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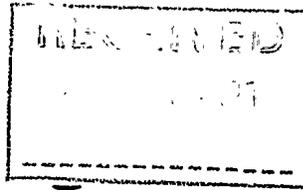


Un organisme du gouvernement de l'Ontario

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Department of Planning
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The Town of Niagara-On-The-Lake

1593 CREEK ROAD
P.O. Box 100
VIRGIL, ONTARIO
LOS 1T0

August 6, 2003

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

REGISTERED MAIL

**RE: 165 Queen Street, 507 Butler Street and 235 Simcoe Street
Notice of Passing of By-law Nos. 3722-03, 3723-03, 3724-03
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 copies of:

By-law No. 3722-03, being a by-law to designate 165 Queen Street
By-law No. 3723-03, being a by-law to designate 507 Butler Street
By-law No. 3724-03, being a by-law to designate 235 Simcoe Street

Sincerely yours

Holly Dowd
Clerk

Enc.



✓
12/10/03

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 3724-03

(Roll No.26-27-010-005-110)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE MORLEY-GALLAGHER HOUSE, 235 SIMCOE 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 Morley-Gallagher House at 235 Simcoe Street, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Foundation, 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;

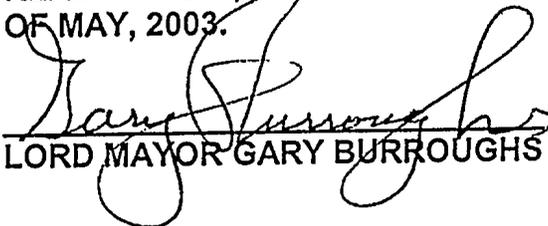
AND WHEREAS the reasons for designation are set out in Schedule 'B' attached hereto;

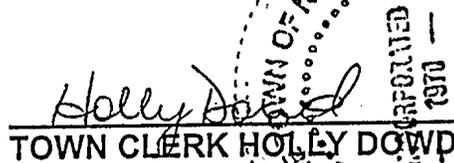
AND WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality.

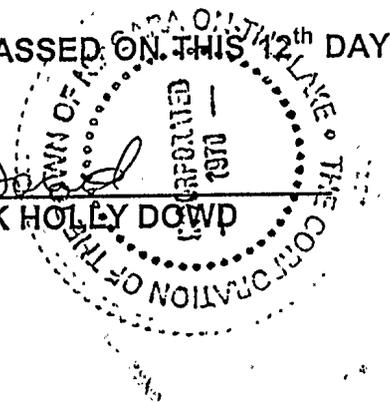
THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as the Morley-Gallagher House at 235 Simcoe 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 Foundation 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 12th DAY OF MAY, 2003.


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD



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SCHEDULE A
BY-LAW 3724-03
235 SIMCOE STREET DESIGNATION BY-LAW

**Part of Lot 96, Township Plan 86, Parts 2, 3, & 4, Plan 30R-3707, Town of
Niagara-on-the-Lake, Regional Municipality of Niagara**

PIN #46398-0014 (R)

SCHEDULE 'B'

REASONS FOR DESIGNATION

The Morley-Gallagher House , c.1828 - Part Lot 96, Plan 86, c.1828
235 Simcoe Street

The Morley-Gallagher House is recommended for designation predominantly for architectural reasons.

Architecturally the house, with its simple, symmetrical design, is a valuable contribution to the streetscape. It constitutes an integral addition to the character and setting that marks the earlier layout of the Old Town with houses arranged parallel to the street and set close to the street line. The house is notable for retaining its original form, interior plan and important interior details such as the staircase, fireplaces, trim, doors and partitions. It is an excellent and well maintained example of the residential homes constructed throughout the Town in the years after the War of 1812- 14.

Site

The house occupies a ¼ acre lot on the northwest corner of Simcoe and Gate Streets. The house sits on a relatively steep rise of ground close to the street, a common characteristic of early buildings in the Old Town. The building is centred on the lot with small side yards. There is well tended rear garden .

Historical Background

The house is situated on ¼ acre of land, part of the 1 acre lot originally granted by the Crown to William Jarvis in 1801. Jarvis fought as a Queen's Ranger in the Revolutionary War and was Secretary and Registrar of Records of Upper Canada.

By 1820, the 4 acre block containing lot 96 was owned by Niagara merchant John Donald McKay who mortgaged the property more than once and lost the land as a result of this transgression.

