



July 18, 2013

ONTARIO HERITAGE TRUST

JUN 24 2013

RECEIVED

Mr. Jim Leonard, Registrar
Ontario Heritage Trust
Heritage Programs and Operation
10 Adelaide Street East
Toronto, ON M5C 1J3

Dear Mr. Leonard:

Re: Designation of The Stewart House
40 Chapel Street South
Under Ontario Heritage Act - By-law No. 59-2013

Please be advised that Thorold City Council, at its June 4, 2013 meeting, adopted By-Law No. 59-2013 which designates The Stewart House, as being of cultural heritage value or interest pursuant to Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18. A Notice of the Passage of the By-Law was published in Niagara This Week on June 13, 2013.

In accordance with Section 28(6)(a)(ii) of the Act, we have enclosed a copy of the registered By-Law being No. SN377927 registered June 17, 2013 for your records.

We trust this is in order.

Yours truly,

Adele Arbour, MCIP, RPP,
Director of Planning & Building Services

AA:em
Attach.

cc: S. Daniels, City Clerk

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.com

Tel: 905-227-6613

THE CORPORATION OF THE CITY OF THOROLD

BY-LAW NO. 59-2013

A BY-LAW TO DESIGNATE THE STEWART HOUSE,
PLAN 10816 PART LOT 26 PART LOT 27 NP 893
MUNICIPALLY KNOWN AS 40 CHAPEL STREET SOUTH
AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST

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

AND WHEREAS [REDACTED] and [REDACTED] are the owners of the land municipally known as 40 Chapel Street South also known as The Stewart House;

AND WHEREAS Council has served a Notice of Intention upon the owners of the said lands and upon the Ontario Heritage Trust providing Notice of Intention to designate The Stewart House as being of cultural heritage value or interest and has caused Notice of Intention to be published in Niagara This Week, a newspaper having general circulation in the Municipality on the 18th day of April, 2013;

AND WHEREAS there has been no Notice of Objection to the proposed designation served upon the City.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF THOROLD ENACTS AS FOLLOWS:

1. THAT in this by-law and its preambles:
 - (a) "Building" means any premises or structures on the Lands;
 - (b) "City" means The Corporation of the City of Thorold;
 - (c) "Council" means the Council of the City;
 - (d) "Designated" or "Designation" means the designation of the building known as "The Stewart House" located at 40 Chapel Street South, in the City and located on the land, to be of cultural heritage value or interest, pursuant to the relevant provisions of the Ontario Heritage Act, R.S.O. 1990, Ch.O.18, as amended;
 - (e) "Lands" means lands and premises and buildings or improvements thereon, described in Schedule "A" annexed hereto and made part of this By-law;
 - (f) "Notice of Intention" means the Notice set out in Schedule "B" annexed to and made part of this By-law.
2. THAT in accordance with the recommendation of Report PBS2013-41 adopted at a Council Meeting held on April 16, 2013, the building known as "The Stewart House" and located on the said lands as such are described in Schedule "A" annexed to this By-law is Designated as being of cultural heritage value or interest.

3. THAT the Municipal Solicitor is hereby authorized to cause a copy of this by-law including a copy of the reasons for designation, as stated in Schedule "B" to this By-law, to be registered on the title to the Lands at the Registry Office for the Registry Division of Niagara South in the City of St. Catharines.
4. THAT the Clerk of the City is hereby authorized to cause a copy of this By-law to be served upon the Owners of the Lands and upon the Ontario Heritage Trust and to cause Notice of the passing of this By-law to be published in a newspaper having general circulation in the City.
5. THAT amendments to Schedule "A" annexed to and made part of this By-law may be made by the Clerk of the City after passage of this By-law in order to register the By-law pursuant to Section 3 hereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BY COUNCIL
THIS 4th DAY OF JUNE, 2013.


A.T. (Ted) Luciani, Mayor


Susan Daniels, City Clerk

SCHEDULE "A"

DESCRIPTION

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thorold, formerly the Town of Thorold, in the Regional Municipality of Niagara, formerly the County of Welland, and being:

Lands described as the Plan 10816 Part Lot 26 Part Lot 27 NP893 municipally known as 40 Chapel Street South.

SCHEDULE "B"

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18
AND IN THE MATTER OF THE LANDS AT THE FOLLOWING LOCATION IN THE
CITY OF THOROLD, IN THE PROVINCE OF ONTARIO.

TAKE NOTICE that the Council of the Corporation of the City of Thorold intends to designate The Stewart House located at 40 Chapel Street South, on the east side of Chapel Street South north of Portland Street and the Welland Canal Parkway, as a property of cultural heritage value or interest under Part IV of The Ontario Heritage Act, R.S.O. 2005 Chapter O.18, Section 29.

