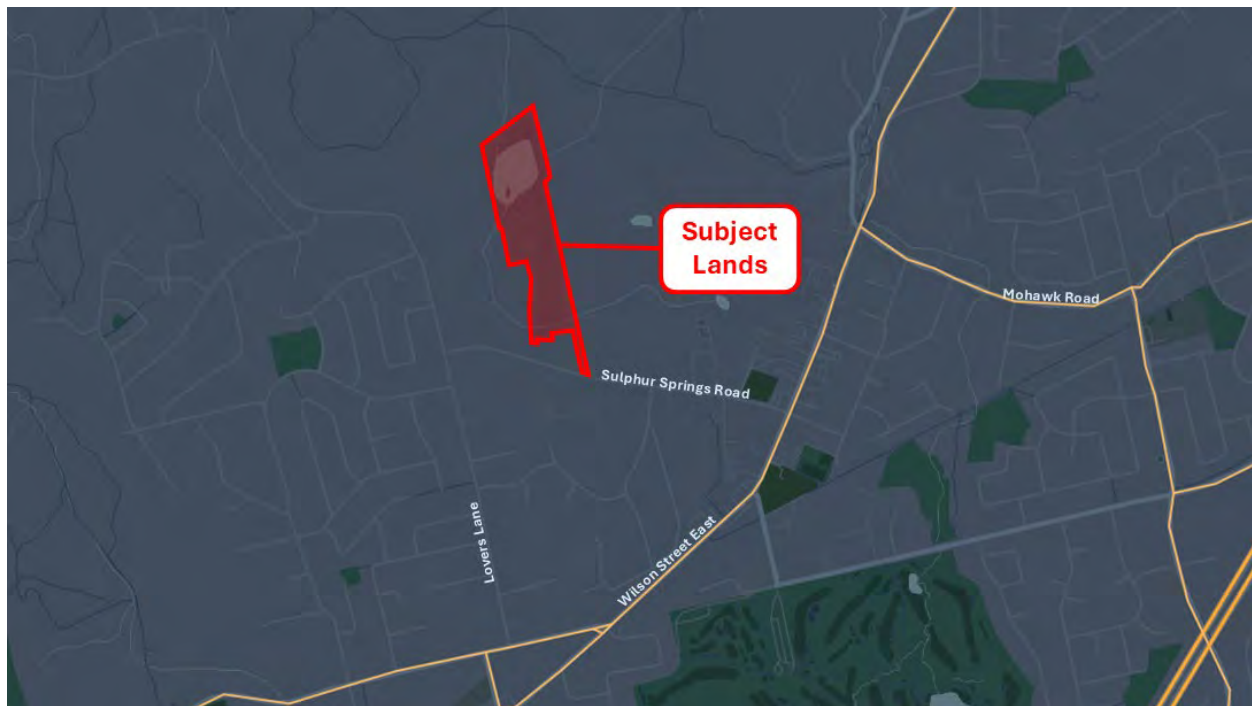
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# 1.0 INTRODUCTION

The Biglieri Group Ltd. (“TBG”) was retained by Mizrahi Developments (the “Owners”) to prepare a joint Cultural Heritage Evaluation Report (“CHER”) and a Cultural Heritage Impact Assessment (“CHIA”) for the properties municipally addressed at 159 and 163 Sulphur Springs Road, Hamilton, Ontario (the “Subject Lands”) (see Figure 1 – Location map). The Subject Lands are proposed to be redeveloped as a residential subdivision consisting of single-detached and townhouse dwellings, along with additional private outdoor greenspace, a conservation block, and private roads. The proposed development requires a Niagara Escarpment Plan Amendment, an Official Plan Amendment and Zoning By-law Amendment for the site to be developed with a Draft Plan of Condominium. A Site Plan application will be submitted at a later time.

*Figure 1 - Location Map*



Source: VuMap, 2025

As part of the Subject Lands, the property located at 163 Sulphur Springs Road has been identified as an “inventoried” as a potential cultural heritage resource; however, the subject lands are not included on the City of Hamilton’s Municipal Heritage Register (the “Register”) as either a listed (non-designated) or designated properties. As of the time of writing, the Subject Lands are not located within a Heritage Conservation District, are not within an identified Cultural Heritage Landscape, and are not within or adjacent to an identified heritage view corridor.

The Subject Lands are located adjacent to one (1) listed, non-designated property under section 27(3) of the Ontario Heritage Act on the City's Municipal Heritage Register, which is located at 437 Wilson Street East, Ancaster (described in the City's inventory as "Registered – Candidate for Designation"). The Subject Lands are also adjacent (contiguous) to 211 Sulphur Springs Road. Furthermore, the Subject Lands are adjacent to a segment of Sulphur Springs Road which has been inventoried by the City as a Cultural Heritage Landscape. These properties and Cultural Heritage Landscape are assessed as part of this impact assessment.

As the Subject Lands include an inventoried property and are adjacent to potential cultural heritage resources, the City of Hamilton (the "City") has requested a CHIA for the Subject Lands as part of the planning applications for the proposed redevelopment. As only the property at 163 Sulphur Springs Road has been identified as having potential cultural heritage value, the report focuses on determining the cultural heritage value of this property and relevant impact assessment based on the outcome of the evaluation. In saying that, the following report will specifically refer to the property at 163 Sulphur Springs Road as "the Site" as identified in Figure 2. The report is based on the Cultural Heritage Impact Assessment Guidelines provided by the City.

*Figure 2 - Location Map*



Source: VuMap, 2025

This combined CHER and CHIA has been prepared on behalf of the Owners to understand whether the Site has any cultural heritage value or interest under *Ontario Regulation 9/06* ("O.Reg. 9/06") of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 ("OHA"); the evaluation is made without regard to pre-determined or desired outcomes. Based on the findings,



recommendations will be made as to whether the Site requires further conservation or whether it should be recommended for removal from the inventory. If the Site has significant cultural heritage value, a Statement of Cultural Heritage Value will be developed and heritage attributes identified; the report will also whether a designation under Part IV, Section 29 of the OHA should be considered.

A clear understanding of a Site's cultural heritage value or interest can both ensure its long-term conservation and identify opportunities for flexibility and change early in the planning process. The conclusions drawn in the evaluation section summarize the research and evaluation that was undertaken for the site, and any recommendations put forward related to conservation.

In addition, this report also contains a CHIA component. The purpose of this CHIA is to assess whether the proposed development will negatively impact the cultural heritage value of a property. It takes the heritage significance and attributes of a site identified through the cultural heritage evaluation and assesses how these can be conserved within the context of redevelopment. This CHIA will examine seven types of potential negative impacts: the destruction of all or part of a significant heritage attribute or feature, alterations that are incompatible with the historic fabric and appearance, shadows that affect the visibility or viability of heritage attributes or landscapes, the isolation of a heritage feature from its historical context, obstruction of significant views or vistas, changes in land use that diminish heritage value, and land disturbances that potentially affect archaeological resources.

Overall, the combined CHER and HIA results in a comprehensive assessment of potential impacts, and outlines strategies to balance development with heritage conservation.

## 2.0 SUBJECT LANDS AND SURROUNDINGS

### 2.1 The Subject Lands

The Subject Lands, which includes 159 and 163 Sulphur Springs Road, are situated on the north side of Sulphur Springs Road, northeast of the intersection of Lovers Lane and Sulphur Springs Road and northwest of Mansfield Drive and Sulphur Springs Road. The Subject Lands are located in the Community of Ancaster in the City of Hamilton. They form an irregularly shaped lot, that consists of two parcels with separate Property Identification Numbers (PINs). The northern portions of the properties make up the balance of the land, while a strip that runs along the southeast property boundary forms an access (drive aisle) that connects the Sulphur Springs Road. The Lands are legally described as:

159 Sulphur Springs Road: PT LT 43 CON 2 ANCASTER BEING PT 10 ON 62R8122 AND AS IN VM155603; T/W VM155603 CITY OF HAMILTON

163 Sulphur Springs Road: PT LT 43, CON 2 ANCASTER, AS IN VM214200, EXCEPT PARTS 1 & 2 ON PLAN 62R21629; S/T VM214200 CITY OF HAMILTON

*Figure 3 – Subject Lands*



Source: VuMap, 2025

The Subject Lands are approximately 10.03 hectares (24.78 acres) in size and reflect a centrally located portion of the original lot fabric of Lot 43, Concession 2, in the former

Township of Ancaster. The Lands have approximately 20.75 metres of frontage on the north side of Sulphur Springs Road.

There is currently one access point to the Subject Lands that is from Sulphur Springs Road. It is a long, narrow drive aisle (approximately 128 metres) and runs along the southeastern property boundary. It is a gravel driveway that has vegetation on either side.

The existing conditions of the Subject Lands and development are described in the following segments as detailed below (see *Appendix A* for survey of the Subject Lands):

1. **159 Sulphur Springs Road:** The northern property is approximately 6.77 hectares in size and is accessed from the driveway that runs through the southern property. It has the following features:
  - a) A residential dwelling that is centrally located.
  - b) A large pond that is surrounded by vegetation.
2. **163 Sulphur Springs Road:** The southern property is approximately 3.06 hectares in size and has access to Sulphur Springs Road. It includes the following features:
  - a) A residential dwelling is located near the western property boundary.
  - b) A gravel driveway runs along the eastern property boundary. It provides access to the residential dwelling and connects to the parcel to the north.
  - c) A tennis court is located towards the eastern property boundary adjacent to the residential dwelling.
  - d) Former pool and pool house.
  - e) A pond is located south of the dwelling.

The details of the above-mentioned built and landscape features for the Site located at 163 Sulphur Springs Road are described in detail in Section 5.0 of this report.

The City of Hamilton consists of urban areas, as well as rural, agricultural, and open space areas. The City is regulated by two official plans, the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP). The Subject Lands border the City's *Urban Boundary* per the City's Official Plans, with the balance of the Lands located in the *Rural Area*. The Lands are also located within the Niagara Escarpment Plan Area. They are surrounded by residential uses primarily consisting of single detached dwellings that form the Community of Ancaster. The Dundas Conservation Area is located to the immediate north.

## 2.2 Adjacent and Surrounding Context

The Subject Lands are situated in a predominantly residential area on the City's urban/rural boundary. The lands to south and the west of the site are primarily comprised of residential dwellings associated with the Community of Ancaster. The properties closest to the Lands consist of single-detached residential dwellings on large, estate sized lots. There is a residential subdivision located further south and west of the Lands that features single detached dwellings on smaller lots. Lands to the north and east of the site are located within the Greenbelt Plan Area, and include the Dundas Valley Conservation Area, which consists of woodlands with passive recreational uses. The road adjacent to the Subject Lands is Sulphur Springs Road, which provides an east/west connection between Lovers Lane and Wilson Street East in Ancaster. The Subject Lands are west of the downtown Old Ancaster.

*Figure 4 - Aerial Context Map*



Source: Google Maps, 2025

## 2.3 Heritage Context

The property located at 159 Sulphur Springs Road is not inventoried, listed (non-designated), designated or otherwise protected under the Ontario Heritage Act and is not subject to the evaluation or impact assessment provided in this report.

The property located at 163 Sulphur Springs Road is identified by the City as an 'inventoried' property that has potential cultural heritage value or interest. The Site, however, is neither



“listed” (non-designated) nor designated on the City’s Municipal Heritage Register. Furthermore, it is not part of a recognized cultural heritage landscape, Heritage Conservation District, or the focus or part thereof of an identified heritage view or vista. As a result, the Subject Lands have no heritage status under the OHA and are not subject to any legal protections.

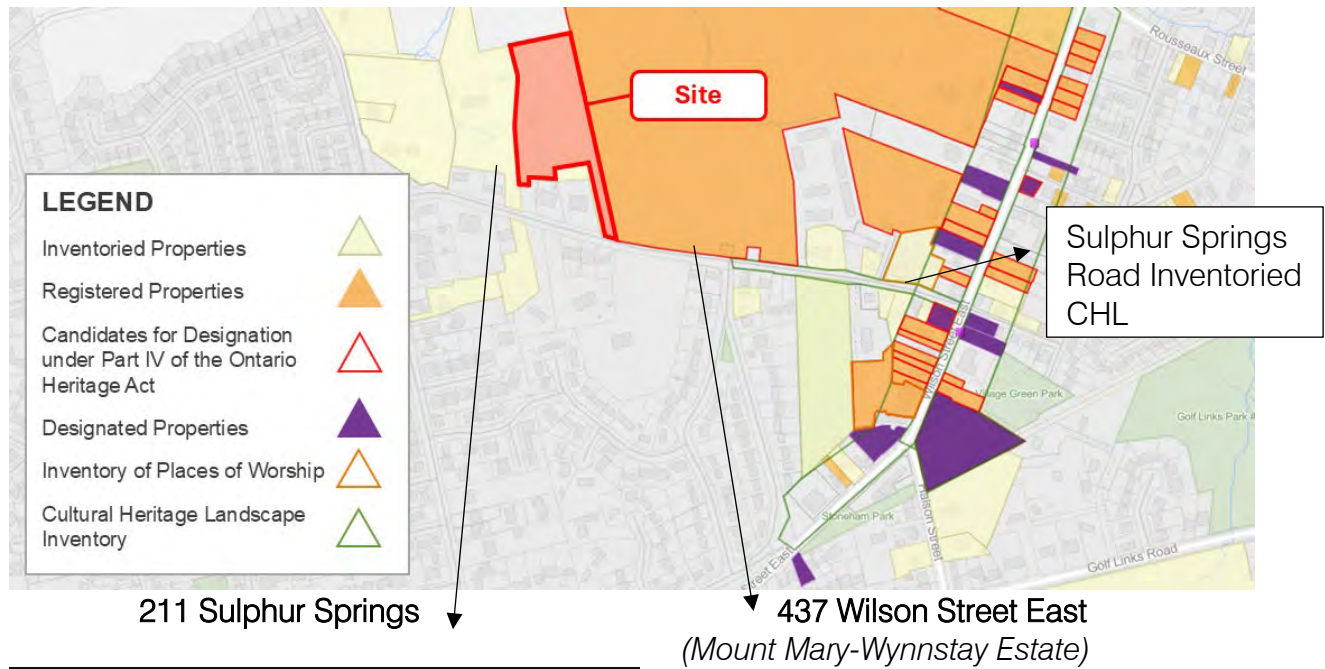
The Site was added to the City of Hamilton’s Inventory of Heritage Properties in 2017 when it was surveyed by the City, which was prompted by the City’s pre-confederation building initiative in celebration of the 150<sup>th</sup> anniversary of the Canada’s Confederation. This initiative by default added properties to the City’s inventory based on construction dates of 1867 and prior as identified by the Municipal Property Assessment Corporation (“MPAC”) records and not by means of a comprehensive evaluation. The Site was included in the inventory as the MPAC records identified a construction date of 1850 for the property.

The Subject Lands are adjacent (contiguous) to the following inventoried and listed (non-designated) properties (see Figure 5- Heritage Context Map):

- **East:** 437 Wilson Street East (Mount Mary-Wynnstay Estate – listed (non-designated) on the City’s Municipal Heritage Register and considered a candidate for designation).
- **West:** 211 Sulphur Springs Road (inventoried).

Additionally, a portion of Wilson Street East and Sulphur Springs Road (east of the Site) is inventoried as a Cultural Heritage Landscape (CHL), however, is along the Subject Lands. The below figure illustrates the surrounding heritage context. Figure 5 is not exhaustive of all properties that may be included within the Register on the map extents and is intended to show the adjacent context only.

Figure 5 - Heritage Context Map



Source: City of Hamilton, 2025





## 3.0 PROPOSAL

A development proposal has been submitted for the Subject Lands requesting a Niagara Escarpment Plan Amendment, a City of Hamilton Official Plan Amendment, and a Zoning By-law Amendment. The proposed development applications would facilitate the development of a 75-unit condominium (see Figure 6- Conceptual Site Plan and *Appendix B* for larger version of the Conceptual Site Plan). The proposal comprises of a mix of 14 single-detached and 61 townhouse dwellings, along with additional private outdoor greenspace, a conservation block, and private roads. The proposed unit mix is 61 townhouse dwellings and 14 single detached dwellings. The proposed development concept would require the removal of the extant buildings and structures associated with 163 Sulphur Springs Road; the extant dwelling is currently located partly within a roadway and within the location of five (5) townhouse units (see Figure 7-Detailed View of Extant Dwelling On-site). The extant dwelling associated with 159 Sulphur Springs Road is to be retained and incorporated in the development with access off a proposed cul-de-sac. Natural features associated with the existing pond along the south side of the property of 163 Sulphur Springs Road is intended to be retained and incorporated into the development as part of the proposed private open space.

The development proposes to retain and enhance the natural trail system throughout the northern portion of the Lands, as well as enhance the overall stormwater management system to protect key natural heritage features. The existing recreational trail around the existing man-made pond and through the naturalized areas will be retained and enhanced to serve residents. Passive recreational trails will be enhanced to provide future residents with access to naturalized area.