Eventually, the southeastern half of the lot was sold to Robert Dickson, a young lawyer and legislator who was the son of the Honourable William Dickson. Robert Dickson did not build on the lot and in 1828 he resold half of his purchase, the site of the present house, to Michael Morley, a mason. The other half of the lot was sold to Henry Cleland, a carpenter. Patrick Fagan, a stonecutter, occupied a third portion of Lot 96.

Michael Morley, who probably built the house, was an Irish immigrant, and an active member of the St. Vincent de Paul congregation. He was one of 4 layman appointed to the first Committee of Management, established in 1831, to assist Father Cullen with the plans to build a Roman Catholic church.

The Morley family continued to own the property for over 80 years. Mary Ann McFaul and Julia Morley, daughters of Michael Morley, moved to Buffalo in 1885, after their mother's death. The sisters sold the property to Enoch Thompson, a businessman, in 1909. The property has had a number of owners since that time, including [REDACTED] who undertook an extensive restoration and renovation of the building.

Architectural Features

The house is a two storey, 3-bay structure with a symmetrical centre hall plan. The gable roof has a shallow pitch and is clad in cedar shingles. There are two internal end chimneys. Any eave and cornice details that may have existed were either removed or are covered in the stucco finish, which was applied over the original clapboard.

The building sits on a parged rubble stone foundation near One Mile Creek on a rise of ground close to the street line. A rear one storey board & batten wing is a recent addition.

The 12 over 12 windows may be replacements but are in keeping with the style and the age of the building and have simple surrounds and shallow drip caps. Those on the second storey are located tight up under the eaves. The existing shutters are although they fit the openings appropriately, are late Victorian in style.

A simple 3 light transom surmounts the entrance and the 6 panel door has a wide lock rail and simple hardware.

The original interior plan of the house is largely intact. Two large rooms, used as the parlour and dining room, with two small rooms behind, flank the central hall. The same plan is repeated upstairs with two large bedrooms with fireplaces and two small rooms that were originally connected directly to the larger rooms.

The staircase, with its square balusters and simple newel post a slender turned vase shape with square cap and bun finial, is original to the building. On the second level, at the top of the stairs is a unusual pairéd newel post detail. While one post resembles the newel at the bottom of the stairs, the other has a massive cap to accommodate the ascending rail instead of requiring a ramped detail. Original wide pine floors are located throughout the upper and lower levels. Baseboard and window trim throughout the interior appears to be original.

The livingroom mantelpiece is original. The applied recessed pilasters are fluted and are surmounted by an intricate bedmould treatment of three wafer-thin round tapered forms and headboard, including a centre panel with shelf broken out over this and the caps of the side pilasters, which is rather remarkable. To the right of this fireplace is a tall cupboard of simple design, a feature that appears beside each of the fireplaces in the house and may be a later addition. Although the fireplace in the present diningroom is contemporary, the mantelpiece appears to be a later replacement. The mantelpieces in the upstairs bedrooms have simple, shallow mouldings with plain applied pilasters. All of the fireplace openings are of notable stone construction with tooled faces and cheeks and coursed stone backs.

The existence of a basement kitchen is confirmed by the remnants of a massive stone cooking fireplace with brick outer wings bolstering the sides. Above and to the left of this opening is a later stove hole. There are traces of a similar stove hole on the wall above the living room mantelpiece. The house could accommodate such a basement kitchen because it was located on the side of One Mile Creek that is high above the creek bank as indicated by the blocked south door.

There is some evidence that the south side of the building at 235 Simcoe Street might once have been an inn. Mr. Thalman, who restored the house, found a rear entrance with an early door next to the door to the hall. An examination of the building in 1951 revealed a 7 foot door that had been filled in at the south side and a worn floor area and "shelf marks" on the wall of a downstairs room that could indicate a bar room. Although there is no reference to an inn on this site in several early lists of taverns and recesses or on tax roles from 1847-1895, this does not preclude the possibility of a pre 1847 inn.

Designation

This designation applies to the lands and more particularly to the entire exterior façade and structure of the house excluding the board & batten addition and to the carriage stone located in front of the house and to interior features including all of the pine floors, the fireplace mantels in the parlour and the upstairs bedroom, the five fireplace openings, the staircase and the bathroom door on the second floor and the door connecting the kitchen to the dining room on the first floor.

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12/10/07
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