

Authority: Item 11(a), Planning Committee Report 24-011 (PED24124)
CM: August 16, 2024 Ward: 13
Written approval for this by-law was given by Mayoral Decision MDE-2025-06
Dated March 26, 2025

Bill No. 049

**CITY OF HAMILTON
BY-LAW NO. 25-049**

**To Designate Property Located at 85 King Street East, Dundas as Property of
Cultural Heritage Value**

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on July 22, 2024;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on August 16, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 85 King Street East in Dundas in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 24-156;

AND WHEREAS in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

AND WHEREAS no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

AND WHEREAS Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.

2. The Property, together with its heritage attributes listed in Schedule “C” hereto, is hereby designated as property of cultural heritage value or interest.
3. The City Clerk is hereby authorized and directed,
 - a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
 - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule “A” hereto in the proper registry office.

PASSED this 5th day of March, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk

Schedule "A"

To

By-law No. 25-049

**85 King Street East
Dundas, Ontario**

PIN: 17478-0147 (LT)

Legal Description:

PT LOT 17, REGISTRAR'S COMPILED PLAN 1387 , PART 2 , 62R13818 , T/W
VM231521, IF ANY ; DUNDAS CITY OF HAMILTON

Schedule "B"

To

By-law No. 25-049

**85 King Street East
Dundas, Ontario**

**Notice of Intention to Designate
85 King Street East, Dundas**

The City of Hamilton intends to designate 85 King Street East, Dundas, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

The circa 1846-48 one-storey building located at 85 King Street East, Dundas has physical value as a representative example of a nineteenth-century stone cottage influenced by the Regency style of architecture. The property has historical value for its associations with prominent Dundas residents, including John Fairgrieve, Margaret Grafton, Joanna Chapman and Catherine Gibbon, and the early heritage conservation movement in Dundas. The property at 85 King Street East is important in defining the historic industrial character of the surrounding area, is historically and visually connected to the development of the Desjardins Canal, and maintains the historic character of the early settlement area of Cootes Paradise.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment may be found online via www.hamilton.ca or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 24th day of January, 2025.



Matthew Trennum
City Clerk
Hamilton, Ontario

CONTACT: Maryssa Barras, Cultural Heritage Planning Technician,
E-mail: maryssa.barras@hamilton.ca; Phone: 905-546-2424 ext. 6126.
www.hamilton.ca/heritageplanning



Schedule “C”

To

By-law No. 25-049

**85 King Street East
Dundas, Ontario**

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

Description of Property

The irregular polygonal-shaped 0.154 hectare property municipally-addressed as 85 King Street East, Dundas, is comprised of a one-storey stone structure built circa 1846- 48 and two frame outbuildings built in the twentieth century. It is located on the north side of King Street East in Dundas, between the intersection of Court Street to the west and Thorpe Street to the east, in the community of Dundas, in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The one-storey building located at 85 King Street East, Dundas, was originally constructed circa 1846-48. The property has physical value as a representative example of a nineteenth-century stone cottage influenced by the Regency style of architecture. The property has historical value for its associations with prominent Dundas residents, including John Fairgrieve, Margaret Grafton, Joanna Chapman and Catherine Gibbon, and the early heritage conservation movement in Dundas.

The stone dwelling at 85 King Street West was originally built prior to 1848 for John Fairgrieve (circa 1813/1811-1875), who worked as a wharfinger with business interests in the Desjardins Canal, served on Dundas’ town council in 1850. By 1855, Fairgrieve dissolved his business interests in the Desjardins Canal and moved to Hamilton. In 1859 Margaret Grafton, the mother of the historically prominent business of Grafton & Co. Ltd.’s co-founder James Beatty Grafton (1826-1909), purchased the property and it was affiliated with the Grafton family until it was sold in the 1880s.

In the late-1970s, the property was part of a campaign to prevent the demolition of several significant heritage properties including 79-85 King Street East, to facilitate the construction of a residential building. The Architectural Conservancy of Ontario, the Dundas Heritage Association, and the King Street East Citizen’s Group were active in their efforts to preserve the properties and the green space they provided. Advocates were able to negotiate for the sale of 85 King Street East to conserve it, and in 1980 Joanna Chapman (born 1939) purchased 85 King Street East to rent it to Catherine Gibbon (1949-2021). Joanna Chapman is a prominent Dundas resident who has

served on Dundas's town council, owned Chapman and Prince Booksellers (later Chapman Books), founded the Urquhart Butterfly Garden, and has been active in Dundas's environmental and historic conservation movements. Catherine Gibbon, a notable community advocate, landscape artist, student and teacher at the Dundas Valley School of Art, and co-founder of the Carnegie Gallery resided at 85 King Street East from 1980-2021, having purchased the property from Chapman in 1988 or 1989.

The property at 85 King Street East is important in defining the historic industrial character of the surrounding area and is historically and visually connected to the development of the Desjardins Canal. The nineteenth-century stone dwelling is one of the oldest existing dwellings in the east end of Dundas and is connected with the early town development planned in the Cootes Paradise Survey. The well-preserved stone façade, which stands out as an immediately recognizable nineteenth-century heritage structure in the surrounding streetscape, combined with the unique topography and wooded character of the property maintains the historic character of the early settlement area.

Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative example of a nineteenth-century stone dwelling with Regency influences, and its long-standing association with prominent residents and the heritage conservation movement in Dundas, include the:

- Front (south), and side (east and west) elevations and roofline of the circa 1846-1848 stone dwelling, including its:
 - One storey massing;
 - Low hip roof with a side (east) brick chimney and projecting eaves;
 - Rear rectangular field-stone summer kitchen wing with an end-gable roof;
 - Symmetrical three-bay front façade;
 - Cut-stone even coursed front façade with corner quoining;
 - Broken-course fieldstone side and rear walls;
 - Covered front porch with a low hip roof supported by Ionic wood columns atop concrete-block piers;
 - Flat-headed window and door openings with decorative rounded brickmoulds, stone voussoirs and tooled stone lug sills;
 - Six-over-six hung wood windows with wooden storms and functional wood shutters; and
 - Central front entrance with its:
 - Four-panel solid wood door and original hardware, including letter slot, doorbell, and doorknob;
 - Four-pane wooden transom; and,

- Flanking sidelights with three upper glass panes and wood panels below.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of King Street East and Dundas, include its:

- Deep setback from the public right-of-way;
- Location fronting onto King Street East;
- Proximity to the Desjardins Canal;
- Siting of the stone dwelling on the raised topography; and,
- Wooded character with mature trees.