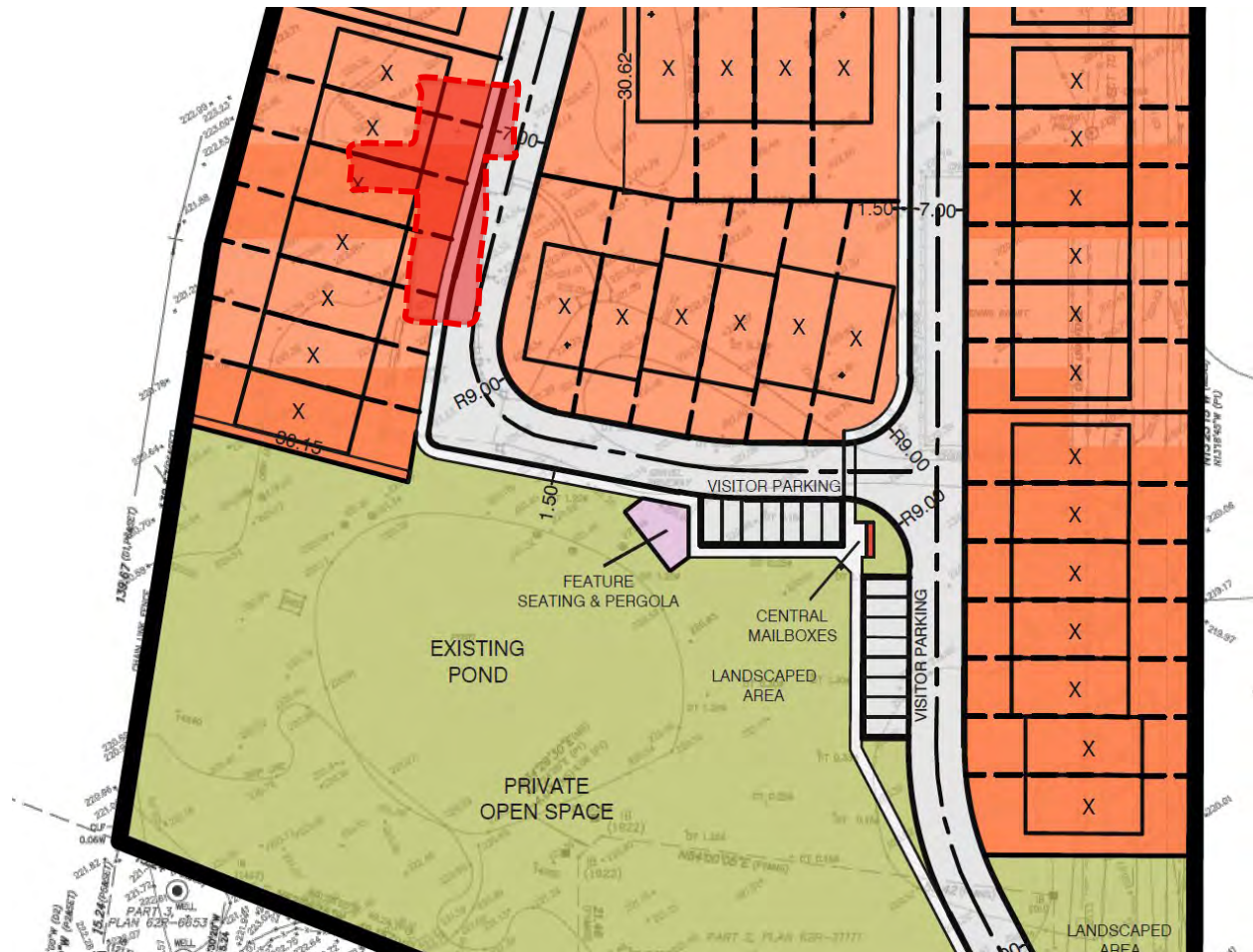
The proposed development will utilize the existing driveway access from Sulphur Springs Road, widening it slightly (0.1 hectares) to ensure safe access. A new internal road network will be constructed to support the development with a serviced road length of 700 metres. The development proposes 31 visitor spaces which are dispersed throughout the site; 15 visitor spaces are proposed upon entry into the subdivision adjacent to the naturalized landscaped pond area. Existing municipal servicing is available along Sulphur Springs Road and will be extended into the Lands to service the proposed redevelopment. Further to this, a private sanitary pumping station will be installed as a result of the lower elevation at the northern end of the Lands and requires pumping to achieve necessary pressure to flow to the municipal infrastructure along Sulphur Springs Road.

Figure 6 – Conceptual Site Plan



Source: October 15, 2024

Figure 7 – Detailed View of Location of Extant Dwelling on Site in Red



Source: October 15, 2024

## 4.0 POLICY CONTEXT

### 4.1 Planning Act

The Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The Planning Act includes several sections that speak to matters relating to cultural heritage, including those matters of provincial interest in Section 2, which among other matters, states that:

*2 The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*

*(d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest; [...].*

In order to refine the matters of provincial interest described in Section 2 of the Planning Act, the Minister of Municipal Affairs and Housing, or the Minister together with any other minister of the Crown, issues policy statements on matters relating to municipal planning that are of provincial interest. In this regard, the 2024 Provincial Policy Statement was prepared, which sets the rules for land use planning in Ontario.

### 4.2 Provincial Planning Statement, 2024

On August 20, 2024, the Ministry of Municipal Affairs and Housing (“MMAH”) released a new Provincial Planning Statement (“2024 PPS”), which came into force and effect on October 20, 2024. The 2024 PPS is intended to be a streamlined land use policy framework and has replaced the 2020 Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe 2019. It builds on housing-supportive policies from both documents and provides municipalities with the tools and flexibility to increase housing supply, align development with infrastructure for a competitive economy, support rural viability, and protect agricultural lands, the environment, and public health and safety.

In this regard, Section 4 of the 2024 PPS provides policy direction on the wise use and management of resources in Ontario, including cultural heritage and archaeological resources. Section 4.6 specifically provides policy direction on cultural heritage and archaeology, providing the following policies:

- 1. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*

2. *Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*
3. *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.*
4. *Planning authorities are encouraged to develop and implement:*
  - a) *archaeological management plans for conserving archaeological resources; and*
  - b) *proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.*
5. *Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources and cultural heritage landscapes.*

A protected heritage property is a defined term in the 2024 PPS, and means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Significant heritage resource is also a defined term in the 2024 PPS and means, in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Accordingly, the policies of 4.6.1 and 4.6.4 apply to as it relates to understanding the significance of the heritage value that could be tied to the subject site, and therefore, have been captured in this report. The focus for heritage conservation in Ontario, as per the 2024 PPS, has now shifted to conserving protected heritage properties (which excludes the subject site), which means properties listed or inventoried but not designated are not provincial priorities for conservation.

This Cultural Heritage Evaluation Report evaluates the subject site to determine its cultural heritage value or interest, building an understanding whether there should be consideration for designation (leading to long-term conservation) or, alternatively, removal from the Town's Heritage Register. The CHER aims to evaluate the subject site under O.Reg 9/06 which sets out the provincial criteria to determine cultural heritage value or interest, identify specific

heritage attributes, provide a comparative analysis of comparable properties / structures in the Town, and if applicable, draft a statement of significance, which will help determine next steps related to conservation, if any.

### 4.3 Heritage Act

The Ontario Heritage Act, R.S.O. 1990, c. O.18 (the “Heritage Act”), is provincial legislation that sets out the ground rules for the protection of heritage properties and archaeological sites in Ontario. The Heritage Act came into force in 1975, and has been amended several times, including in 2005 to strengthen and improve heritage protections in Ontario, and in recent years through Bill 108 in July 2022, in November 2022 through Bill 23, in December 2023 through Bill 139, and then again in June 2024 through Bill 200, (i.e., the Homeowner Protection Act, 2024).

Under the Heritage Act, O. Reg. 9/06 sets out the criteria for determining cultural heritage value or interest for properties that may be designated under Section 29 of the Heritage Act, which were amended following Bill 23 through O. Reg. 569/22.

Bill 23 received Royal Assent on November 28, 2022, and has now been enacted as Chapter 21 of the Statutes of Ontario, 2022.

Under Bill 23, “listing” a property on the Register requires that they meet one or more of the prescribed criteria set out in O. Reg. 9/06 (Criteria for Determining Cultural Heritage Value or Interest) under the Heritage Act. Furthermore, to “designate” a property under Part IV of the Heritage Act (i.e., an individual designation), properties must now meet two or more of the nine prescribed criteria set out in O. Reg. 9/06. These criteria are as follows:

1. *The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.*
2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*
4. *The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.*
5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*



6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.*
7. *The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.*
8. *The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.*
9. *The property has contextual value because it is a landmark.*

## 4.5 Ontario Heritage Tool Kit

The Ontario Heritage Tool Kit (“OHTK”) is a series of guides that are designed to help illustrate the heritage conservation process in Ontario. The OHTK guides explain the steps to undertake the identification and conservation of heritage properties using the Ontario Heritage Act. They also describe the roles that community members can play in municipal heritage conservation, as participants on municipal heritage committees, or through local research conducted by groups with an understanding of heritage.

Following recent amendments to the Heritage Act, the OHTK was updated to assist users to understand the changes. Some changes to the Heritage Act came into effect as O. Reg. 385/21 on July 1, 2021. In May of 2025, an updated OHTK was released to the public.

The OHTK documents that are entitled “Heritage Property Evaluation,” and “Designating Heritage Properties” are the most applicable to this CHER section of this report. The “Heritage Property Evaluation” document is a guide to listing, researching, and evaluating cultural heritage properties. The “Designating Heritage Properties” document is a guide to municipal designation of individual properties under the Ontario Heritage Act.

Under the Heritage Act, O. Reg. 9/06 sets out the criteria for determining cultural heritage value or interest. Under O. Reg 9/06, a property may be designated under Section 29 of the Heritage Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest. However, O. Reg 9/06 does not consider matters that relate to the heritage integrity of buildings or structures.

In this regard, Section 5.3 of the OHTK document “Heritage Property Evaluation” provides that a heritage property does not need to be in original condition, since few survive without alterations between their date of origin and today. Integrity then, becomes a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

Accordingly, buildings that have been irreversibly altered without consideration for design, may not be worthy of long-term protection. When surviving features no longer represent the design, the integrity has been lost. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, warrants an assessment of integrity. If a building has an association with a prominent owner, or if a celebrated event took place there, it may hold cultural heritage value or interest, but the challenge comes with defining the specific type of association.

Cultural heritage value or interest may also be intertwined with location or an association with another structure or environment. If these have been removed, the integrity of the property may be seriously diminished. As well, cultural heritage value or interest can be found in the evolution of a heritage property, as much can be learned about social, economic, technological, and other trends over time. The challenge again, is being able to differentiate between alterations that are part of an historic evolution, and those that are expedient and offer no informational value.

The OHTK document “Designating Heritage Properties” provides draft guidance on conserving the heritage value of a designated property. While the subject site is not a designated property under the Heritage Act, the guidance provided in this section is still helpful, as it speaks to matters regarding the loss of heritage integrity.

Accordingly, if a property is noted as being important for its architectural design or original details, and that design has been irreparably changed, it loses its heritage value and its integrity. Likewise, if a property is designated for its association with a significant person or event, but the physical evidence from that period has disappeared, the property’s cultural heritage value is diminished. For example:

What a difference it makes to see the symbols and hideaway places associated with the Underground Railroad in a building, compared with only the ability to say, “this happened here.”

As well, the same consideration applies to contextual qualities. A building, structure or other feature that has lost its context, has lost an important part of its heritage value.

The original OHTK consist of five documents, and the document entitled Heritage Resources in The Land Use Planning Process which includes InfoSheet #5 is most applicable to the HIA section of this report. InfoSheet #5 of the Ontario Heritage Toolkit provides guidance on preparing Heritage Impact Assessments (HIAs) and Conservation Plans. It outlines the purpose, scope, and recommended content of these documents, emphasizing their role in assessing potential impacts of proposed developments or site alterations on cultural heritage resources. The InfoSheet also offers direction on developing strategies to mitigate negative effects and ensure the conservation of heritage attributes in accordance with provincial policies and standards.

According to InfoSheet #5, a HIA evaluates whether a proposed development or site alteration impacts cultural heritage resources, including previously identified features or those discovered during an evaluation. It identifies measures to conserve heritage resources within redevelopment contexts and may recommend mitigative strategies or alternative approaches. The assessment identifies and evaluates any direct or indirect physical or aesthetic impacts of the development on cultural heritage resources. Negative impacts typically include the destruction or unsympathetic alteration of heritage attributes, shadows affecting shadow-sensitive uses, isolation from context, obstruction of significant views, changes in land use, or land disturbances altering soils and drainage patterns. If no cultural heritage value or interest exists, then there are no heritage impacts.

## 4.6 City of Hamilton (Rural and Urban) Official Plan

The City of Hamilton has two Official Plan (“OP”) documents, one that pertains to the City’s urban areas and one that pertains to its rural areas. The Site straddles the City’s *Urban Boundary* meaning that both urban and rural OPs apply. The southern portion of the Site that primarily consists of the driveway access to the Site is located within the City’s Urban Area and is subject to the Urban Hamilton Official Plan (“UHOP”). The area is designated as *Neighbourhoods* per the Schedule E-1 of the UHOP. The northern portion of the Site where the residential dwelling is located is within the City’s Rural Hamilton Official Plan (“RHOP”). This portion of the Site is designated as *Rural* per Schedule D of the RHOP.

Policies addressing the management and conservation of cultural heritage resources are generally consistent within both the UHOP and RHOP and are found in Section B3.4 of both plans, as summarized below.

Per Policy 3.4.2.1a, the City shall conserve cultural heritage resources including archaeological resources, built heritage resources, and cultural heritage landscapes. Policy 3.4.2.1 further requires that the City, in partnership with other actors, complete the inventory, survey and evaluation of potential resources. Policy 3.4.2.9 of the RHOP provides the following criteria for the evaluation through a Cultural Heritage Evaluation Report (CHER):

- a) prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development, and use of land in the City;*
- b) prehistoric and historical associations with the life or activities of a person, group, institution, or organization that has made a significant contribution to the City;*
- c) architectural, engineering, landscape design, physical, craft, or artistic value;*
- d) scenic amenity with associated views and vistas that provide a recognizable sense of position or place;*
- e) contextual value in defining the historical, visual, scenic, physical, and functional character of an area; and,*
- f) landmark value.*

Per Policy 3.4.2.11, the City will require the completion of a Cultural Heritage Impact Assessment (CHIA) prior to or at the time of any application submission where the proposed development has the potential to adversely affect, among other items, properties that are included in the City's Register of Property of Cultural Heritage Value or Interest. Per Policy 3.4.2.12, CHIAs must be prepared in accordance with applicable guidelines including Policy F.3.2.3 which outlines the Council adopted guidelines for CHIAs.

This combined CHER and CHIA has been prepared in accordance with the guidelines as set out in Policy F3.2.3 which stipulates that the report must include:

- a) identification and evaluation of all potentially affected cultural heritage resource(s), including detailed site(s) history and a cultural heritage resource inventory containing textual and graphic documentation;*
- b) a description of the proposed development or site alteration and alternative forms of the development or site alteration;*
- c) a description of all cultural heritage resource(s) to be affected by the development and its alternative forms;*
- d) a description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,*
- e) a description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).*

Policy 3.4.5 sets out more specific policies that pertain to built heritage resources. Per these policies, the City shall encourage the retention of built heritage resources in their original locations (Policy 3.4.5.2; 3.4.5.3). Per Policy 3.4.5.5, where a significant built heritage resource is to be unavoidably lost or demolished, the City shall ensure that the proponent undertakes mitigation measures including:

- a) preserving and displaying of fragments of the former buildings' features and landscaping;*
- b) marking the traces of former locations, shapes, and circulation lines;*
- c) displaying graphic and textual descriptions of the site's history and former use, buildings, and structures;*
- d) incorporation of salvaged material in the design of the new development; and,*
- e) generally reflect the former architecture and use in the design of the new development, where appropriate and in accordance with Section B.3.3 – Urban Design Policies.*

## 5.0 HISTORY & EVOLUTION OF SITE

### 5.1 History of Indigenous Communities

Indigenous Communities have occupied the lands now forming Ancaster and the City of Hamilton since time immemorial. The first known human occupation of the area occurred during the Paleoindian Period dating back approximately 12,000 to 9,500 years ago (Archaeological Consultants Canada [ACC], 2024). Subsequent periods of human occupation include the Archaic Period (10,000-2,800 years ago) and the Woodland Period (2,800-450 years ago) (ACC, 2024). The current historic period dates from approximately 450 years ago and is marked by first European contact and settlement (ACC, 2024). During euro-colonial settlement, many Indigenous groups in Southern Ontario were forced into relocation through European treaty purchases, land survey and lot consolidation. The Treaty covering the City of Hamilton and the community of Ancaster is known as Treaty 3, or the Between the Lakes Purchase (Whose Land, n.d.). The Treaty was made in 1792 between the Principal Chiefs of the Mississaugas of the Credit First Nation and John Graves Simcoe, the representative of the British Crown (Whose Land, n.d.). Today, the lands are recognized as the traditional territories of the Erie, Huron-Wendat, Haudenosaunee, and the Mississaugas (City of Hamilton, 2024).

A Stage 1 and 2 Archaeological Assessment has been prepared for the Subject Lands by Archaeological Consultants Canada as part of the first development application made to the City. The Site was identified as having archaeological potential, however through the test pit survey completed as part of the Stage 2 Assessment, no archaeological resources were identified.