REASONS FOR THE PROPOSED DESIGNATION:

The Stewart House
40 Chapel Street South
Plan 10816 Part Lot 26 Part Lot 27 NP893
Thorold, Ontario

The Stewart House is located at 40 Chapel Street South on the east side of Chapel Street South north of Portland Street and the Welland Canal Parkway.

Cultural Heritage Value

This attractive house is located within the vicinity of many mid-19th century houses and structures of historical importance, and thus contributes to the continuity of the street and community. There is little doubt that the reason this house (and its neighbour) maintained their original locations, in spite of the expropriation of land for the expansion of the 4th Welland canal, was due to their stone construction. They stand, uniquely poised, as witnesses to the changing landscape of Thorold as it was shaped by commercial and industrial expansion in the early 20th century.

Architectural Value

This one and a half story stone house in Old Town Thorold betrays its vernacular roots in its eclectic amalgamation of late Georgian and early Loyalist Neoclassical influences and appears in very good structural condition for its age. The architect and builder of the house are probably the same; given their professions as stone cutter and mason, it seems probable that owners of lots 26 and 27, James Stewart and his brother-in-law David Robertson were involved with procuring and laying the stone for their houses. These two stone houses are only among the few to be found in the Canal areas of Thorold; they bear a strong affinity to the Tracy House.

Some of the more notable features are its rectangular shape facing the road, symmetrical, 3-bay façade, wide entrance with full-length sidelights and transom, single dormer and parapetted gables. It is probable that the limestone used to construct the house came from the local quarries that supplied materials for building the 2nd Welland Canal; indeed it has been noted that most of Thorold's stone houses constructed between 1851 and 1861 were sourced from this: "excellent building stone". Stewart would have had access to offcuts for his house as he worked at John Brown's quarry. The most outstanding feature of a Georgian home was its entrance and this house is no exception. One of the distinguishing details of the roof is the presence of two stone eagles atop of coping stone platform on the west elevation parapet ends. The house had 2 chimneys at each gable end-the south facing one was probably removed in the late 1930's.

Historical Value

James Stewart was born in Scotland; he and his family settled in Thorold while he was still a boy. He learned the stonecutter's trade early in life and did contracting on the old Welland Canal when built, afterwards for the late John Brown, also on the Northern railway at Markham and elsewhere. By 1868 records show him, his wife and family in the house on Chapel Street. After an accident, he and his family relocated to Front Street to operate Stewart's Grocery. The house on Chapel Street became a rental property for 44 years from 1869 until 1913. The first tenant – Donald Rose became Thorold's postmaster; he was followed by a merchant- Robert Smith who lived at the house until 1876. The house was then rented to James' sister Jessie Robertson and her family.

The Stewart House was nestled between an extensive range of properties owned by James & George Calcott who owned at least 5 lots with houses on Chapel Street and other premises elsewhere in the residentially affluent St. George's district of Thorold. After 1900 the house was again rented in a series of short leases. It was empty for a short while in 1911 before the engineer Wm. Hunt took over the lease for 2 years.

In 1913 the dominion Government requested transferral of lots 25 & 26 fronting Chapel Street for use by the Welland Ship Canal under terms of the Expropriation Act. R.C Petch, contractor, who did some renovations to the house, owned it for a short time but did not live in it. The house was sold to Clara and Arthur Schlender in 1939 where they lived for the next 44 years. They opened the Central Cigar Store – the location later became Schlender's and the Bright Spot restaurant. The house was bought by [REDACTED] and in 1986 the property was transferred to [REDACTED] [REDACTED] [REDACTED] [REDACTED]. After that the house had several owners.

Further information respecting the proposed designation is available in the Planning and Building Services Department during regular office hours, 8:30 a.m. to 4:30 p.m., Monday to Friday, 227-6613, 3540 Schmon Parkway, Thorold.

Any person may object to the proposed designation within thirty (30) days after the date of the publication of the Notice of Intention by serving on the Clerk of the Corporation of the City of Thorold a notice of objection setting out the reason for the objection and all relevant facts. The last day for filing objections will be Tuesday, May 21, 2013. All objections received within the aforementioned time period will be referred to the Heritage Conservation Review Board for a hearing and report.

DATED at the City of Thorold this 18th day of April, 2013

Susan Daniels, City Clerk
Corporation of the City of Thorold
P.O. Box 1044, 3540 Schmon Parkway
Thorold, Ontario L2V 4A7