



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 136-2022

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### Being a By-law to Designate 1 Burns Place as Being of Cultural Heritage Value or Interest

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**Whereas** Section 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, authorizes the council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest, and

**Whereas** notice of intention to designate as required under Section 29 (1) of the aforesaid Act was served on Carlo Montemurro (the Owner) of the property legally described as Part Lot 9, Concession 1, Niagara River, Bertie; Town of Fort Erie, being Parts 1 & 2, 59R-3022, being all of PIN 64233-0271 (LT) in the Town of Fort Erie, and municipally known as 1 Burns Place, and

**Whereas** at the Council-in-Committee meeting held August 8, 2022, the Municipal Council of the Town of Fort Erie approved the Municipal and Cultural Heritage Advisory Committee's recommendation through Report No. PDS-58-2022 to designate 1 Burns Place under the *Ontario Heritage Act*, and

**Whereas** notice of intention to designate the property known as 1 Burns Place, as required under Section 29 (3) of the Ontario Heritage Act, was served on the Owner and the Ontario Heritage Trust, and was published in the Fort Erie Post, a newspaper having general circulation in the Town of Fort Erie, on August 25, 2022, and

**Whereas** one notice of objection to the proposed designation has been served on the Clerk of the Municipality prior to the expiration of the 30-day objection period, and

**Whereas** at the Regular Council meeting of October 3, 2022 Council determined not to withdraw its notice of intention to designate the property know as 1 Burns Place, through Report No. PDS-74-2022, and

**Whereas** it is deemed desirable to designate 1 Burns Place as having Cultural Heritage Value or Interest, under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, as amended;

**Now therefore** the Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described as Part Lot 9, Concession 1, Niagara River, Bertie; Town of Fort Erie, being Parts 1 & 2, 59R-3022, being all of PIN 64233-0271 (LT) in the Town of Fort Erie, and municipally known as 1 Burns Place is hereby designated as having cultural heritage value or interest for architectural, historical and contextual attributes and reasons under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, as amended, for the reasons set out in the Statement of Significance attached as Schedule "A" and forming part of this by-law.

2. That the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 17<sup>th</sup> day of October, 2022.

  
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Mayor

  
\_\_\_\_\_  
Clerk

I, Carol Schofield, the Clerk of The Corporation of the Town of Fort Erie certify the foregoing to be a true copy of By-law No. 136-2022 of the said Town. Given under my hand and the seal of the said Corporation, this        day of        , 2022.

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## Schedule “A” to By-law No. 136-2022

### STATEMENT OF SIGNIFICANCE 1 BURNS PLACE (THE GRANGE HOUSE)

The Grange House property is an important cultural heritage resource that includes a significant built heritage resource constructed in the Regency style of architecture (1820-1860) and exhibiting excellent craftsmanship and use of materials.

#### Description of the Property – 1 Burns Place

1 Burns Place is located on Part Lot 9 Concession 1, Bertie Township, Town of Fort Erie.

The property is a 1.567 hectare (3.87 acre) lot located north of Lindberg Drive and west of Niagara Boulevard, at the north end of Burns Place. The property contains an 1820-1860 Regency Style dwelling set back from the street, at the end of a long driveway approach in a landscape of mature trees of various species and expansive lawn.

#### Statement of Cultural Heritage Value or Interest

The property known as 1 Burns Place is a significant heritage resource that possesses cultural heritage value.

The house has significant design value. It is representative of the Regency style of architecture (1820-1860), with the craftsmanship displayed in the construction of the house being indicative of this design philosophy. It is estimated to be built between 1832 and 1836. This style is rare, notable and unique to Fort Erie.