### 5.2 County of Wentworth/Regional Municipality of Hamilton-Wentworth

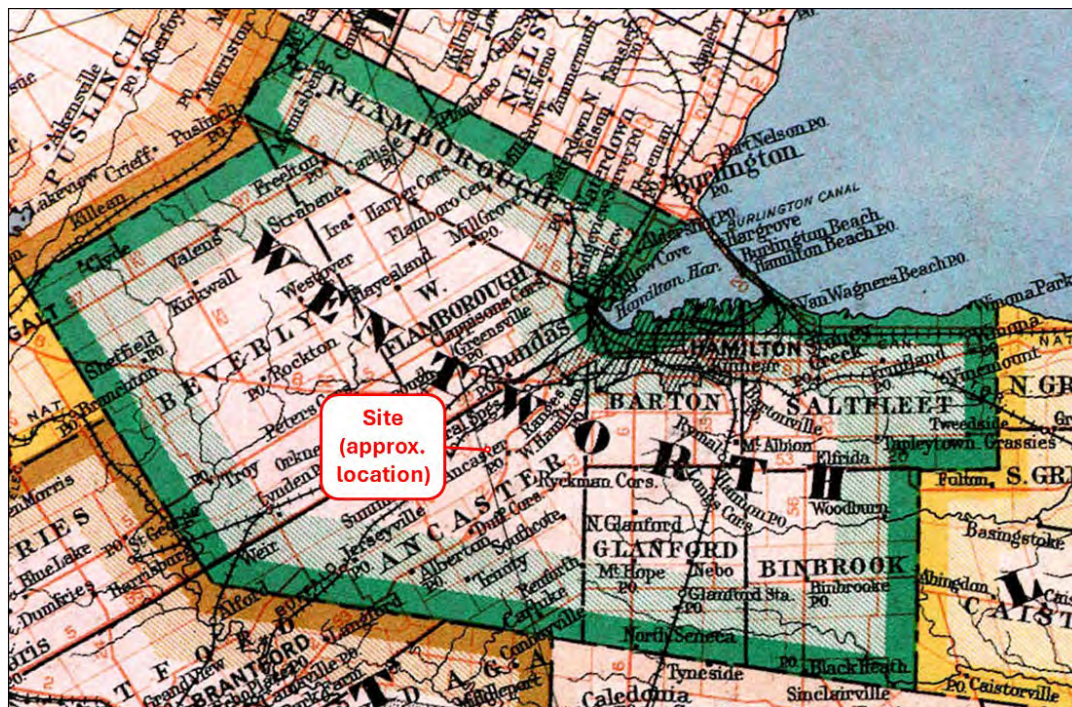
The Site is located in the historic County of Wentworth. Wentworth County was an upper tier governing body and was made up of cities, townships and villages. It was officially enacted in 1849 following the passing of the Municipal Act which repealed the earlier District System that was established following the settlement of Ontario (Smith, 1897). Under the District System, the lands that make up Wentworth County were located within Nassau District and subsequently in the Gore District (Page and Smith, 1875). Wentworth County was originally established under the United Counties of Wentworth, Halton and Brant, however after only a year Brant formed its own county municipality and in 1854 Wentworth and Halton were also separated (Smith, 1897). In 1875, Wentworth County consisted of Hamilton City, Flamboro East, Dundas Village, Flamboro West, Ancaster Township, Glanford Township, Binbook Township and Saltfleet Township (Page and Smith, 1875).

The County of Wentworth was superseded by the Regional Municipality of Hamilton-Wentworth in 1973. The transition away from the Township/County structure towards

regional municipal governments reflected the socio-cultural and geographical changes that were occurring in southern Ontario during this time (Government of Ontario, n.d.). Following the post-war period, southern Ontario saw rapid growth and suburbanization. The County/Township governance system and boundaries no longer adequately served these areas and regional municipalities were formed, providing more coordinated authority over land use planning, social services and infrastructure development at the regional scale (Government of Ontario, n.d.).

In 2001, the Provincial Government amalgamated the constituent municipalities in the Regional Municipality of Hamilton-Wentworth to create the single-tier City of Hamilton (Harris, Dunn & Wakefield, 2015).

*Figure 8 – County of Wentworth, between 1940 and 1951*



Source: Government of Ontario, 1940-1951



### 5.3 Ancaster Township/Ancaster Village

The Site is located within the former Township of Ancaster, which is now the Community of Ancaster within the City of Hamilton. The Township of Ancaster was named by Lieutenant Governor John Graves Simcoe who chose English place names originating from Lincolnshire and Yorkshire (Woodhouse, 1973). The Township was settled circa 1789 prior to a survey being completed. It was settled primarily by United Empire Loyalists who fled to Upper Canada following the American Revolution. The earliest settlers squatted on the land until the completion of a survey in 1793, at which point the Township was also named. At the time of settlement, the Township was occupied by Indigenous groups, with the closest European settlement being Newark (now Niagara-on-the-Lake) (Woodhouse, 1973).

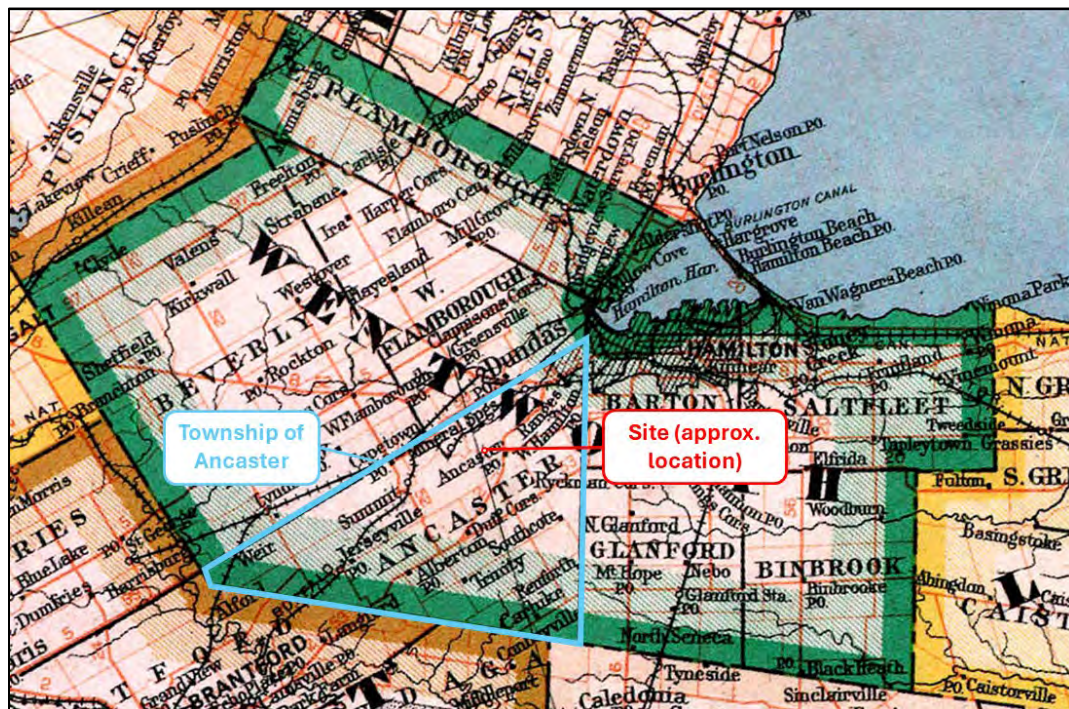
Ancaster began as a village in 1791. James Wilson, one of the earliest settlers in the area, established a sawmill and a gristmill, along with a store, tavern and blacksmith shop and distillery on Lot 45, Concession 2 (Ancaster Township Historical Society) (Woodhouse, 1973). The area subsequently saw the development of employee housing around the mills and the emerging village came to be known as Wilson's Mills (Ancaster Township Historical Society). The village was renamed to Ancaster in 1795 following the naming of the Township (Woodhouse, 1973). Around 1795 Richard Hatt bought the village from James Wilson and continued the subdivision of lands which further facilitated the development of the village (Woodhouse, 1973). The subject site is located immediately west of the historic village of Ancaster which is associated with present day Wilson Street East.

Some of the first settlers in the township to be granted or purchase lands include: James Wilson, Jean Baptiste Rousseau, Conrad Filman, Isaac Horning, Peter Bowman, John Westbrook, William Smith, Abraham Horning, John Aikman, John Smith Sr., William McLeese, John Filman, Christopher Almost, Joseph Smith, Edward Smith, Matthew Lampman, David Jones, Thomas Wilson, Ab'r Bowman, Anthony Westbrook, John Smith Jr., John Book, Conrad Lethman, the Hatt brothers, Michael Showers Jr., William Vanderlip, Matthew Crooks, Daniel Newton, Samuel Tisdale, Peter Hogeboom, Elijah Secord, David Young, and W.B. Van Every (Ancaster Township Historical Society) (Woodhouse, 1973). By 1810, the population of the Township was approximately 400 people (Ancaster Township Historical Society).

For the first 30 years following settlement, Ancaster village was the largest and most significant community in the area. However, by the 1820s Dundas began to grow due to its location within proximity to greater waterpower (Woodhouse, 1973). By the 1830s Hamilton outgrew both Dundas and Ancaster as it became an important port location and saw significant industrial development (Woodhouse, 1973). By the 1840s and 1850s the advent of the steam engine and the development of railways further solidified Hamilton's growth and rapid industrialization (Woodhouse, 1973). As a result, industrial development concentrated towards Hamilton instead of Ancaster.

Ancaster Village housed some smaller industry and manufacturing throughout the 19<sup>th</sup> century such as foundries, a furniture factory, flour and grist mills and knitting mills, among others. However, due to Hamilton being a more favourable location for larger industrial development, it did not see significant industrial growth during this time period. As a result, Ancaster continued as an agricultural community and police village (Hamilton Policy Services, 2023).

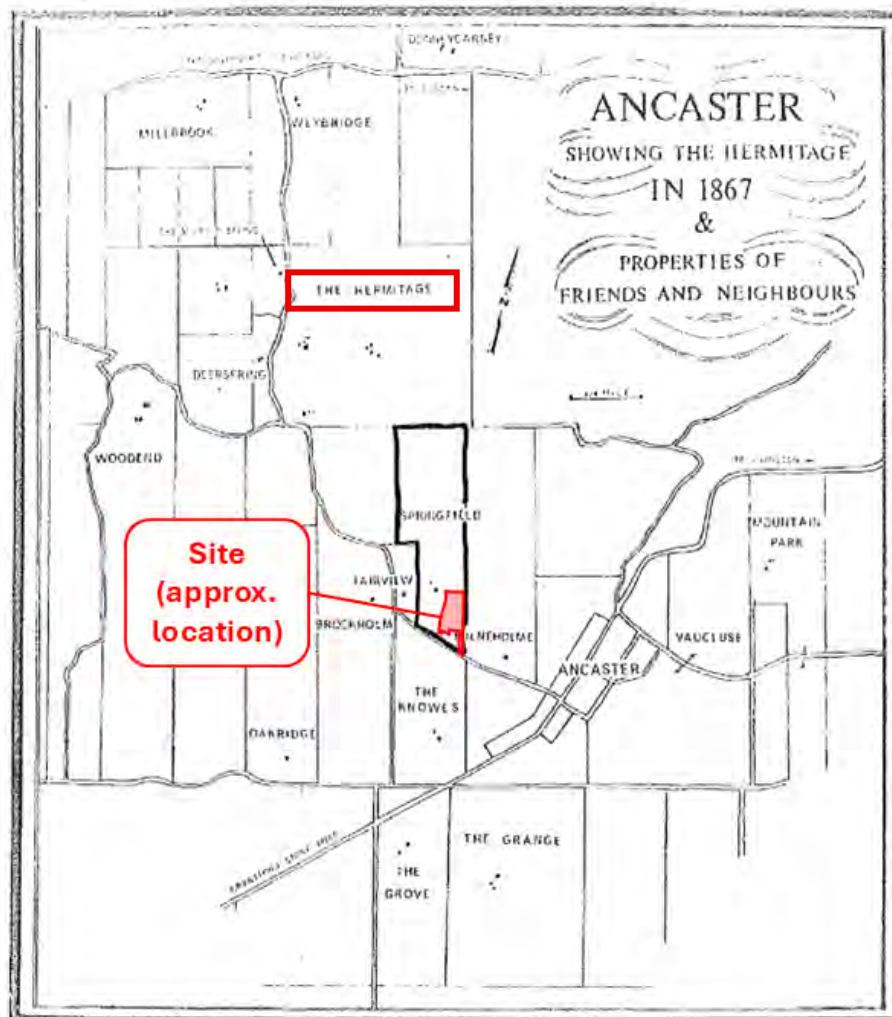
*Figure 9 - Ancaster Township Boundary, 1940-1951*



Source: Government of Ontario, 1940-1951

Throughout the 19<sup>th</sup> century, particularly early and mid-centuries, the land surrounding Ancaster Village developed as estate farm properties. One of the most prominent examples of this form of development, which provides insight into the evolution of the former Township of Ancaster, is the property known as the Hermitage. The Hermitage is located to the northwest of the Site, now within the Dundas Valley Conservation Area, which is owned by the Hamilton Conservation Authority. Throughout its history, the Hermitage had several prominent owners including George Gordon Brown Leith, who was the son of a wealthy Scottish Baronet. Leith bought the property and built a mansion on it in 1855, the remains of which can be found on the property today (Hamilton Conservation Authority [HCA], 2022). Around this time, the Subject Lands are identified as part of the greater Estate of “Springfield” (see Figure 10- Showing the Hermitage in 1867...).

*Figure 10 – Showing the Hermitage in 1867 & Properties of Friends and Neighbours*



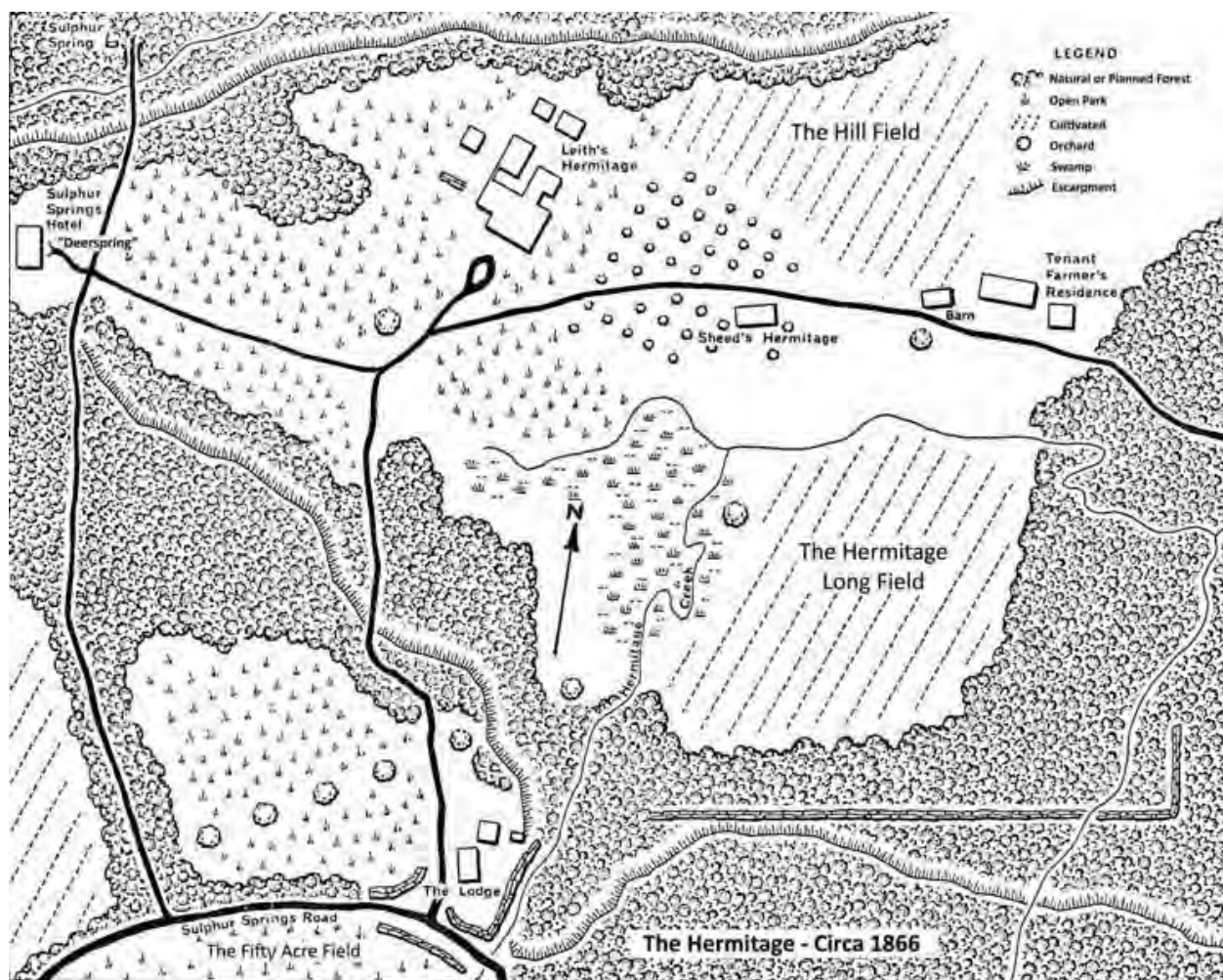
*Courtesy of the City of Hamilton*

By the mid-1860s, the Hermitage property featured the primary dwelling occupied by the Leith family, along with numerous attendant buildings. The Sheed's Hermitage, labelled Figure 11, was a frame house that was built by George Sheed, a previous owner of the property. It was used for storage during the Leith's tenure of the property (HCA, 2022). The primary residential dwelling was constructed of limestone quarried from the property and the immediate attendant buildings surrounding it included facilities such as a two-room laundry, a carriage house and workroom, a library, a kitchen, and a children's nursery (HCA, 2022). The farming estate also included facilities located to the east of the Leith dwelling for tenant farmers such as a smaller residential dwelling, a barn and a granary (HCA, 2022). In 1865, the Leiths sold ten acres of the Hermitage property located on the north side of Sulphur Springs Road to one of their daughters and her husband, Mr. and Mrs. Matthew Wright (HCA, 2022). They built an 18-room house that was later sold and converted into a hotel



until it permanently closed following a fire in 1910 (HCA, 2022). The hotel and the area more broadly attracted settlers and subsequently tourists due to the presence of a mineral spring, which is the namesake for the local roads (HCA, 2022). In 1900, following the death of her parents, the Hermitage was subsequently purchased by Alma Dick-Lauder who lived in the primary residence until it burned down in 1934 (HCA, 2022). Dick-Lauder subsequently built a smaller cottage on the ruins of the house which she lived in until her death in 1942 (HCA, 2022). The Hermitage is a prominent part of the history of Ancaster that reflects the community's evolution and development and provides insight into the development of the Subject Lands.

