



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act e-Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre électronique, tenu aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.



Office of the Town Clerk

TELEPHONE 905-468-3266

FACSIMILE 905-468-2959

**The Town of
Niagara-On-The-Lake**

1593 FOUR MILE CREEK ROAD

P.O. Box 100

VIRGIL, ONTARIO

LOS 1T0

August 26, 2009



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

REGISTERED MAIL

**RE: The Miller House – 46 Mary Street, Part Lot 282, Plan 86,
Town of Niagara-on-the-Lake
Notice of Passing of By-law No.4262-08
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.4262-08, being a by-law to designate the Miller House at 46 Mary Street.

Yours truly,

Holly Dowd
Town Clerk

Enc.

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

BY-LAW NO. 4262-08

(46 Mary Street, Roll No. 2627 010 003 13900 0000)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE MILLER HOUSE, 46 MARY STREET, IN THE CORPORATION OF 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 Miller House at 46 Mary 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;

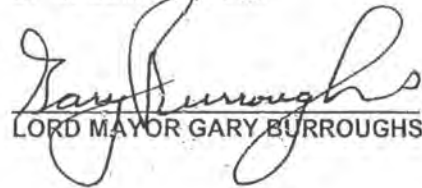
AND WHEREAS the reasons for designation are set out in Schedule 'B' hereto;

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 Miller House at 46 Mary 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 1st DAY OF DECEMBER, 2008.


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

SCHEDULE "A"

Part Lot 282, TP Plan 86, Niagara as in RO696708; Niagara-on-the-Lake
PIN # 46400-0098 (LT)

SCHEDULE 'B'

The Miller House, 46 Mary Street, c.1816-17

Description of Property

The Miller House is a 1 ½ storey, 5 bay timber frame building with a clapboard exterior. The property is located on the southeast corner of Mary and Regent Streets in the Town of Niagara-on-the-Lake.

Statement of Cultural Heritage Value or Interest

The Miller House's cultural heritage value consists, in part, in its early post War of 1812-14 construction which is documented by two early 19th century artifacts – a letter written by William Duff Miller indicating that his house was under construction in 1816 and H.H. Wilson's 1817 plan of Niagara which shows the footprint of the new home at its present location.

The house exhibits many original features from this early period including the original timber frame construction with brick nogging, original 12/12 and 9 over 6 sash pattern, the original entrance door configuration with transom sash, the internal symmetrical centre hall plan, the staircase and balustrade, corner fireplaces with mantels, doors, baseboard and chair rails.

The Miller House's cultural heritage value includes its association with William Duff Miller who served in the Lincoln Militia in 1812. Miller was an Elder at St. Andrew's Church for over 50 years and was a stationer, coroner, registrar, county clerk and, from 1820, deputy clerk of Crown and Pleas. As a merchant and the deputy clerk at the second Niagara Court House (c.1817), Mr. Miller strategically located his house halfway between his shop at 20 Queen Street and the second Niagara Court House, on Rye Street.

Description of Heritage Attributes

Key exterior and structural attributes include:

- The timber frame
- The restored clapboard with moderate exposure (5")
- The original 12 over 12 and 9 over 6 sash and sash pattern
- The front door, including the transom sash
- The west chimney, which is largely original, and the restored east chimney
- The small kitchen ell with brick nogging or filling

Key interior attributes include:

- The original centre hall plan
- The open staircase and balustrade
- Pine plank floors
- All fireplaces and mantels
- All interior trim including doors, baseboards, mouldings and chair rails

