
HALDIMAND COUNTY

Report CDP-15-2019 Application to Designate 12 Erie Avenue North, Fisherville Under the Ontario Heritage Act

For Consideration by Council in Committee on November 19, 2019



OBJECTIVE:

To seek Council approval to designate the property known as 12 Erie Avenue North, Fisherville pursuant of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, section 29.

RECOMMENDATIONS:

1. THAT Report CDP-15-2019 Application to Designate 12 Erie Avenue North, Fisherville Under the Ontario Heritage Act be received;
2. AND THAT Haldimand County intends to designate the property known as 12 Erie Avenue North, Fisherville (RHN CON 5 PT LT7), Haldimand County, pursuant to Part IV of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, section 29;
3. AND THAT if there are no objections to the designation in accordance with Section 29(6) of the *Ontario Heritage Act*, a by-law be presented for enactment to designate the property located at 12 Erie Avenue North, Fisherville (RHN CON 5 PT LT7), Haldimand County, pursuant to Part IV of the *Ontario Heritage Act*;
4. AND THAT if there are objections to the designation in accordance with Section 29(7) of the *Ontario Heritage Act*, staff be directed to refer the matter to the Conservation Review Board in accordance with the legislation.

Prepared by: Anne Unyi, Supervisor, Heritage and Culture

Reviewed by: Katrina Schmitz, Manager, Community Development and Partnerships

Respectfully submitted: Mike Evers, General Manager, Community and Development Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

In June 2019, Heritage Haldimand received a request from the owners of 12 Erie Avenue North, Fisherville to designate this property under Part IV of the *Ontario Heritage Act* (Attachments 1 and 2).

Staff and Heritage Haldimand have reviewed the request referencing both the Heritage Haldimand Designation Criteria and Sub-Criteria (Policy 2003-06) and Ontario Regulation 9/06 (Attachments 3 and 4) and recommend that this property be designated under of the *Ontario Heritage Act* on the basis it satisfies these criteria.

BACKGROUND:

Heritage Haldimand was established to advise and assist Council on matters relating to Parts IV and V of the *Ontario Heritage Act*. These Parts relate to the formal designation of property to identify it as having historical, architectural or contextual value under this legislation.

Part IV of the *Ontario Heritage Act* states, with reference to “Designation by municipal by-law”:

29(1) The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest if,

(a) where criteria for determining whether property is of cultural heritage value or interest have been prescribed by regulation, the property meets the prescribed criteria.

ANALYSIS:

The *Ontario Heritage Act (Act)* provides for the conservation, protection and preservation of historical and architectural heritage properties. Through the establishment of municipal heritage committees, municipalities are able to leverage the *Act* in their heritage conservation programs.

Heritage Haldimand received a request from the property owners at 12 Erie Avenue North, Fisherville to formally designate the subject lands as a significant heritage resource under Part IV of the *Ontario Heritage Act*. Referred to as “The Merchant House”, this property is considered by Heritage Haldimand to be an acceptable candidate for the requested heritage designation.

The recommendation to designate is based upon Heritage Haldimand Designation Criteria and Sub-Criteria; Policy No. 2006-03 (Attachment 3), which guides the Committee through decision-making.

Criteria:

- (1) Having a documented history of being part of an original settlement and/or natural history of the County. For example:
 - A person, family or community may have built or occupied a building, structure or property that had contributed to the history of the local community and/or County, etc. through industry, trade, culture, military or politics.

and

Sub-Criteria:

- (A) Having a “visual point of reference”. A designation-worthy feature must have a major portion of its original structure/architecture/form visible and intact.

The recommendation to designate 12 Erie Avenue North, Fisherville (The Merchant House) indicates that this structure meets these criteria based upon the following:

- The property was purchased by one of Fishersville’s first and most prominent entrepreneurs, Mr. Christian Held;
- The home was built in the late 19th or early 20th century on a small parcel of land (82.5’ x 172’) at the southwest corner of a 200-acre concession lot. Christian Held also constructed a store, known as the “C. Held and Sons General Store” to the south side of the home in 1905 (at the corner of Erie Avenue North and Main Street East);
- The 2 ½ storey home, built upon a stone foundation, is symmetrical in design and is an example of Edwardian and Victorian style architecture. The interior floor plan is a traditional farmhouse layout;

- In addition to being a local merchant, Christian Held is noted for his ownership of the Erie House (now the Fisherville Tavern), the first building to have electricity in Fisherville; and,
- Four generations of the Held Family have occupied the home, including Christian's daughter Eva and her husband Sidney Cronk. Sidney Cronk was a farmer, insurance broker and elected Reeve of Rainham in 1957.



12 Erie Avenue North. Fisherville c. 1920



c. 2018

FINANCIAL/LEGAL IMPLICATIONS:

Should Council pass a resolution indicating its intent to move forward with the request for heritage designation, the required notification processes set out under Section 31 of the *Ontario Heritage Act* will be undertaken. The County's Heritage and Culture Unit will budget for the cost to register the designation on title (approximately \$100.00) and recognition plaque (approximately \$500.00) in the 2020 operating budget.

STAKEHOLDER IMPACTS:

Notice of the proposed amendment is required to be served on the:

- (a) property owner (November 27th);
- (b) the Ontario Heritage Trust (November 27th); and
- (c) published in local media for a period of 30 days (November 27th – December 27th).

If no objection is received, the By-law would go before Council January 14, 2020 following the process as stated above. If no objections are filed and the By-law registered on title February 18, 2020.

If an objection to the designation is filed with the municipality within the 30-day period, Council must refer the objection to the Conservation Review Board (CRB) for a hearing. The *Ontario Heritage Act* mandates this tribunal to conduct hearings and make recommendations to Council regarding objections to proposals to designate. Following the hearing, the CRB writes a report to Council and Council has the final decision.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Application to Designate 12 Erie Avenue North, Fisherville.
2. Location Map.
3. Heritage Haldimand Designation Criteria and Sub-Criteria Policy No. 2006-03.
4. Ontario Regulation 9/06.
5. Key Attributes for Designation.