*Figure 11 – The Hermitage Site Layout and Attending Buildings*

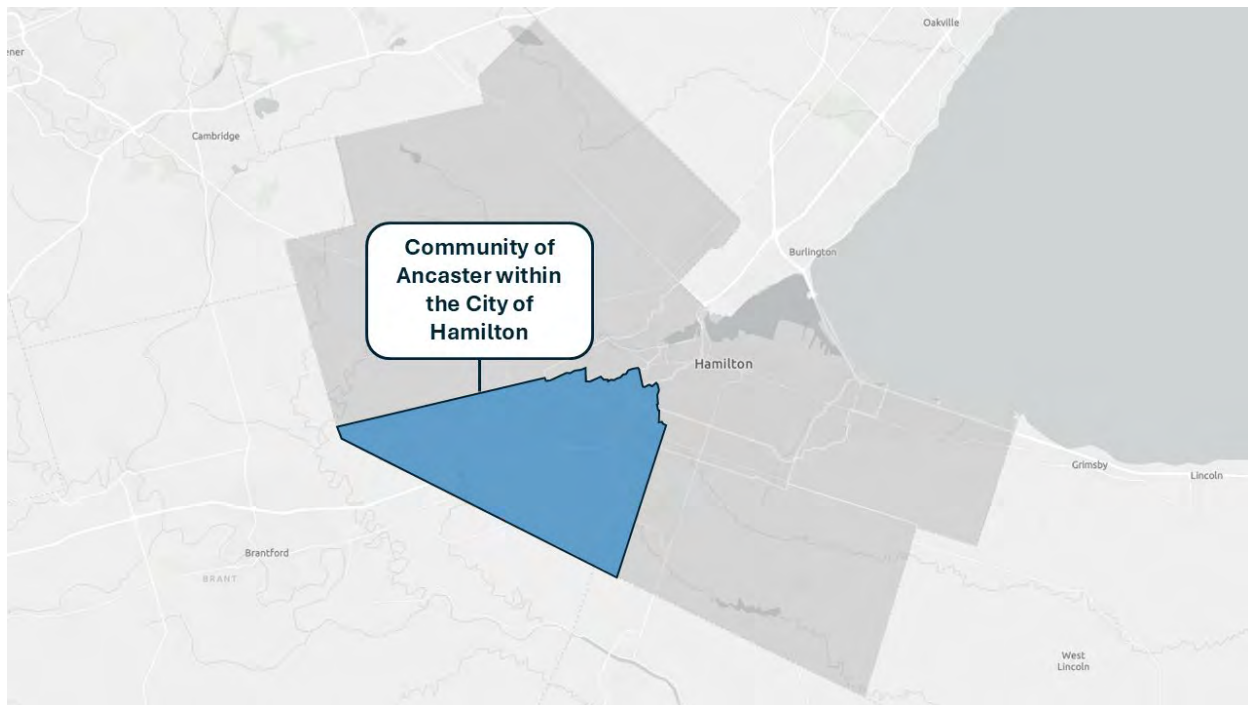


Source: Hamilton Conservation Authority, 2022

Following World War II, Ancaster Township began to see suburban growth in part due to its proximity to the City of Hamilton, which was characteristic in Southern Ontario during this time (Parsons, 2016). As noted in the above section, in 1973, resultant of the socio-cultural and geographical changes that occurred during the post-war period, municipal governing systems and boundaries were restructured. The Township and Village of Ancaster became

the Town of Ancaster, a lower-tier municipal government within the Regional Municipality of Hamilton/Wentworth (Government of Ontario, n.d.). In 2001, under the provincial government at the time, the lower-tier municipal governments within the Regional Municipality of Hamilton Wentworth were amalgamated into the single-tier City of Hamilton. Ancaster remains a distinct community within the City (Figure 12- Community of Ancaster).

*Figure 12 – Community of Ancaster within the City of Hamilton*



Source: City of Hamilton, 2025

## 5.4 Subject Site

### 5.4.1 Summary of History of Subject Site

The narrative of the subject site highlights the agricultural history and development of the community Ancaster, as well as the socio-geographic changes following the area's shift away from being a predominantly agricultural economy. The Property Identification Number (PIN) for the Subject Site is 17446-1084. The Site encompasses a centrally located portion of the original Lot 43, Concession 2, in the former Township of Ancaster.

Colonial settlement of the Subject Site dates back to the late 18<sup>th</sup> and early/mid-19<sup>th</sup> centuries. The lands were purchased by the Crown from Mississaugas of the Credit First Nation via the Between the Lakes Purchase. The Crown Patent for the 200-acre parcel of land was issued in 1801 to John Westbrook (see Figure 13- Original Crown Patent).

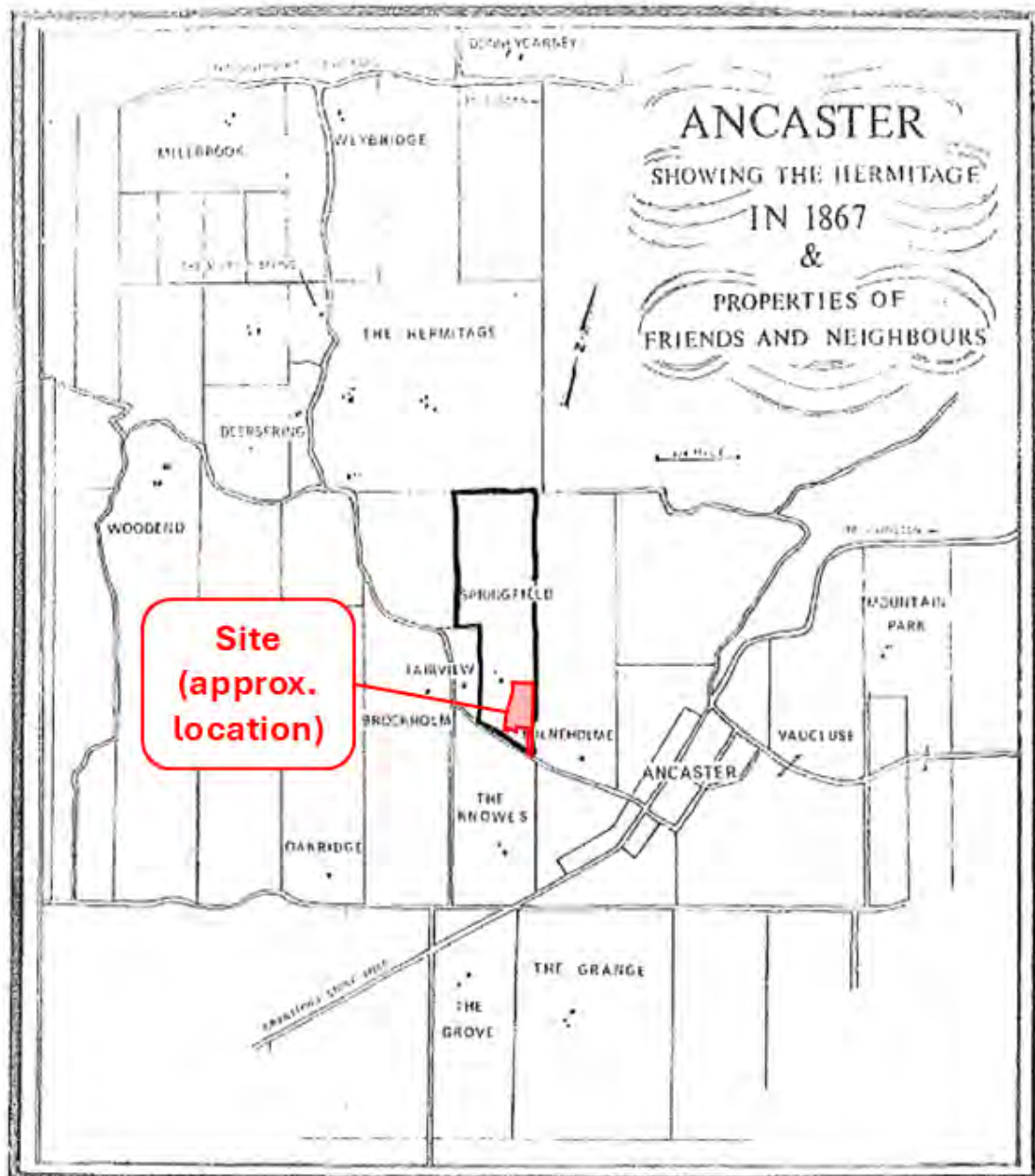








*Figure 15 – Showing the Hermitage in 1867 & Properties of Friends and Neighbours*



*Courtesy of the City of Hamilton*

On the map *Ancaster Showing the Hermitage in 1867 & Properties of Friends and Neighbours* map, provided by the City of Hamilton, the Site appears to be part of the Springfield grounds, however, only the Estate house is identified in comparison to the Hermitage which appears to show multiple buildings. By 1872, the Site, which was part of a 78-acre parcel, came under the ownership of Jason G. Milne who soon after sold the property that year to E.M Thuresson who then sold the property in the following year to George Rincoln (LRO).





time, the Site was owned by George Rincoln. The local directories, however, do not list George as residing on the property. Several tenants are listed on Lot 43, and it is likely that the Site was leased. The 1883 *County of Wentworth Gazetteer and Directory* identifies Alfred and Robert Brown as tenants on the Lot 43, Concession 2.

*Figure 17 – Plan of the Estate of Thomas Bush Esq. Being Parts of Lots 41, 42 & 43, Part of Road Allowance Between Lots 43 and 43, in Concession 2, Township of Ancaster (Approximate location of extant dwelling on-site in red)*



Courtesy of the City of Hamilton

In 1892, the Site was sold to Otto Byard Hammill who owned the property for six years (see Figure 18-Historical Photograph of Otto Byard Hammill). Otto was born in 1859 in Brantford Township and identified in 1884 as a 'trader' in his marriage certificate and in 1891 as a 'butcher/ slaughterhouse' in Ancaster (Library and Archives Canada). The 1894 *Union Publishing Company's Farmer's and Business Directory for Counties of Haldimand, Halton, Lincoln, Welland and Wentworth* does not identify Hammill as residing on the property and infers that it was leased.



*Figure 18 – Historical Photograph of Otto Byard Hammill, date unknown.*

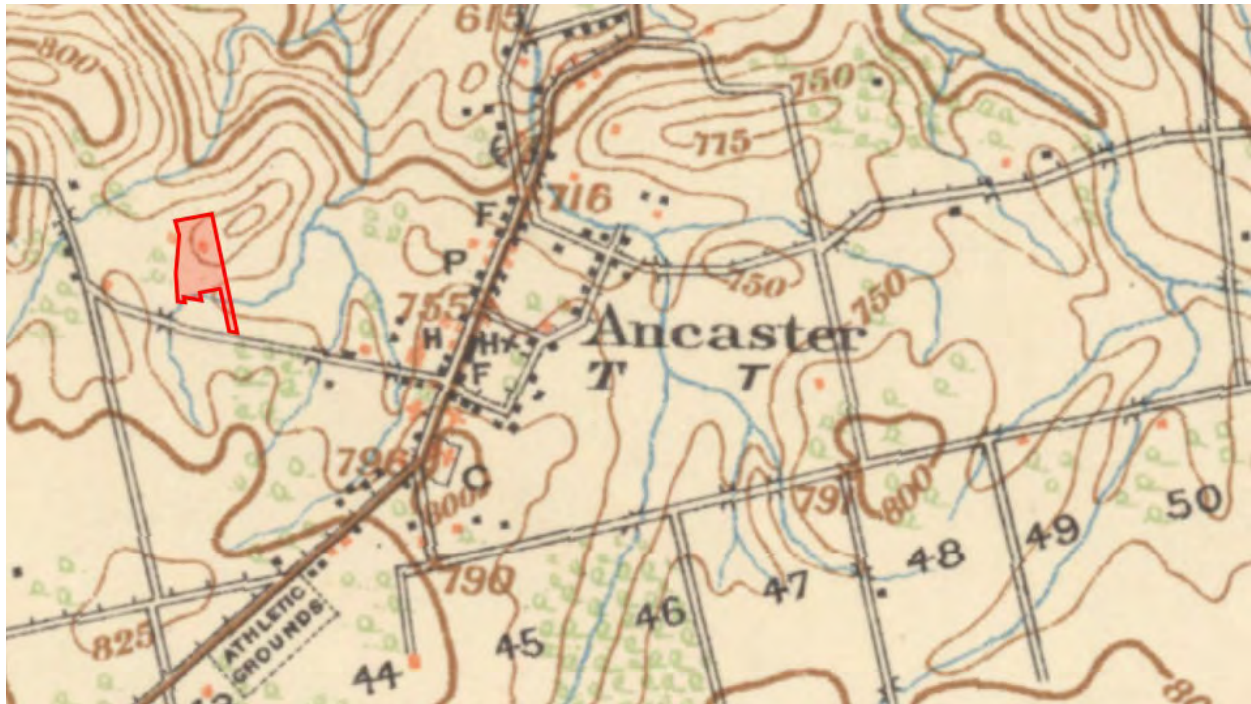


*Courtesy of Ancestry.ca*

In 1898, the property was sold to Frederick Ransom (Ranson) and in 1901, the property was sold to Thomas W. and Francis M. Farmer (Executors of William Farmer and Elizabeth Farmer) who owned the property until 1919. Thomas W (Wyly) Farmer was the son of William Farmer. It was not possible to determine what Francis's relationship to the Farmer family was. William Farmer was an architect and engineer who appears to have spent his career working in New York and then retired to his family's Brockton estate in Ancaster (Gatineau Valley Historical Society, n.d.). Given that the Farmers were the owners of the Springfield/Brockton estate it is likely that they would have resided in the larger estate house associated with 211 Sulphur Springs and not the dwelling on Site. There are few records beyond standard documentation about Thomas or Francis Farmer.

The 1907 topographic map appears to show the Subject Site containing one stone or brick building that generally corresponds to the location of the existing residential dwelling (see Figure 19- 1907 Topographic Map).

*Figure 19 – 1907 Topographic Map*

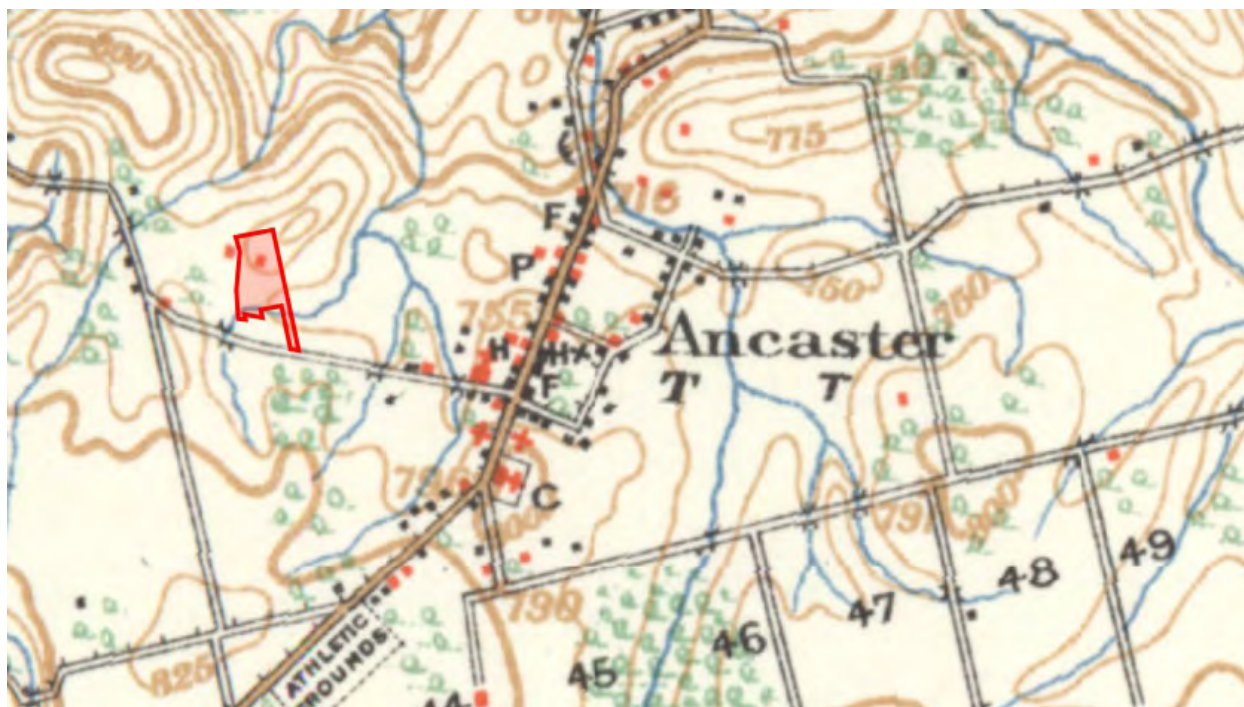


Source: Survey Division Department of Militia and Defence, 1907

In 1919, the Springfield/ Brockton Estate was purchased by the Young Family along with the site. However, records indicate that the building continued to be leased. In 1922, the site was under the ownership of Wilmot (Williart) M. Young, James and Wilmot (Williart) had five children: John D., William H., Georgia D., David M. and Alan B (1931 Census of Canada).

