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Department of Planning  
& Development Services  
TELEPHONE 905-468-3266  
FACSIMILE 905-468-0301

# The Town of Niagara-On-The-Lake

1593 FOUR MILE CREEK ROAD  
P.O. BOX 100  
VIRGIL, ONTARIO  
L0S 1T0

March 4, 2010

The Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, Ontario  
M5C 1J3



## REGISTERED MAIL

**RE: The Cappon-Cash House – 646 King Street, Part Lot 20 RCP 692  
Niagara Part 2 30R6529, Town of Niagara-on-the-Lake  
Notice of Passing of By-law No.4361-10  
Ontario Heritage Act, Part IV**

Pursuant to the provisions of Section 29(6) (a) (ii) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, please find enclosed a copy of:

By-law No.4361-10, being a by-law to designate the Cappon-Cash House, 646 King Street.

Sincerely yours

Holly Dowd  
Town Clerk

Enc.

**Properties**

*PIN* 46403 -- 0198 LT  
*Description* PT LT 20 RCP 692 NIAGARA PT 2 30R6529; NIAGARA-ON-THE-LAKE  
*Address* 646 KING STREET  
NIAGARA ON THE LAKE

**Applicant(s)**

This Order/By-law affects the selected PINs.

*Name* THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE  
*Address for Service* 1593 Four Mile Creek Road, P.O. Box  
100  
Virgil, Ontario L0S 1T0

I, Lord Mayor Gary Burroughs and I, Holly Dowd, Town Clerk, have the authority to bind the corporation.  
This document is not authorized under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-Law No. 4361-10 dated 2010/02/01.  
Schedule: See Schedules

**Signed By**

Monica Evelyn Wolfe 39 Queen St. P.O. Box 24022 acting for Signed 2010 02 23  
St. Catharines Applicant(s)  
L2R 7P7

Tel 9056881125  
Fax 9056885725

I have the authority to sign and register the document on behalf of the Applicant(s).

**Submitted By**

DANIEL & PARTNERS LLP 39 Queen St. P.O. Box 24022 2010 02 23  
St. Catharines  
L2R 7P7

Tel 9056881125  
Fax 9056885725

**Fees/Taxes/Payment**

*Statutory Registration Fee* \$60.00  
*Total Paid* \$60.00

**File Number**

*Applicant Client File Number :* 36765

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4361-10**  
(646 King Street)  
(Roll No. 2627 010 002 07600 0000)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN  
MUNICIPALLY AS THE CAPPON-CASH HOUSE, 646 KING  
STREET, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN  
THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL  
HERITAGE VALUE OR INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as the Cappon-Cash House at 646 King Street, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality;

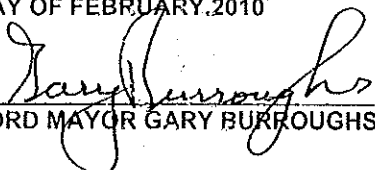
AND WHEREAS the reasons for designation are set out in Schedule 'B' hereto;

AND WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality.

THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as the Cappon Cash House at 646 King Street in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A' hereto.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 1st  
DAY OF FEBRUARY, 2010

  
LORD MAYOR GARY BURROUGHS

  
TOWN CLERK HOLLY DOWD

SCHEDULE "A"  
BY-LAW 4361-10

PIN# 46403-0198 (LT)

Part Lot 20, RCP 692, Niagara being Part 2, 30R-6529; Niagara-on-the-Lake

**SCHEDULE 'B'**  
**BY-LAW 4361-10**

**The Cappon-Cash House, 646 King Street, c.1840**

**Description of Property**

The Cappon-Cash House is a one storey Regency cottage with a clapboard exterior. The house is now located on a relatively flat lot on the east side of King Street between Paffard and Cottage Streets. It was moved to this site in 2005.

Local sources suggest that the house was moved on at least 2 other occasions during the 19<sup>th</sup> century and that it was at one time located on the Vincent de Paul Church property across Picton Street and on the Commons near Fort George. An early 19<sup>th</sup> century photograph of the St. Vincent de Paul Church property shows a house of similar design. However, close examination reveals that there are basic differences between the Cappon-Cash House and the house on the church property.

**Statement of Cultural Heritage Value or Interest**

The cultural heritage value of the Cappon-Cash House consists, in part, in its simple Regency cottage style, which is relatively rare in Niagara-on-the-Lake, and in its many original details which have survived intact in spite of the fact that the building has been moved several times.

The house is a 3-bay, one storey clapboard structure with a hip roof and centre hall plan. A front porch extending the full length of the front façade was added in the late 1990's replacing a smaller porch with a simple sloped roof which was not original to the house. Original exterior features include the clapboard cladding, large window openings with original trim and shutters, the door surround and 3-light transom and the simple cornice moulding. Original interior features include the doors, the mouldings around both the doors and windows and the wide pine floors.

In 2005 the house was moved from its lot at 66 Picton Street, where it was designated under Part V of the Ontario Heritage Act as part of the Queen-Picton Street Heritage Conservation District, in order to accommodate new development which, if integrated with the house, would have compromised or destroyed many of its important cultural heritage features. When the house was moved to its current site it was restored and all of its significant heritage features, both exterior and interior, were retained.

Although the house is not as architecturally distinctive as many of the buildings in the Town it has 2 important characteristics that distinguish it from other simple vernacular structures constructed at approximately the same time. First it illustrates a particular trait of early citizens of the Town whose frugal nature resulted in the habit of moving frame buildings from one site to another rather than tearing them down. The architectural history of the Town relates a number of stories of such houses that were relocated, several more than one. Second, the house is a unique example of a simple vernacular Regency cottage of the type that is seen more commonly in towns and cities such as Brantford, Cambridge and Guelph. In Niagara-on-the-Lake this particular style is a rare occurrence. Here it has been interpreted in wood. The typical picturesque Regency details such as generous windows or French doors and elaborate door casings have been pared down to a minimum without sacrificing the refined sense of scale and simple elegance of design that is characteristic of this style.

**Description of Heritage Attributes**

Key exterior attributes that reflect typical picturesque Regency details include:

- The single storey cottage shape and configuration
- The hip roof configuration
- The claboard siding and exterior trim
- The generous window openings on the front façade and side elevations.
- The shutters
- The door casing with 3-light transom

