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ARCHITECTURE AND
PLANNING
HERITAGE BRANCH

Bill No. C-169

ONTARIO HERITAGE
FOUNDATION

DEC 28 1990

Nancy Smith

The Corporation of the City of Hamilton

BY-LAW NO. 90-337

To Designate:

LAND LOCATED AT MUNICIPAL NO. 988 CONCESSION STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 988 Concession Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,
(i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this 27th day of November A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 4, October 9

CERTIFIED A TRUE COPY

CITY CLERK

Schedule "A"

To

By-law No. 90- 337

Kerr House

988 Concession Street, Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being partly in the City of Hamilton, and partly in the Township of Barton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of parts of Lots 1 and 2 according to plan of survey made for R.P. Street, registered in the Registry Office for the Registry Division of Wentworth as Number 296, and which may be more particularly described as follows, that is to say,

COMMENCING at an iron bar planted in the southern limit of Concession Street, distant two hundred and forty-eight feet and four and one quarter inches (248' 4 1/4") measured easterly along the southern limit of Concession Street from the north-western angle of Lot Number 2 aforesaid, and which said angle of the said Lot is distant seven hundred and ninety-five feet and three inches (795' 3") measured easterly along the southern limit of Concession Street from a concrete monument planted in the eastern limit of Gage Avenue;

THENCE southerly and parallel with the western limit of Lot Number 2 aforesaid, three hundred feet (300') to an iron bar planted;

THENCE easterly and parallel with the southern limit of Concession Street, one hundred and twenty-one feet (121') to a stake planted;

THENCE northerly and parallel with the western limit of Lot Number 2 aforesaid, two hundred and eighty-seven feet and two and one-half inches (287' 2 1/2") more or less to an iron bar planted in the south-western limit of the roadway known as the Mountain Brow Boulevard,

THENCE north-westerly along the south-western limit of the said Mountain Brow Boulevard, thirty-eight feet and one and three-quarter inches (38' 1 3/4") more or less to an iron bar planted in the aforesaid southern limit of Concession Street;

THENCE westerly along the southern limit of Concession Street, eighty-six feet (86') more or less to the place of beginning.

Schedule "B"

to

By-law No. 90 -337

REASONS FOR DESIGNATION

KERR HOUSE, 988 Concession Street

Context

Built around 1855 for John William Kerr, the 1 1/2 storey stuccoed house at 988 Concession Street on the East Mountain stands overlooking the escarpment at the eastern end of Mountain Drive Park, a triangular park extending from Mountain Park Avenue to the point where Concession Street turns into the Mountain Brow Boulevard. Set well back from the roadway on a large lot amidst well-treed and attractively landscaped grounds, the Kerr house now forms part of a residential area developed largely in the 1950s.

The house originally stood at the north-east corner of Kerr's extensive property, whose frontage extended from Upper Gage along the "Mountain Top Road" to its eastern terminus. Here, at what became known as Kerr's Point, John Kerr built a road half-way down the escarpment to join the one built by Daniel Flock from his farm to the east down the Mountain to Ottawa Street.

Historical Importance

Of particular historical interest is the association of 988 Concession Street with the original owner, John William Kerr, a well-known fishing inspector and leader in early initiatives to protect Ontario's valuable fish and game resources. After retiring as Chief Clerk in the Engineer's Office of the Grand Trunk Railway in 1854, Kerr established a farm on his Mountain-brow property and by 1858 was living with his family in the present house, originally known as Inkermann Cottage.

Kerr's concern over the declining fish and game population in Hamilton Harbour and Burlington Bay led him to become a founding member of the Wentworth Society for the Protection of Game and Fish, established in 1860. Four years later, he was appointed a Fisheries Overseer (one of the first in Upper Canada) with jurisdiction over the lakeshore and rivers between Hamilton and Toronto. His territory was soon extended to the Niagara River, and then along the shore of Lake Erie to Long Point. Kerr gained a reputation for his strict enforcement of the laws regulating fishing and game hunting, and also actively lobbied for the creation of fishery reserves for sports fishing and fish hatcheries. Serving as Fisheries Overseer until the year of his death in 1888, Kerr was succeeded in this position by his two eldest sons Frederick and Charles. Throughout his life a staunch Conservative, John Kerr also took an active role in the political affairs of Wentworth County and Barton Township.

John and his wife Mary occupied the house until their respective deaths in 1888 and 1907, after which the property was deeded to their four living daughters who carried on the family farm. With the death of the last surviving daughter Louisa in 1930, the farm was subdivided among the heirs. The house was acquired by Charles Kerr and finally in 1942 to his son, Albert, neither of whom ever lived in it. Owned by the Kerr family for almost a century, the house was purchased in 1946 by Reginald and Ruth Dodson along with about 3/4 acre of land; the property has since changed ownership only once, being sold in 1985 to the present owners.

Architectural Importance

Stylistically, the Kerr house represents a very unusual, and possibly unique, variation on the Ontario Regency cottage form: a one-storey structure of tall proportions, often stuccoed, with tall chimneys and casement windows. Atypical of the Regency cottage is its asymmetrical, L-shaped plan and corresponding roof form, and the large wall-mounted brackets supporting the flared eaves. Sprung from corbels and terminating in two pendants, these gracefully curved wooden brackets constitute the most distinctive and individualistic design feature. Also noteworthy are the four floor-to-ceiling, multi-paned casement windows, the original doorway with its four-panelled wood door and transom, and the four dormers (pre-1946) with curved roofs and casement windows. The only major alteration is the large horizontal window to the left of the front doorway, added when the house was extensively renovated in the 1940s.

Designated Features

Important to the preservation of 988 Concession Street are the original features of all four facades and rear summer kitchen wing, including the stucco finish, the original windows and doorways, and the hipped roof with its four pre-1946 dormers, tall chimney and decorative brackets. Excluded are these later alterations: the two horizontal windows (front and rear) and the dormer added at the rear.