The 1923 topographic map is consistent with the 1907 map and there are no changes of note pertaining to the Site (see Figure 20- 1923 Topographic Map).

*Figure 20 – 1923 Topographic Map*



Source: Survey Division Department of Militia and Defence, 1923

The 1934 topographic map does not show any notable changes to the Subject Site; however, a new building is identified to the immediate south of the Site (see Figure 21- 1934 Topographic Map). The 1938 topographic map identifies an additional building on the Subject Site. The original building identified on the site is now represented as a L-shape rather than a rectangle (see Figure 22- 1938 Topographic Map).

*Figure 21 – 1934 Topographic Map*



Source: Survey Division Department of Militia and Defence, 1934



*Figure 22 - 1938 Topographic Map*



Source: Survey Division Department of Militia and Defence, 1938

A historical aerial from 1954 demonstrates that the surrounding context was rural agricultural. The site appears to have a tree-lined driveway, and nearby lands appear to have been active agricultural lands. At the time, no man-made pond is present and vegetation appears to only be concentrated along the driveway and located of the original dwelling.

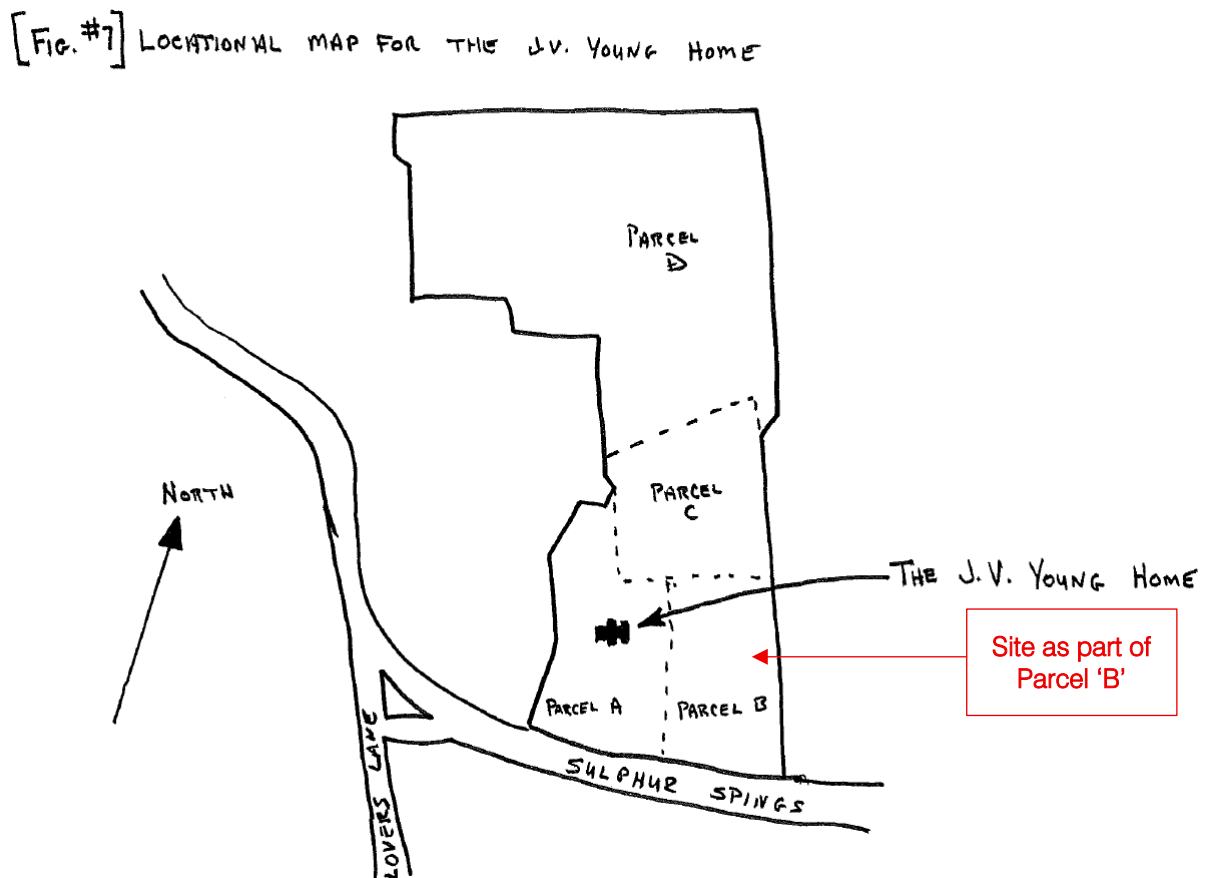
*Figure 23 – 1954 Historical Aerial*



Source: University of Toronto Digital Libraries

The City of Hamilton's former Local Architectural Conservation Advisory Committee ("LACAC") records and land registry records indicate that under Young Family ownership, the estate parcels, including the site, were later dispersed among the owner's children. In 1957, the site, identified as 'Parcel B' in Figure 24, was granted to David Young and his wife Nancy; David was the son of James V. Young who purchased the property in 1919. In the 1957 and 1958 Hamilton-Wentworth Voter's Lists, David is identified as a 'manufacturer', like his father James, and living on Sulphur Springs Road. By 1962, he was identified as an 'Executive'.

*Figure 24 – Local History Related to the Site*

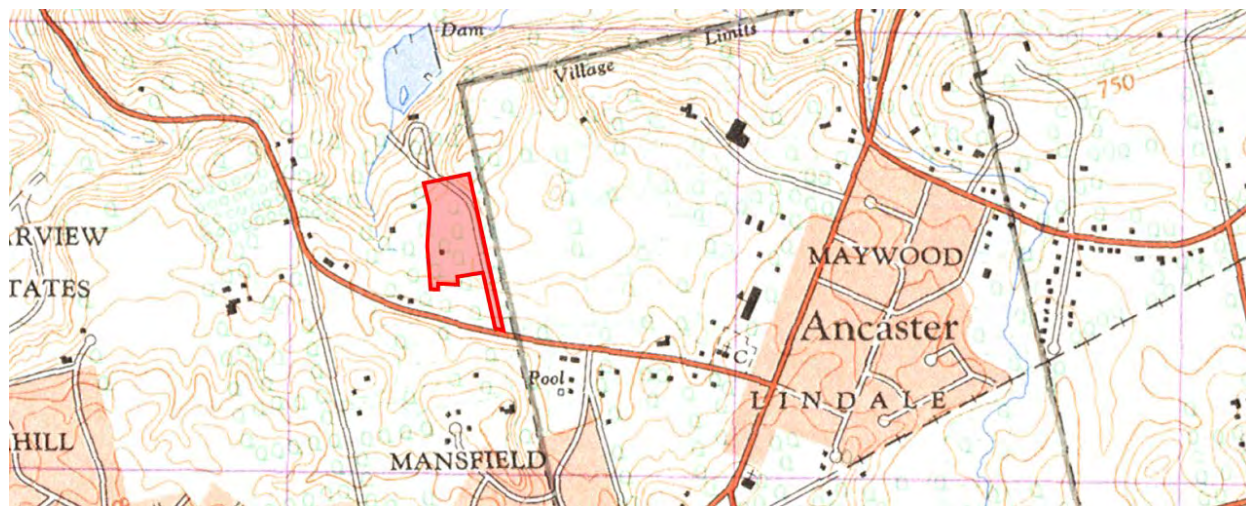


Source: Local Architectural Conservation Advisory Committee Ancaster, 1981

The 1962 topographic map identifies one building on the site that appears generally consistent with the location of the existing dwelling (see Figure 25- 1962 Topographic Map). It also identifies the current driveway access that runs north/south along the eastern property boundary. The map shows a building and cul-de-sac within the location of 159 Sulphur Springs Road reflective of the subdivision of lands that continued to occur to the fabric of the original estate property throughout the 19<sup>th</sup> and 20<sup>th</sup> century. North of the site is a large pond created via a dam. Additionally, the map shows the development of residential subdivisions south of the site.



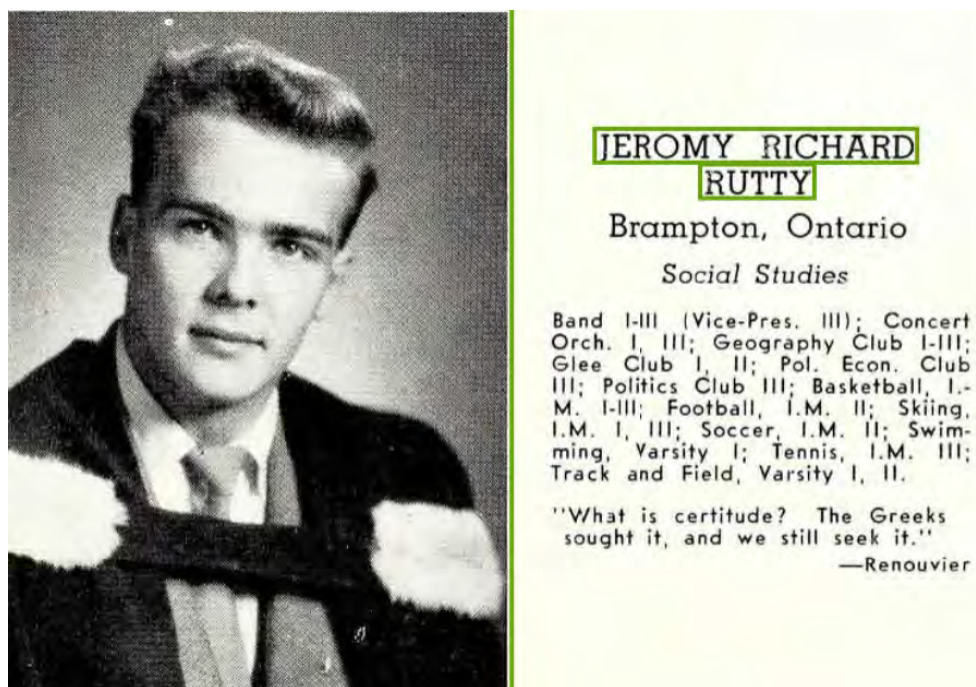
*Figure 25 – 1962 Topographic Map*



Source: Surveys and Mapping Branch Department of Energy, Mines and Resources 1962

Between 1964 and 1970, the Site was owned by Jeromy Rutty until it was purchased by Alan Benjamin Young, son of James V. Young. Voter's Lists identify the Jeromy Rutty was a lawyer and did not reside on the property but in Hamilton. He was born in 1933 and a graduate of McMaster University, however, passed away in 1970.

*Figure 26 – Photograph of Jeromy Rutty*



Source: McMaster University Yearbook of 1954 courtesy of Ancestry.ca

In the 1972 Voter's List, William Young and his family are listed as residing on the property albeit the ownership was registered under his brother's name Alan (see Figure 27-1972 Voter's List). William is identified as a 'President', a title he obtained in 1960, to a manufacturing business known as "Hamilton Cotton Company" which was established in 1880 by his grandfather James Mason Young. The other family members are listed living generally on Sulphur Springs Road. William's obituary in the Hamilton Spectator identifies him as a "prominent Hamilton businessman and philanthropist" (May 15, 2017). The cotton factory was located on Mary Street, north of Barton and at one point employed more than 500 people; the factory was torn down in 1973 (Hamilton Spectator, 2017). Sons William, David and Alan worked within the family business and converted the business into a private investment firm named "Hamilton Group Ltd." in 1970; in 1984 William retired as president. William served on boards of Stelco, Gulf Canada, Harding Carpets, Gore Mutual Insurance, MacMaster University, Hillfield-Strathallan School and the Stratford Festival and developed with his wife a \$40 million donation for the Hamilton Community Foundation (Hamilton Spectator, 2017).

*Figure 27 – 1972 Hamilton- Wentworth Voter's List*

265 Young, William H., pres., 163 Sulphur Springs Rd.,  
 266 Young, Mrs. Joyce – 163 Sulphur Springs Rd.,  
 267 Young, Douglas, student, 163 Sulphur Springs Rd.,  
 268 Young, Miss Catherine, student, 163 Sulphur Springs Rd.  
 269 Young, William Jr., student, 163 Sulphur Springs Rd.,

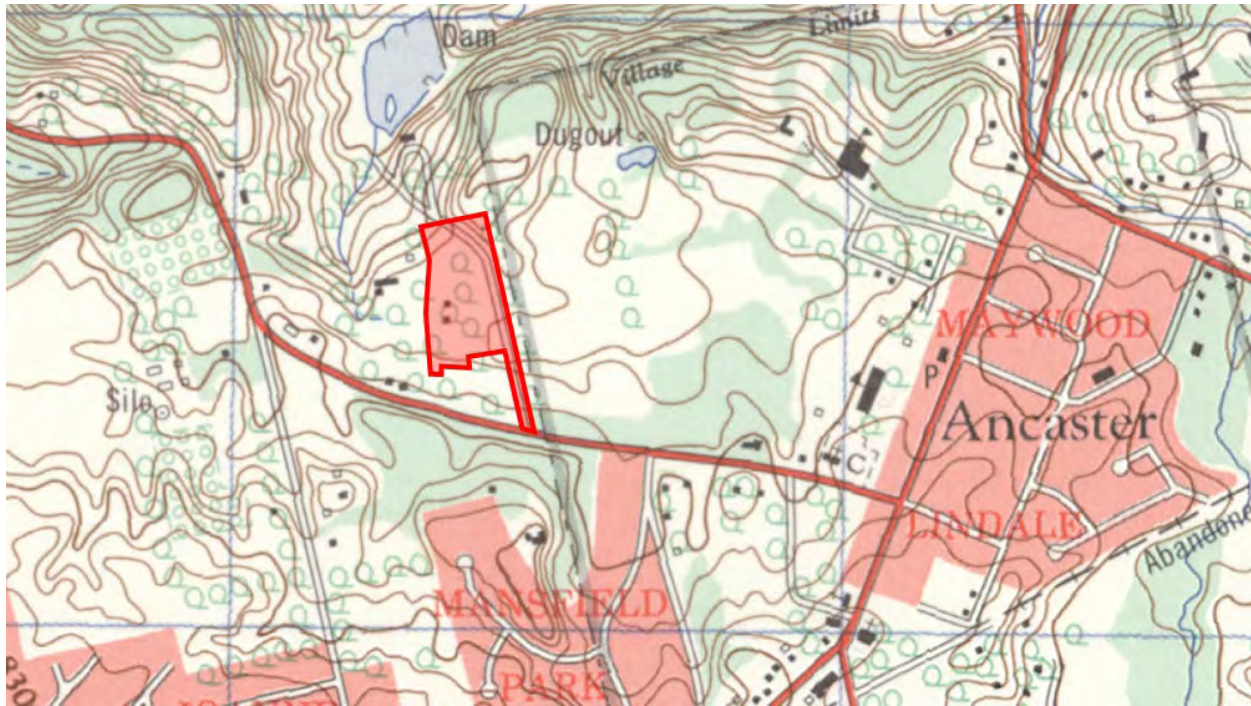
*Source: Voters Lists, Federal Elections, 1935–1980, Library and Archives Canada*

The 1973 topographic map remains relatively consistent with the 1962 topographic map; however, it identifies an additional building located to the north (see Figure 28).

Between 1970 and 1987, although William resided at the property for a period of time, the Site was under the ownership of Alan Benjamin Young. There is limited information relevant to Alan with the exception that he worked with his brothers David and William within the family business as a manager.



*Figure 28 – 1973 Topographic Map*



Source: Surveys and Mapping Branch Department of Energy, Mines and Resources 1973

In 1986, a year before the property was sold, and potentially in anticipation of a sale, the property, including the extant dwelling and landscaping undergone significant changes. The property was showcased on a designer house tour “By Design ‘86” in conjunction with a philharmonic performance. The advertisement states, “Designer transformation of the grounds and house of the old A.B. Young Estate at 163 Sulphur Spring Road, Ancaster”. As demonstrated in Figure 29, the current roofline was added and an extension to the rear. In this image, the viewer is oriented to the east elevation as the front façade, changing the historic orientation of the front façade along the south. Additional changes also occurred at the time including a designed garden space and below grade parking garage and other added features such as a pseudo-heritage stone wall and man-made pond which is not present in the earlier topographic mapping.

Figure 29 – 1986 Hamilton Spectator Advertisement



Source: *Hamilton Spectator*, p. 3, May 3, 1986

In 1987, the property was sold to David Ian Johnston who owned the property until 1994 (LRO). The property was transferred between Nancy and David Johnston and William and Linda Shaw between 1994 and 1995; The Shaw Family owned the property until 2008. In 2008, the property was purchased by Kenneth and Victoria Finucan who eventually sold the property in 2019 to Scott David Skinner (LRO). Aerial photographs between 2004 and 2012 show an in-ground pool to the rear of the extant dwelling and the existing dwelling at 159 Sulphur Springs Road and residential development to the west. The conditions shown in 2012 are currently present on site with the exception of the disuse of the inground pool structure which has been vacated.



*Figure 30 – 21<sup>st</sup> Century Aerial Photographs*



Source: Google Earth Pro

#### 5.4.2 Chain of Title

The following tables offer a timeline outlining the apparent ownership history of the subject site, utilizing information sourced from OnLand and corroborated via mapping. It is essential to recognize that historical records can be difficult to locate and decipher, leading to potential gaps in data and variations in spelling due to differences in handwritten entries



found in scanned historical volumes. Nevertheless, the below tables provide a general representation of a succession of ownership based on information that is accessible online.

