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THE ONTARIO HERITAGE ACT, 1974

NOTICE OF INTENTION TO DESIGNATE

IN THE MATTER OF Section 29 of The Ontario Heritage Act, 1974  
AND IN THE MATTER OF an intention by The Corporation of the City  
of Hamilton to designate land being:

Part Lots Thirteen (13), Fourteen (14) and Fifteen (15)  
Registered Plan of Subdivision No. 40

in the Land Registry Office for the Registry Division of Wentworth  
in the City of Hamilton, in the Regional Municipality of Hamilton-  
Wentworth.

NOTICE IS HEREBY GIVEN that The Corporation of the City of Hamilton  
intends to designate the property described as follows to be of historic  
or architectural value or interest:

Property known as Municipal No. 51 Herkimer Street  
more particularly described in Instrument No. 358691 A.B.  
registered in the Registry Division of Wentworth (No. 62)  
in the name of Heritage Hamilton Limited.

THE REASON FOR THE PROPOSED DESIGNATION is set out in Schedule "A" to  
this notice.

ANY PERSON INTERESTED MAY, within thirty (30) days after the date of  
first publication of this notice, serve on the Clerk of the City of  
Hamilton a notice of objection setting out the reasons for the objection  
and all relevant facts.

ANY PERSON wishing to support the intention to designate may within thirty  
(30) days after the first date of publication of this notice, serve on  
the Clerk of the City of Hamilton a notice of his support of the intention  
to designate together with a request for notice of any hearing that may be held  
giving also the name and address to which such notice should be sent.

NOTICE FIRST PUBLISHED on the 18th day of November 1976.

E. A. Simpson,  
City Clerk,  
71 Main Street West,  
Hamilton L8N 3T4, Ontario.

NOTES:

The Ontario Heritage Act, 1974 provides that:

- (a) where a Notice of Objection has been served, the Council of the municipality, shall, upon expiration of the thirty day period, refer the matter to the Conservation Review Board for a hearing and a report.
- (b) the Conservation Review Board shall hold a hearing open to the public to determine whether the property in question should be designated and the Council, the owner and any person who has filed an objection and such other persons as the Review Board may specify, are parties to the hearing.
- (c) the hearing shall be held in the municipality and notice of such hearing shall be published in a newspaper having general circulation in the municipality at least 10 days prior to the date of such hearing.
- (d) within thirty days of the conclusion of a hearing, the Conservation Review Board shall make a report to Council setting out its finding of fact, its recommendations as to whether or not the property should be designated as property of historic or architectural value or interest, any information or knowledge used by it in reaching its recommendations and copies of the report are sent to other parties to the hearing.

Schedule "A"

to  
Notice of Intention to Designate

The interior and exterior of this property are recommended for conservation as property having historic and architectural value or interest by the Local Architectural Conservation Advisory Committee of the City of Hamilton, in the "Architectural Review & Evaluation Report" prepared by Professor Anthony Adamson, and in "Victorian Architecture in Hamilton" published by the Architectural Conservancy of Ontario and written by Professor A.G. McKay

This building is of considerable architectural merit, representing a transition between two Ontario design periods. Its basic form and its restraint in decoration is of Georgian derivation, but its massing, roofline, bargeboard, bay window, and stone label mouldings over windows on the principal facade and its interior woodwork give it a distinctively Neo-Gothic spirit, a modern departure for Hamilton at mid-century, and the shape of things to come. The use of Hamilton limestone for basic wall construction, faced with imported ashlar-finished white sandstone is typical of the better buildings of the period.

The structure was built in 1858, by Donald Nicholson, the builder of Sandyford Place, as the residence for the Reverend Robert Burnett, minister of St. Andrew's Presbyterian Church, whose outstanding church building (today, St. Paul's) had been completed the previous year under the direction of architect William Thomas. It is a manifestation of the high-quality residential environment that developed as characteristic of much of Durand Neighbourhood. Today, this building stands as one of a mere handful of buildings of its era and character in the City of Hamilton.