The following chain of title is based on the PIN for the subject site: 17446-1084. The table below depicts the ownership history of the parcel since the Crown Patent was granted.

*Table 1 - Chain of Title for Lot 43, Concession 2*

Owner	Date From	Date To	Notes
Crown	-	1801	Patent 200 acres
John Westbrook	1801	N/A*	All 200 acres
Andrew Templeton	N/A	1819	All 200 acres
William Milne	1819	1832	All 200 acres
Heirs of William Milne	1832	DEED	All 200 acres
James Peelmores Milne	1832	1835	All 200 acres
Alexander Stover Milne	1835	1845	All 200 acres
Alexander Tower	1845	1851	115 acres (certain reservations), 1437 pounds
Henry Spencer Papps sale by et ux	1851	1854	112 Acres (certain reservations), 1,400 pounds
Thomas Bush	1854	**	Note: 1862 Bush deeds land to Ancaster for road
James G. Milne	1872	1872	Concession (1246) (78 acres)
Eyre Thuresson	1872	1873	Concession (2051)
George Rincoln ("Rencoln") et ux.	1873	1892	Bargain and Sale (6665) (78 acres),
Otto B. Hammill ("Hammell") et ux.	1892	1898	Bargain and Sale (7886) (78 acres),
Frederick Ranison ("Ransom")	1898	1901	Bargain and Sale (7886) (78 acres)
Thomas W. Francis, and M. Farmer, Executors of William Farmer and Elizabeth Farmer	1901	1919	Bargain and Sale (8603)

James U. ("V.") Young	1919	1922	Consolidation and Release (15028). This entry appears to record a Consolidation and Release transaction involving Thomas W. Farmer and Francis M. Farmer, acting as executors of William Farmer and Elizabeth Farmer, transferring or releasing rights to James H. Young on the dates specified (May 15, 1919, and July 21, 1919). A Consolidation and Release in the context of property records typically refers to a legal transaction where: Consolidation – Multiple parcels of land, or multiple interests in a property, are combined into a single entity for ownership or financial purposes. This is common when multiple smaller lots or fragmented ownership interests are merged to simplify the title or facilitate development. Release – A party (often a mortgage holder, executor, or trustee) relinquishes their legal claim or interest in the property, effectively transferring clear ownership to another party.
Willmot (Williart) M. Young et ux.	1922	1925	Grant (16533)
James U. ("V.") Young	1925	1926	Grant (17924)
Willmot (Williart) M. Young et ux.	1926	1957	Grant (8077)
David M. Young and Nancey Young	1957	1964	Grant (35380)
Jeromy R. Rutty	1964	1970	Grant (293177)
Alan Benjamin Young	1970	1987	409167CD; Probate (184890 AB) as in 293177 - Estate of Jeremy R. Putty
David Ian Johnston	1987	1994	Grant (428165)
Nancy Lynn Hyndman Johnston and David Ian Johnston as joint tenants.	1994	1995	Transfer (174507)
William Alfred Shaw and Linda Shaw	1995	2008	Transfer (VM214200)
Linda Shaw	2008	2008	Application of Survey – Land (WE578250) - William Alfred Shaw deleted from title.
Kenneth Alexander John Finucan and	2008	2019	Transfer (WE578343)

Victoria Suzanne Finucan			
Scott David Skinner	2019	Present	Transfer (WE1379393)

*\*Land registry records does not include the transfer between Andrew Templeton and John Westbrook, however, the transfer would have occurred between 1801 and 1818.*

*\*\* Transaction between Thomas Bush and James Milne is unclear at this time.*

## 6.0 EXISTING CONDITIONS

### 6.1 General Conditions

A site visit was completed by TBG Staff on October 10, 2024, and March 13, 2025, to review the existing conditions of the property.

The Subject Site is located on the north side of Sulphur Springs Road in the Community of Ancaster within the City of Hamilton. As noted in sub-section 2.1, it consists of the following features: a residential dwelling; a gravel driveway; a tennis court; a pond; and a pool shed. **Figure 31** shows the layout of the Site and the location of each of these features. Due to the lot shape and configuration, as well as the setback of the buildings on the Site, no structures are visible from Sulphur Springs Road.

The Site features landscaping and foliage which includes a significant mix of tree coverage, shrubs, and maintained lawns. To the immediate southwest of the residential dwelling there is a small, manicured garden that is surrounded by a masonry fence. At present, the garden is not maintained and has overgrown.

The main residential dwelling is located along the western boundary of the Site. It is accessed by a driveway connection to the larger driveway that connects to Sulphur Springs Road. The driveway to the dwelling features a circular turnaround. The residential dwelling features an unusual floorplan and configuration which are further described sub-section 6.2.1 of this report. The Tennis Court is located on the western side of the main driveway towards the centre of the Site. It is oriented north/south and is surrounded by a chain link fence.

There is a manmade pond located in the southwestern corner of the Site that is located south of the main residential dwelling. The pond is surrounded by foliage with larger trees located along the southern and eastern edges. There is a small storage shed located on the west side of the pond.

There is a pool and associated pool house that is located towards the northern boundary of the Site. The pool has not been maintained and is in a state of disrepair. The pool and pool house are surrounded by a chain link fence. The pool house is a small one storey building that is further described in sub-section 6.2.2 of this report.

*Figure 31 – Site Configuration and Layout, 163 Sulphur Springs Road*



Source: Google Maps, 2025



## 6.2 Built Features

The Site comprises of three structures which include the residential dwelling, a small shed adjacent to the pond, and the pool house. Below is a description of the structures, with the primary focus being on the residential dwelling.

### 6.2.1 Residential Dwelling

The residential dwelling is located along the western property boundary of the Subject Site. It is a one-and-a-half to two-storey dwelling with an irregular footprint and several additions including a partially below grade three-car garage.

*Figure 32 – Morphology of the Extant Dwelling*



Source: Google Maps

The dwelling can be broken down into five main components, as shown in **Figure 32**, which are as follows:

- a. Section A is assumed to be the original portion of the dwelling which is estimated to have been constructed circa 1853-1854.
- b. Section B is a rear wing that appears to have been added in the dwelling circa 1860s.
- c. Section C is a larger rear addition that was constructed in 1986.
- d. Section D is located on the west side of the house and is a sunroom that was also added in 1986.
- e. Section E is the southernmost portion of the dwelling is a partial below grade garage that is attached to a front patio.

The original portion of the dwelling is estimated to have been constructed in the early 1850s however has seen significant alterations throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries. The first addition to the dwelling appears to have been added relatively soon after it was constructed (c. 1860s). More significant alterations were made in 1986 which included a second rear addition, a sunroom located on the west side of the dwelling, and the addition a partial below grade garage and front patio located at the front of the original dwelling. This renovation included significant alterations to the original portion of the dwelling, such as adding a mansard roof which may have changed height and number of storeys of the original dwelling.

The front sections of the dwelling are two storeys in height, while Section C is one and a half storeys in height and features a low-pitched hipped roof. Section D, the sunroom addition is one storey in height and features a low-pitched gable roof.

The dwelling cannot be grouped into one particular architectural style as the various additions and alterations that occurred over time pulled in stylistic elements reflective of different architectural styles that were likely popular during their respective time periods.

The dwelling is surrounded by significant vegetation including several large trees and smaller bushes with larger trees are located towards the front of the dwelling.

### South (Front) Façade

The southern façade of the dwelling represents the presumed front of the original structure on the Site. The front of the dwelling is symmetrical and forms a three-bay façade with windows on either side of the main entrance. It is constructed of rubblestone which would have been a common material used for construction in the Hamilton-area in the 1850s. The limestone on the front façade has been incompatibly repointed, as shown in the images below. The front of the dwelling features a partially-below-grade three-car garage, and a large front patio that is located on top of the garage. The second floor of the dwelling features a mansard roof and two dormer windows.

The windows on the first floor are each six-pane double hung sash windows. The window frames and sills appear to have been replaced, as they are made of smooth stone which would not have been available at the time of construction of the original dwelling. The main/original entrance to the dwelling features a split Dutch door that has been painted black. The door features a nine-panel window.

The mansard roof, which is typical of the Second Empire architectural style, and segmental-arched dormer windows, are not original to the dwelling and were redone through the 1986 renovation of the house. The mansard roof is likely to have added additional height to the dwelling changing its overall appearance. The dormer windows each contain a double-hung sash window.

The garage and patio are also part of the 1986 addition and resulted in the alteration of the original foundation of the dwelling. The garage features spaces for three cars and includes a contemporary cut stone veneer which is meant to maintain visual congruence with the materials of the original portions of the dwelling. The three garages feature carriage-style doors.



South (Front) Façade



Close up of South (Front) Façade





Incompatible Repointing of Limestone  
Façade



First Floor Sash Window Detail



### East (Side) Façade

The east (side) façade of the dwelling consists of the original portion of the dwelling, the first rear addition that is presumed to have been added in the 1860s, and the second 1986 rear addition. The side façade of the original dwelling is two storeys in height with the first storey featuring two double-hung sash windows and the second storey featuring two dormer windows. This portion of the house is constructed of rubblestone which is consistent with the front of the dwelling. As already noted, the mansard roof and second-storey dormer windows are not original to the dwelling and were added through the 1986 renovation.

The first rear addition features a secondary entrance, and the façade is covered in a light-coloured clapboard. The first storey features two double-hung sash windows. The second storey features two dormer windows that protrude from the mansard roof. The secondary entrance features a triangular pediment above the door with dentil molding and fluted pilasters that flank the door. The door is a solid-panel style door that is painted black.

The second rear addition is less congruent with the older portions of the dwelling. It is one-and-a-half-storeys featuring a lower hipped roof. The first storey features one single hung sash window, as well as a three side-by-side casement windows.

Full View of the East (Side) Façade





First Rear Addition Featuring Entranceway



Entranceway Detail



Low Voltage Transformer for Outdoor Lighting





### North (Rear) Façade

The north (rear) façade of the dwelling is the more recent addition that was constructed circa 1986. This portion of the dwelling is one-and-a-half storeys in height and features a hipped roof with a recessed second storey balcony. It has been designed to be asymmetrical as the doors and windows are weighted on the eastern side of the façade. This portion of the dwelling is constructed out of cut stone, however not limestone, that has been designed to be compatible with the older limestone portion of the dwelling. A masonry chimney is visible towards the eastern side of the dwelling.

The first storey of the rear façade of the house features three sets of French doors that walkout into the rear yard. There is a paved area immediately outside of the dwelling that features a stone table and bench. There is a large, single pane window located in between two of the sets of French doors on the eastern side of the dwelling.

The second storey of the rear façade features a centrally positioned recessed balcony. The balcony has four contiguous single pane windows. The balcony is contained by a rot iron fence.

North (Rear) Façade Looking South





North (Rear) Façade Close Up



Recessed Balcony Detail



### West (Side) Façade

The west (side) façade of the dwelling, similar to the east side, features three distinct components that represent the original portion and the two subsequent additions. However, the west side also features a protruding wing that we describe as a sunroom.

The portion of the original dwelling is two storeys in height with a mansard roof. The first storey features two double-hung sash windows, and the second storey features two dormer windows. This portion of the façade is constructed out of cut limestone.

The middle portion of the west façade of the house features a protruding wing, or sunroom, which was added as part of the renovation that occurred c. 1986. The sunroom is covered by a light-coloured clapboarding on all three sides. The sunroom features a low-pitched gable roof with return eaves and is one storey in height. The roof features a series of smaller skylights to permit further sunlight. The southern façade of the sunroom features French doors that step out into the yard. To the east of the French doors there is a third 18 pane window that is equivalent in size to the doors. On the west façade of the sunroom there is a large masonry chimney that appears to be constructed out of rubblestone. Based on records from the City, this may have been repurposed from the original portion of the house when the addition occurred, however, this has not been confirmed. The northern façade of the sunroom features the same French door and window configuration as seen on the southern side. The northern façade is partially covered in climbing vegetation.

The rear portion of the west façade of the dwelling consists of the rear addition that was constructed c. 1986. It features a cut stone exterior on the first storey and a multi-pitched roof that transitions from the hipped roof seen at the back of the house to the mansard roof seen at the sides and front of the dwelling. The first storey features three double-hung sash windows. The second storey features several dormer windows.



Southern (Front) Portion of Western Façade



Northern (Rear) Portion of Western Façade





Sunroom (Western Wing) Detail Looking North



Chimney on West Side of West Wing  
(Sunroom)



Chimney Access Door





## 6.2.2 Outbuildings and Structures

### Shed

There is a small one storey shed located towards the western edge of the pond that is on the southern portion of the Site. It is utilitarian in nature and in fair condition. The shed features a gable roof. The front (north) façade of the shed features a main doorway with small windows are located on either side of the door.

### Pool and Pool House

There is a small outdoor pool and pool house located towards the northern boundary of the Site. The pool has not been maintained and is currently in a state of disrepair, as pictured below.

There is a pool house located adjacent to the pool that appears to double as storage for pool equipment and offers an indoor lounge area. The pool house is one storey in height and features white clapboard siding and a low-pitched shed roof. The front façade, oriented towards the pool, features a doorway and a sliding slider window. The western façade features glass doors. The eastern façade is where the storage area is located and features a door.

Pool and Pool Deck





Front Façade of Pool House



Western (side) Façade of Pool House Featuring Sliding Glass Doors





Rear Façade of Pool House



Pool House Storage Area



### Tennis Court

There is a tennis court that is centrally located towards the eastern boundary of the Site on the west side of the driveway. It is oriented east/west and is partially surrounded by a chain link fence. The tennis court is in poor condition.





### Stonewall

There is a stonewall that surrounds the driveway/parking area that is located to the immediate south of the dwelling on the property. It is decorative and the masonry pillars feature stone lions on either side.








### 6.3 Comparative Analysis and Heritage Integrity

The following sub-section reviews the extant dwelling in comparison to surrounding architecture which informs the review of heritage integrity. Table 2 identifies nearby stone buildings which either are preserved (63 and 267 Sulphur Springs Road) examples of local stone architecture or have already been recognized for their historical significance (the Hermitage which is a Protected Heritage Property).

*Table 2- Comparative Analysis of Local Architecture*

Photograph	Address	Architectural Style and Year of Construction
	63 Sulphur Springs Road Milneholme  (Inventoried)	One storey, stone Regency Villa Style built c. 1831.  Named after Lt. William Milne who settled in Ancaster after the War of 1812 and Napoleonic Wars
	739 Sulphur Springs Road Hermitage Ruins and Gatehouse  (Designated under Part IV of the Ontario Heritage Act)	Two storey, stone (Gasport dolomite quarried on the property), Regency Villa Style, built in 1853-55. Damaged by fire in 1936.  Summer villa for George Leith, Captain in the Gore Militia.
	267 Sulphur Springs Road Fairview  (Inventoried)	One-and-a-half storey, stone, Gothic Victorian home built by Thomas Bush in c. 1869.  The dwelling was for Thomas Bush's daughter and her husband Dr. Orton.

Unlike the extant dwelling on the site, the properties within Table 2, which are within the immediate surrounding area, provide a clear representation of early stone residential buildings within the local municipality. The following Figures 33-34 provide a visual review of the alterations that have been made to the building which include: the entire removal of the original roof structure and replacement with bell cast mansard roof, removal of original windows and doors and replacement with contemporary counterparts, alteration to original foundation structure, below grade three-car garage structure, substantial rear additions and interior renovations.

*Figure 33 – Alterations to Section A & B*

**Section A- Original Building Footprint and Loss of Integrity**



*In addition to alterations to the façade, several additions have been added to the rear of the building impacting the original rear wall. Interior renovations have stripped the interior of its original features.*

Replacement of all original windows and doors on façade and remaining side exterior walls.

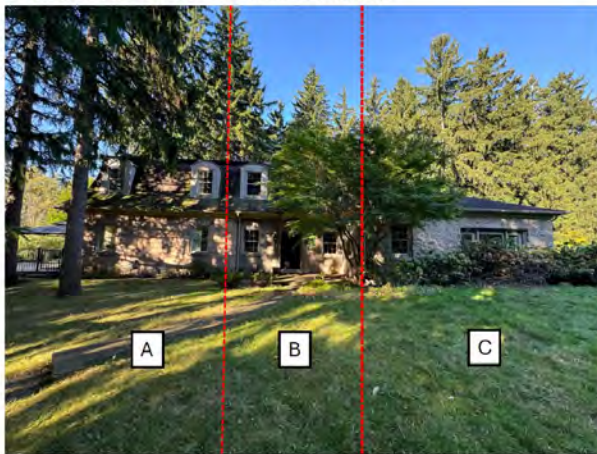


Parking structure attached below impacting the original foundation and foundation sill.

Alteration of roof structure to allow for extended height. Changes to the roof has resulted in an altered roofline(bell-cast mansard), including soffits, eaves, fascia, and addition of dormers.

**Biglieri**

**Section B- Rear Wing and Loss of Integrity**



Historically, this likely would have been a summer kitchen. This section has been heavily altered and it is unknown if any of this extension is original to the building. This section includes a pseudo-Neo-Classical door surround (east elevation), contemporary windows with historic muntins and exterior cladding. This section also includes the continuation of the extended bell-cast mansard roofline.

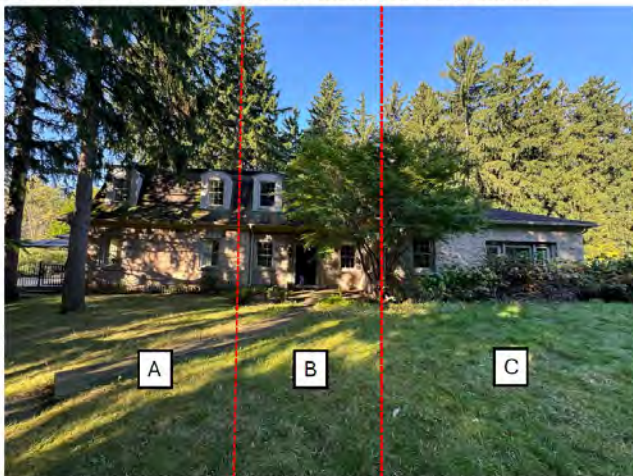
**Biglieri**

TBG, 2025



*Figure 34 – Alterations to Section C & D*

**Section C- 1986 Contemporary Stone (Veneer) Addition**



In 1986, the house was significantly renovated which included this section of the house and the entire roofline which is clad in a stone veneer and is directly integrated into the rear wing (Section B).



**Biglieri**

**Section D-1986 Sunroom Addition**



As part of the extensive renovation in 1985-1986, the sunroom was added as an addition to the large rear addition. Alternatively, this section includes a low-pitched gabled roofline with skylights and door openings on the north and south facades. This section attaches in the location of the rear wing (Section B).



**Biglieri**

TBG, 2025

The Ontario Heritage Toolkit states that “-buildings that have been irreversibly altered without consideration for design, may not be worthy of long-term protection. When surviving features no longer represent the design, the integrity has been lost. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, warrants an assessment of integrity.” In saying that, an analysis of between an image of a tenant’s worker’s cottage located on the Hermitage site has been compared with the changes, many of which were irreversible, to the dwelling and its existing conditions.

*Figure 35 – Assessment of Heritage Integrity*



The Gatehouse or Lodge Cottage home of the Leith’s gardener and family on the Hermitage property; example of tenant farmer’s cottage.



Dwelling as advertised in 1986 exhibiting main entrance along east elevation and significant alterations.



Existing Conditions of Extant Dwelling

Sources: (above left) Hamilton Conservation Authority: Gatehouse Museum Grounds Panel; (above right) Advertisement from the Hamilton Spectator, 1986 (below) TBG, 2024.



The Gatehouse or Lodge Cottage located on the Hermitage Site shown in Figure 35 provides an example of a local tenant farmer's cottage. Although it cannot be confirmed, it can be speculated that the original dwelling had a similar aesthetic. In 1986, several alterations were made to the building; the orientation in the sketch does not display the south (original) front façade as the entry but rather along the eastern elevation and more significantly a new, contemporary iteration of a bell cast mansard roof and extensive rear contemporary addition. Although it is understandable the older buildings will evolve over time, the question is whether the alterations contribute to a significant part of the evolution of the property as noted:

*As well, cultural heritage value or interest can be found in the evolution of a heritage property, as much can be learned about social, economic, technological, and other trends over time. The challenge again, is being able to differentiate between alterations that are part of an historic evolution, and those that are expedient and offer no informational value (Ontario Heritage Toolkit).*

Based on the Standards and Guidelines for the Conservation of Historic Places, the later additions erected in the 1980s are contrary to several of the Standards including: conserving a historic place by not removing, replacing or substantially altering character defining elements (Standard 1), minimal intervention (Standard 3), creating a false sense of historical development by adding combining features of the same property that never coexisted (Standard 4), when replacement is necessary replacing with new elements that match the forms, materials and detailing of sound versions of the same element or new elements that are compatible with the character of the historic place (Standard 10). It is our opinion that the alterations were completed in a manner that were not consistent with conservation principles and therein, should not be considered contributing to the property's cultural heritage value but rather have undermined its value and integrity.

In our opinion, the viability of the rehabilitation and restoration of the extent building as described in is not the question. It is a question of whether the building is worthy of conservation as it relates to the criteria which requires a rigorous review of heritage integrity. Given the significant alterations and absence of documentation, an accurate restoration would be based on conjecture—which contradicts heritage conservation principles and with limited heritage fabric remaining, would be falsifying built heritage.

## 6.4 Landscape Features

As per the Environmental Impact Study completed by Palmer/SLR for the Subject Lands and submitted as part of the development applications to the City, the Site has been subject to a series of historical alterations including forest removal, ornamental plantings and landscaping, and watercourse modification. Based on Palmer/SLR's field investigations that were completed in October of 2024, vegetated portions of the Subject Lands include deciduous forest, cultural woodland, and headwater drainage features. The tributary of

Sulphur Creek traverses the northern and southern portions of the Subject Property. These features and adjacent lands are Regulated Areas of the Hamilton Conservation Authority.

Man-made Pond to the South of the Extant Dwelling



Mature trees located sporadically on the Site



## 7.0 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST

The following section provides an evaluation of the remaining potential cultural heritage value of the subject site as per O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act, R.S.O. 1990, c. O.18.

O. Reg. 9/06 is the legislated criteria for determining cultural heritage value or interest and is related to design and/or physical values, historical and/or associative value, and contextual values as follows.

### 7.1 Evaluation Criteria

The criteria for determining Cultural Heritage Value or Interest (“CHVI”) under O. Reg 9/06 is as follows:

1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.



8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

## 7.2 Evaluation Against Ontario Regulation 9/06

The following sub-section evaluates the Site (referred to as the “property”) under the prescribed O. Reg. 9/06 which is the criteria for determining cultural heritage value or interest.

1. *The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.*

Based on the site visits completed in preparation of this CHER and CHIA, observations suggest that portions of the existing dwelling were constructed circa 1850 (as per MPAC data) indicating that part of the existing dwelling could be original to the Site. In this regard, the original portions of the dwelling that may remain include the south, east, and west exterior walls. However, substantial modifications, including alterations and additions to the existing dwelling are evident. Modifications include the alteration of the original stone foundation due to a three-car partially-below-grade garage, removal of the original roof structure, interior renovation, and removal of original door and window frames. Acknowledging that conservation principles recognize the evolution of a building as potentially contributing to the CHVI of a property, it is our opinion that the later additions unsympathetically altered the original massing and form of the dwelling replacing elements with illegible pseudo features which are not consistent with conservation approaches. These additions and alterations have resulted in irreversible changes compromising the building’s heritage integrity.

In our opinion, the loss of integrity has diminished its ability to serve as an early or representative example of local architecture albeit its pre-confederate construction date. Furthermore, we do not believe the building to be rare or unique within the area; there are several historic stone buildings and structures within the local community. It is our opinion that the removal of the historic building massing and form negates its ability to be a prototype of this type of building.

Other buildings and structures identified on the site in sub-section 6.2.2 are considered conventional utilitarian buildings and not to be of any physical design value.

2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*

The property and the dwelling do not demonstrate a high degree of craftsmanship or artistic merit. Although some of the stone masonry reflects a traditional construction technique, its execution does not demonstrate an exceptional level of craftsmanship beyond what would

have been typical for the region and period and uses rubblestone, a common technique that would not require the level of expertise as with cut limestone, for example, typical of the locale. Later unsympathetic applications of incompatible mortar have also caused irreversible damages to the historic stone composition which can occur when the wrong mortar is applied during repointing resulting often in water damage.

3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*

The property and the dwelling do not represent a high degree of technical or scientific achievement. We have speculated that the dwelling on the Site may have been constructed as an attending building, such as a tenant farmer's cottage, that formed a larger estate lot. The traditional stone construction techniques and building materials used would have been typical for the region and period, and we do not find them to be representative of any notable technical or scientific advancements, which is consistent with the likely utilitarian nature of the building.

4. *The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.*

The lands including the property evolved through the development of agricultural estate lots. Although it is uncertain if the extant dwelling on-site was an attending building, historical cartography from 1867 indicates that it was in fact part of the Springfield/ Brockton Estate during the Bush and Young ownerships and can be directly associated with the historical theme of mid-19<sup>th</sup> century estate farms within the municipality which was possible due to the prominent, wealthy landowners who had the means to hire farm workers. The establishment of farm estates was driven by members of the Family Compact, who sought to emulate the advanced farming techniques demonstrated by the English aristocracy. Around the cities of Toronto and Hamilton, Family Compact estates formed a notable presence, including properties such as Dundurn Castle, The Grange, and Moss Park. In some areas, the elite pursued the government to higher the cost of land to force new immigrants, in this case Britain's lower class, to seek farm employment rather than purchasing their own farms. The Hermitage and the extant dwelling at 211 Sulphur Springs Road, albeit not as ornate, appear to have followed in suit with this theme of hiring farm workers who tenanted the property. Based on the map entitled "Showing the Hermitage in 1867 & Properties of Friends and Neighbours", several properties and estates were identified that were established respectively between the 1830s to the 1850s.

Although previous owners, such as George and Henry Papps, Thomas Bush and James V. Young may be considered significant to the community, their association is considered indirect as there is no evidence that they resided on the property. Land registry records indicate that the Rincoln, Hammill, Ransom and Francis families owned the Subject Site between 1873 and 1919, however, local directories do not list them as residing on the

property but do identify several tenants suggesting that an original dwelling was potentially leased/tenanted.

The property is associated with William Young who was the President of the family business “Hamilton Cotton Company”, between 1960 and 1984. The company which was established in 1880 by his grandfather James Mason Young. Local records state that he was a “prominent Hamilton businessman and philanthropist”. William served on boards of Stelco, Gulf Canada, Harding Carpets, Gore Mutual Insurance, MacMaster University, Hillfield-Strathallan School and the Stratford Festival and developed with his wife a \$40 million donation for the Hamilton Community Foundation (Hamilton Spectator, 2017). William can be considered a significant person to the community.

5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*

A comparative analysis between the Hermitage estate located to the north, as a prototype of an estate farm in the area was completed to identify any correlation between the property and this recognized site. The Hermitage site, also known as “Hermitage Gatehouse” is regulated under the Hamilton Conservation Authority and is also referred to as the Gatehouse Museum Grounds which can be accessed by the public. Due to the significant changes to the extant dwelling, landscaping and severances of the greater Springfield/Brockton Estate, there is no potential ability to yield information related to an understanding of estate farms. Due to the lack of existing built features that retain the majority of their integrity or evidence associated with documentary material or artifacts of the property, including archaeological artifacts/ material culture, it is our opinion that the property does not offer new knowledge or a greater understanding of a particular aspect of the community’s history.

6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.*

The property does not have historical or associative ties to the works or ideas of a particular architect, artist, builder, designer or theorist. Per the review of historic mapping and records pertaining to the Site and the community of Ancaster more broadly, it is not possible to tie the construction of the original dwelling to a particular person or owner of the property due to the tenanting and leasing of portions of the property throughout the 19<sup>th</sup> century. Moreover, the original portion of the dwelling appears to be reflective of a vernacular cottage, which would have been utilitarian in nature and unlikely to reflect the ideas of an architect, artist, builder, designer, or theorist.

7. *The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.*



The property does not have contextual value that is important for defining, maintaining or supporting the character of the community of Ancaster. Both the lot fabric and dwelling on the Site have been significantly altered since the original crown patent was granted. It could be speculated that the dwelling on the Site was originally constructed as an attending building as part of the Brockton/Springfield Estate, however, there is no clear evidence of this in documentary or oral histories. The dwelling has been significantly altered since it was originally constructed, with an early rear addition occurring in the c. 1860s followed by a series of significant renovations that were undertaken in the 1980s. The original dwelling was likely constructed as a tenant farmer's cottage, however the significant alterations, which changed the building's layout, roof type, and portions of its foundation, limit its contextual value as it renders it unclear what the building's original function or purpose within its context would have been. As such, we do not find that it plays a role in defining, maintaining or supporting the character of the area. Furthermore, the inability to view the property from Sulphur Springs Road due to infill properties located along the former frontage at 167 and 189 Sulphur Springs Road augmented by vegetation, disassociates the property from any ability to define, maintain or support the area, a character which is not defined for this particular area/ segment of the road.

8. *The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.*

The property may have been historically physically and functionally linked to the adjacent Springfield/ Brockton estate at 211 Sulphur Springs Road, however, there is no documentation at this time to confirm this linkage. The property is currently not physically or functionally linked to its broader surroundings. Albeit the property is currently located atop a hill, which may have improved visibility, this change did not occur into the latter half of the 20<sup>th</sup> century after several significant alterations, specifically the three-car garage and relative driveway. There is no indication that there was a visual connection between the extant dwelling or mature vegetation within the broader surrounding area.

The property was originally part of the Springfield/ Brockton albeit for intermittent time frames. The development of the property in tandem with the adjacent property at 211 Sulphur Springs in the 1850s indicates that the property was part of a historical context that has linkage to the broader surrounding area. This is demonstrated through historical cartography including the map "Showing the Hermitage in 1867 & Properties of Friends and Neighbours" and the "Plan of the Estate of Thomas Bush Esq. Being Parts of Lots 41, 42 & 43, Part of Road Allowance Between Lots 43 and 43, in Concession 2, Township of Ancaster" which shows that although it does not appear to be part of the adjacent estates, it was part of a greater historical contextual relationship.

9. *The property has contextual value because it is a landmark.*

The property is not identified locally as a landmark. Due to the configuration of the Site, including the setback of the dwelling, the amount of frontage along Sulphur Springs Road, and the volume of trees and foliage on the Site, no built or landscape features can be seen

from Sulphur Springs Road, therefore, cannot be easily discernable from the public realm which is a key characteristic of a landmark.

## 7.2.1 Summary of the Cultural Heritage Evaluation

*Table 3 - Summary of O. Reg 9/06 Evaluation*

Criteria of O. Reg. 9/06	Yes / No	Comments / Response
1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.	No	The property does not have design or physical value because it is not a rare, unique, or representative example of a style, type, expression, material, or construction method.  In our opinion, the extant dwelling has been significantly altered which includes the removal of original built fabric and therein the building has lost its heritage integrity. This criterion has not been met.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No	The property does not possess any unique design or physical value related to a high degree of craftsmanship or artistic merit. The extant dwelling on the property lacks significant design or physical value. The building was comprised of common construction materials with no notable craftsmanship or architectural features.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	No	The property does not display a high degree of technical or scientific achievement. This criterion has not been met.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.	Yes	The property is linked to the historical theme of estate farming. For a period, it was part of the Springfield/Brockton Estate, as documented in historical cartography from 1867. The property is associated with William Young who was a prominent businessman and philanthropist in the community.

5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No	The property does not have the ability to yield information as it relates to estate farming that provides new knowledge or a greater understanding beyond what has already been brought forth by the Protected Heritage Property known as the Hermitage. This criterion has not been met.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	No	The property was not found to be tied to or related to the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community. This criterion has not been met.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.	No	Due to the lack of intact built heritage features and concealment of the property along the Sulphur Springs Road, the property is not considered important in defining, maintaining or supporting the character of an area which has not yet been defined. Infill properties along the Sulphur Springs ROW and vegetation to the site would distance any potential relationship this property may have had. This criterion has not been met.
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	Yes	The property may have had a physical and functional linkage; however, these linkages are no longer existent. The existing structures and buildings do appear to have been situated purposely in a visual manner. The property does have a historical contextual value in that it is connected to a larger story of the local historic community and the former Springfield/ Brockton estate.
9. The property has contextual value because it is a landmark.	No.	The existing cottage's height does not surpass that of neighbouring structures or trees, and its visibility from the street is partially obscured by trees. No significant viewpoints highlighting the property



		considered as noteworthy or distinctive were identified. This criterion has not been met.
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### 7.2.2 Statement of Cultural Heritage Value or Interest

#### Description of the Property:

The property is located at 163 Sulphur Springs Road which is situated on the north side of Sulphur Springs Road, northeast of the intersection of Lovers Lane and Sulphur Springs Road and northwest of Mansfield Drive and Sulphur Springs Road in the community of Ancaster.

#### Statement of Cultural Heritage Value:

While the role of the existing on-site dwelling on the property remains uncertain, historical cartography from 1867 confirms its inclusion in the Springfield/Brockton Estate during the Bush and Young ownerships. It is directly tied to the mid-19th-century estate farming tradition within the municipality, a system sustained by affluent landowners who had the means to employ farm workers. The property is also associated with a historical context in that it is connected to a larger story of the local historic community and the former Springfield/ Brockton estate.

The property is associated with William Young who was the President of the family business “Hamilton Cotton Company”, between 1960 and 1984. The company which was established in 1880 by his grandfather James Mason Young. Local records state that he was a “prominent Hamilton businessman and philanthropist”. William served on boards of Stelco, Gulf Canada, Harding Carpets, Gore Mutual Insurance, MacMaster University, Hillfield-Strathallan School and the Stratford Festival and developed with his wife a \$40 million donation for the Hamilton Community Foundation (Hamilton Spectator, 2017).

### 7.3 Recommendations on Designation or Removal from Inventory

Under the OHA, properties must meet at least two of the nine prescribed criteria in O. Reg. 9/06 to warrant consideration of a heritage designation. In our view, the Site meets two criteria including Criteria 4 & 8 for its intangible qualities which would be worthy of commemoration. Since designations are enforced through tangible heritage attributes, the absence of such features makes proceeding designation under Part IV, Section 29 of the Ontario Heritage Act, an illogical action. It is recommended that the property be removed from the City’s Inventory following the implementation of mitigation and conservation measures in Section 7.0 of this report.

## 8.0 CULTURAL HERITAGE IMPACT ASSESSMENT

This section aims to evaluate the potential impacts of the proposed redevelopment of the subject lands including 159 and 163 Sulphur Spring Road, Ancaster, Ontario. Development impacts can be either direct or indirect, and they may impact resources and landscapes differently over time. Impacts can be adverse, neutral or beneficial. The construction process itself can cause effects on resources and landscapes during various stages such as the pre-construction phase when the site is being prepared for construction, the construction phase, and the post-construction phase when protective barriers are removed.

The impacts on a cultural heritage resource or landscape can either be specific to the site or widespread, and they can vary in severity from none, negligible, low, moderate, or high. The International Council on Monuments and Sites (ICOMOS) and the OHTK provides guidance for gauging severity in the publication *Guidance on Heritage Impact Assessments for Cultural World Heritage Properties* (2011) and Info Sheet #5, respectively, which can be applied at a micro-level. The graduation of severity ranges from beneficial, neutral/ no change, negligible adverse, minor adverse, moderate adverse and major adverse impacts. The following **Table 1** provides a description of each level of impact.

*Table 4 - Levels of Adverse Impacts to Cultural Heritage Resources*

Levels of Adverse Impacts to Cultural Heritage Resources	
Major	Change to key historic building elements that contribute to OUV, such that the resource is totally altered. Comprehensive changes to the setting.
Moderate	Changes to many key historic building elements, such that the resource is significantly modified. Changes to the setting of an historic building, such that it is significantly modified.
Minor	Change to key historic building elements, such that the asset is slightly different. Change to setting of an historic building, such that it is noticeably changed.
Negligible	Slight changes to historic building elements or setting that hardly affect it.
Neutral/ No Impact	No change to fabric or setting.

The subsequent sub-sections examine the development proposal's potential impact on adverse impacts as outlined in the Ontario Heritage Toolkit including: destruction, alteration, shadows, isolation, direct or indirect obstruction of views, change of land use and land disturbances, within the context of the levels of impact provided above.

## 8.1 Adverse Impacts on the Site

### No Impact.

The Cultural Heritage Value of the property is vested in its intangible elements related to a historical theme and historical context. Without tangible, heritage attributes, there can be no impact as it relates to destruction, alteration, shadows, isolation, direct or indirect obstruction of views, change of land use and land disturbances. The use of the land for residential purposes is not a new use, rather has been the use of the land historically in addition to some agricultural practices.

A Stage 1 and 2 Archaeological Assessment has been prepared for the Subject Lands by Archaeological Consultants Canada as part of the first development application made to the City. The Site was identified as having archaeological potential, however through the test pit survey completed as part of the Stage 2 Assessment, no archaeological resources were identified. This conclusion further confirms that there will be no impact of land disturbances.

## 8.2 Adverse Impacts to Sulphur Springs Road (Inventoried Cultural Heritage Landscape)

Sulphur Springs Road is inventoried as a Cultural Heritage Landscape by the City of Hamilton (see sub-section 2.3 of this report). There is no information provided regarding the potential character defining elements of this transportation corridor and only a segment is identified in the interactive mapping from the intersection of Wilson Street East and the property located at 437 Wilson Street East, Ancaster (Mount Mary-Wynnstay Estate) located to the east of the Site at the intersection of Mansfield Drive (approximately 206.7 metres from the Site).

Although the corridor identified as a Cultural Heritage Landscape is not along the frontage of the Site, it is adjacent thereto; therefore, an assessment of impacts has been completed. Currently there are two infill properties located in front of the Site while the only frontage to the Site is in the form of a narrow laneway. The infill properties, along with existing vegetation, conceal views of the Site proposed for redevelopment (see Figure 36). The proposed retained landscape area, including the man-made pond, creates a buffer between the new development and the roadway which would have an indirect impact on the identified potential cultural heritage landscape.

The proposed entry to the site is a dual entry which facilitated by a slight increase in width of the existing vehicular entry (see Figure 37). The proposed landscaping, including the landscaped boulevard, may alter the historic aesthetic of this roadway. Since this segment of the road has not been identified by the City, it is solely encouraged that landscaping be used in a manner to respect existing landscape aesthetics using indigenous plantings to improve the transition between other properties and the proposed redevelopment.



*Figure 36 – Views along Sulphur Springs Road towards Site*

*View from Sulphur Springs Road Looking Northwest at the Subject Site*

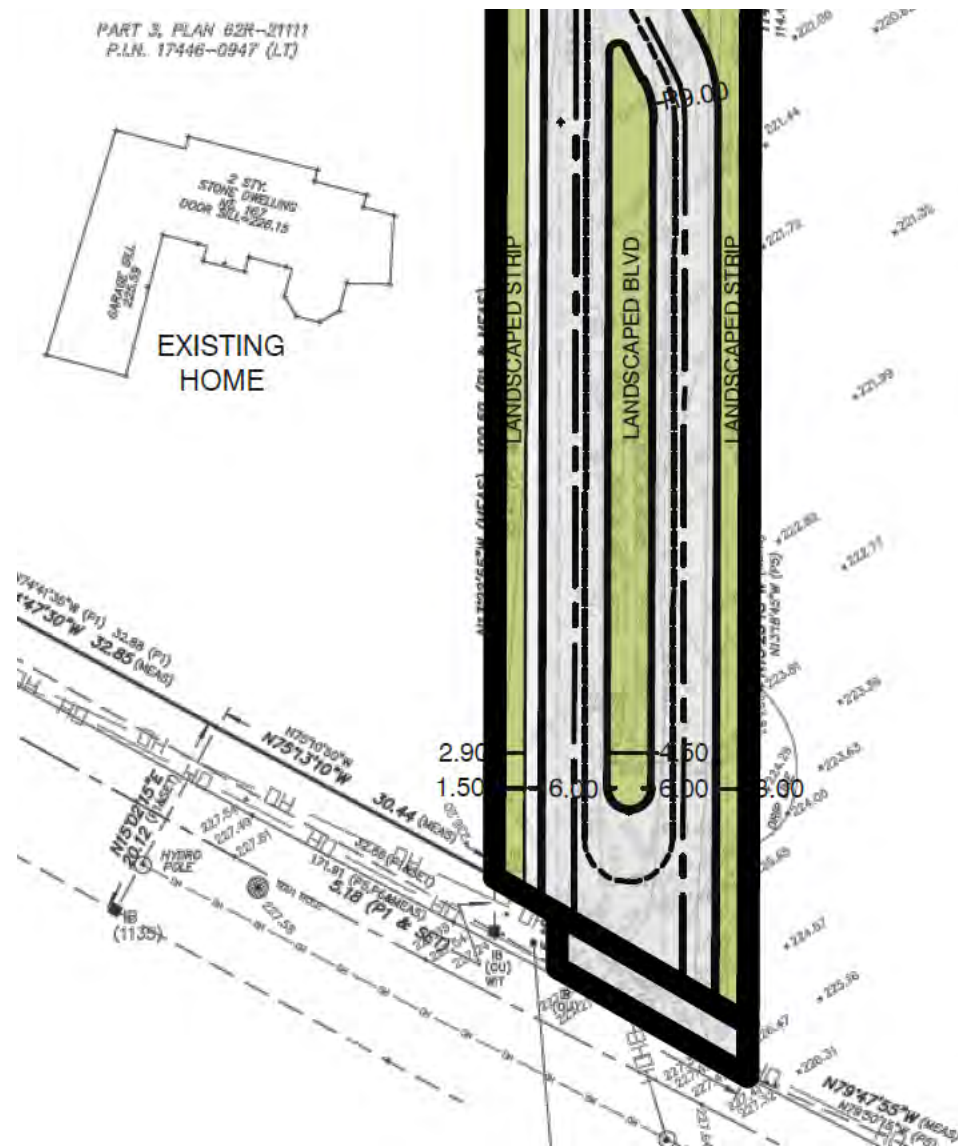


*View From Sulphur Springs Road Looking Northeast at the Subject Site*



Source: Google Streetview

Figure 37 – Detail of Proposed Entry within the Conceptual Site Plan



Source: TBG, 2024

### 8.3 Impacts on Adjacent Resources

The Site is adjacent to the listed (non-designated) property located at 437 Wilson Street East (Mount Mary-Wynnstay Estate) and 211 Sulphur Springs Road (inventoried) to the west. The proposed redevelopment does not propose to destruct or alter built or landscape features located on these private properties and will not result in shadows, direct or indirect obstruction of views, which are challenging due to the existing mature vegetation. The use of land will change in that the Site will include denser residential development. The redevelopment is approximately 50 metres from the extant dwelling at 211 Sulphur Springs Road and 548 metres to the closest built feature on the property at 437 Wilson Street East and therefore, land disturbances are not anticipated. It is expected that changes to natural features on the Site will be assessed within further ecological assessments as recommended in the Environmental Impact Study (December 9, 2024) by Palmer. Impacts will required mitigation measures which should adequately address any potential land disturbances to natural features of adjacent properties that may contribute to the cultural heritage value of the respective properties. Currently, the infill properties located at 167 and 189 Sulphur Springs Road have already created a gap along the road. The density of residential development on the Site contrasts with the use of adjacent properties and has potential to result in isolation between historic properties, however, this impact should be considered negligible as the context has already changed.



## 9.0 CONSIDERATION OF ALTERNATIVES, MITIGATION & CONSERVATION

### 9.1 Alternative Development Options

Since there are no tangible heritage attributes, there were no impacts identified in sub-section 6.1 of this report. In our opinion, the viability of the rehabilitation and restoration of the extant building is not worthy of conservation as it relates to the criteria which requires a rigorous review of heritage integrity which was thoroughly reviewed in sub-section 5.4 of this report. Given the significant alterations and absence of documentation, an accurate restoration would be based on conjecture—which contradicts heritage conservation principles. Without the retention of the extant dwelling in full or partial form, alternative development options are not required. The existing mature vegetation, although considered to be significant natural heritage, is not considered significant to the cultural heritage value of the property in that alternative development options would be required.

### 9.2 Recommendations for Mitigation & Conservation

Although the property does not include tangible, heritage attributes, the value of the property is associated with its intangible cultural heritage value which is encouraged to be commemorated and interpreted. The interpretation of the property could be included in the private landscaped area in the vicinity of the existing man-made pond within proximity of the former dwelling; interpretation related to the theme of farm estates could also be incorporated within the passive recreational trails for future residents with access to naturalized area. Although within the framework of Ontario's legislation there is limited direction on the conservation of intangible cultural heritage likely due to the colonial building-centric model, it is a present and valid value of a site. Interpretation of cultural heritage value can be completed in a variety of ways. Through written plaques and panels to landscape features and art installations. In the context of the property, it is encouraged that rubblestone from the original extant dwelling be salvaged and incorporated into the redevelopment in a way that can commemorate the property. Figure 39 demonstrates a variety of ways that the site can use the remains of the extant dwelling (original footprint) for interpretation purposes. One option includes the creation of a cairn- a mound of rough stones built as a memorial- common in Irish and Scottish traditions which would be reflective of the ancestry of the early farmers in the area, particularly the lower-class farm tenants. Another option includes a form of repurposing and ruinification where segments of the remaining walls could be reassembled for a communal meeting space (contingent on building and engineering permissions). Hybrid options are recommended including interpretative panel(s) and



*Figure 39 – Rubblestone of Extant Dwelling and Potential Commemoration Options*



TBG, 2024

## Conservation

Although the Site is not adjacent directly to the segment of Sulphur Springs Road inventoried as a Cultural Heritage Landscape by the City of Hamilton, it is encouraged that in order to conserve and provide an appropriate transition to this potential Cultural Heritage Landscape, it is recommended that a Landscape Plan be completed that addresses the landscape relative to the entryway into the Site. It is recommended that landscaping be designed to respect existing aesthetic qualities, utilizing indigenous plantings to enhance the transition between neighboring properties and the proposed redevelopment and maintain mature vegetation as much as feasible. The intent of the landscape should be to present the new entryway in a non-intrusive manner, softening laneways with low-lying plantings and maintaining a natural aesthetic.



### 9.3 Implementation & Monitoring

Implementation and monitoring of the above recommendations should be as follows:

1. Commemoration Strategy/ Plan
  - a. Timing: As a condition of the draft plan approval of Site Plan to be satisfied prior to any construction, area grading, or road installations.
  - b. Responsibility: Prepared in coordination between the developer and a heritage professional and endorsed by City Staff.
2. Landscape Plan
  - a. Timing: As a condition of the Site Plan satisfied prior to any construction, area grading, or road installations.
  - b. Responsibility: Prepared in coordination between the developer and landscape architect and endorsed by City staff.

## 10.0 CONCLUSIONS

The objective of this Cultural Heritage Evaluation Report and Cultural Heritage Impact Assessment was to determine the cultural heritage value of the property, referred to as the “Site” located at 163 Sulphur Springs Road, Ancaster, Ontario and to assess impact to identified cultural heritage value or interest. In evaluating the site against the criteria set forth in *Ontario Regulation 9/06* under the Ontario Heritage Act, we have determined that the property meets two criteria, including Criteria 4 and 8, for its intangible cultural heritage value. The assessment of the property's existing built features determined that the on-site dwelling, portions of which may date to circa 1850, has significantly lost its heritage integrity and does not contribute to the site's physical or design value.

Although the Site technically meets the minimum threshold to warrant designation under the *Ontario Heritage Act*, the significance is vested in its intangible cultural heritage value. Seeing that designation is enforced by tangible heritage attributes related to real property- in this case non-existent- it is our opinion that it would be non-sensical to pursue designation as it would be impractical to enforce. Furthermore, there are several other properties, including the Protected Heritage Property known as the “Hermitage”, which are currently providing awareness and education to the community on historic farm estates through publicly accessible interpretation.

As the cultural heritage value of the site is not considered tangible, there were no adverse impacts identified for the site as a result of the proposed redevelopment. Considerations are recommended for the commemoration of the intangible cultural heritage value through a Commemoration Strategy. Additionally, it is encouraged to complete a Landscape Plan that details the proposed landscaping for the entry into the site to respect the adjacent inventoried Cultural Heritage Landscape associated with Sulphur Springs Road and provide an appropriate visual transition. The Commemoration Strategy/ Plan should consider the repurposing of salvaged material to commemorate the history of the site; this report provides potential options for this in sub-section 7.2. The following provides and outline of the timing of implementation of these recommendations:

### Commemoration Strategy/ Plan

- a. Timing: As a condition of the draft plan approval of Site Plan to be satisfied prior to any construction, area grading, or road installations.
- b. Responsibility: Prepared in coordination between the developer and a heritage professional and endorsed by City Staff.

### Landscape Plan

- c. Timing: As a condition of the Site Plan satisfied prior to any construction, area grading, or road installations.
- d. Responsibility: Prepared in coordination between the developer and landscape architect and endorsed by City staff.

It is recommended that this report be added to local archival collections including the local history collection at the Hamilton Public Library.

Respectfully prepared,

The Biglieri Group Ltd.



Rachel Redshaw MA, H.E. Dipl. CAHP  
Associate | Heritage Lead



Alex Walton, HBA, MPI  
Intermediate Heritage Planner



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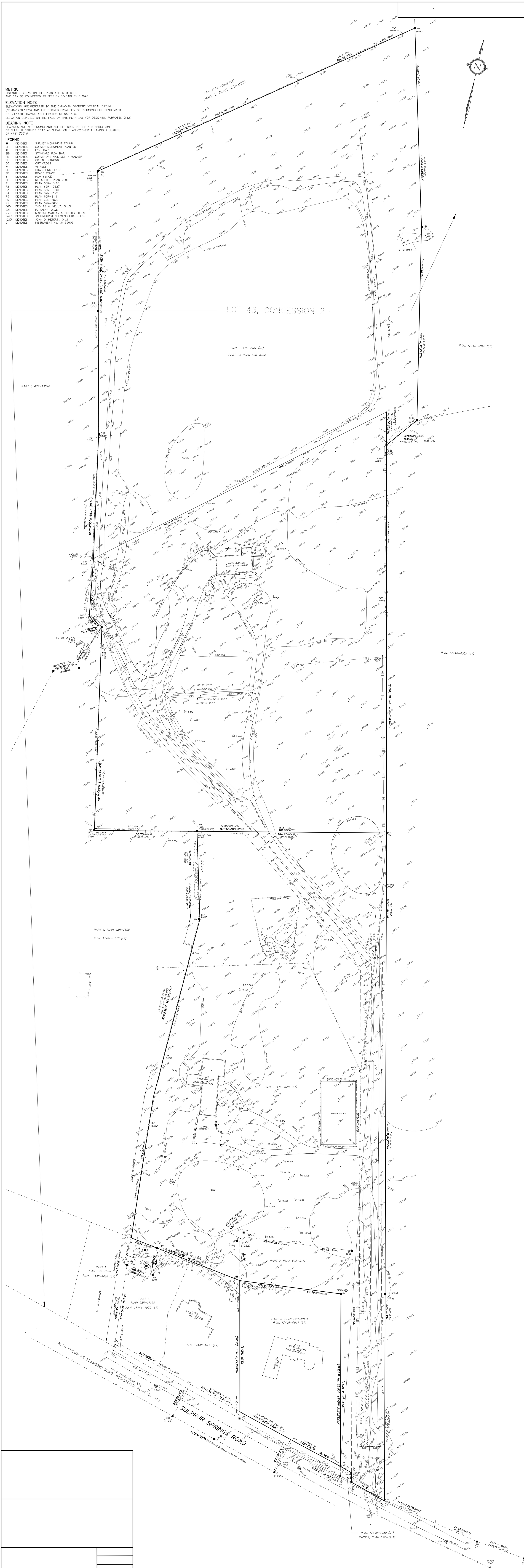
# Appendix



**A**

**Survey**





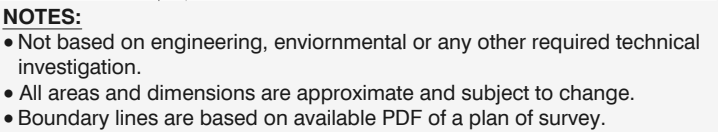


# Appendix



**B**

**Conceptual  
Site Plan**



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