The house displays a high degree of artistic merit and uniqueness relative to its design, composition, craftsmanship and detail, with many of the original exterior heritage features still in place. The house is deeply set back from Burns Place and the Niagara Parkway. It was constructed in the Regency style of architecture, at the end of a long driveway approach in a landscape of expansive lawn and mature trees of various species. The driveway approach entering the premises from the south gradually turns west to join the building head-on ending in a turn around. The exterior of the two storey Regency style house is highlighted by symmetrical 5 bay facade organisation with white painted shiplap cladding. The symmetrical red brick chimneys on north and south walls extend above the pitched hip roof line, with broad eaves and paired and single brackets symmetrically placed under the eaves.

The property includes a double garage auxiliary building located to the north west of the main building. This annex structure of the building on the west facade consisting of a pitched roof with gable end and chimney.

Front stairs lead up to a wide wrap around verandah on 3 sides of the house, with 8 square columns across the front. These columns feature scrolled brackets on 3 sides. The entrance door has sidelights and a transom, and the original lock. Sidelights are separated from entry door by fluted columns. The windows feature 6 over 6 pane sash

windows, with feature louvered shutters. Noteworthy interior heritage attributes include two original marble fireplaces on the main floor, the kitchen fireplace which is open hearth with a brick surround and the original staircase and banister and trim.

The property has significant historical value, as it has direct association to people of primary importance to the community.

The original tract of land where 1 Burns Place now sits was deeded to John Powell, Captain of the 3<sup>rd</sup> Lincoln Militia in 1796. In 1832 his son William Powell sold his land to Reverend John Anderson, the first minister of St. Paul's Anglican Church, Fort Erie. Reverend Anderson came to Waterloo as a missionary priest in 1828. On January 16<sup>th</sup> 1836 a Parsonage was erected (on this site) at Waterloo (now known as Fort Erie) and was designated as the first Parsonage within the Township of Bertie. On the same date Reverend John Anderson was confirmed as rector by the Lord Bishop of the Diocese of Quebec. He stayed as rector from 1836 to 1849.

Reverend Anderson also provided services at St Paul's Church for the 600 men of the 24<sup>th</sup> Regiment-Incorporated Militia and the 2<sup>nd</sup> Lincoln Militia garrison stationed at Fort Erie under the command of Colonel James Kerby.

The property was purchased by Sir Harry Oakes in the 1920s. Harry Oakes was born in Sangerville, Maine on December 23<sup>rd</sup> 1874. Harry was well educated and in 1912 became a very rich man with the discovery of an iron ore mine and a gold mine near Kirkland Lake. This became the second largest gold mine in North America.

By 1921, Harry Oakes was a multi-millionaire and throughout his life gave generously to the communities in which he and his family lived. Harry Oakes is best known for his contribution of Oakes Garden Theater to the Niagara Parks Commission, which opened to the public on September 18<sup>th</sup> 1937. Sir Harry Oakes made a lasting contribution to Fort Erie with the donation of land and money to develop Oakes Park – the Town's premier baseball facility named in his honour.

In 1934, Harry Oakes and his family moved to the Bahamas in an attempt to escape the massive Canadian taxes that the ruling Conservative Government had levied against him.

On June 8<sup>th</sup> 1939, Harry Oakes was granted the title of a baronet of the United Kingdom by King George VI in his list of birthday honors. Harry Oakes became known as Sir Harry Oakes. Shortly before midnight Wednesday July 7<sup>th</sup> 1943, Sir Harry Oakes, aged 69 years old, was murdered at his Nassau estate in the Bahamas where he was living. The death of Sir Harry Oakes has been the subject of much speculation over the years. A number of books, a movie and a mini series were made about his life and unsolved murder.

The property has contextual value. The home has been a local landmark since its construction, as the largest estate property in the north end of Fort Erie. It is well known throughout the town because of this fact and also the high profile of several owners. It stands alone in the area as a significant structure unrelated in style of the current neighborhood. Its strong relationship to the early days of Waterloo (Bridgeburg, Fort Erie) is clear, as it is connected with the early religious history of the area.

## Description of Heritage Attributes

Key elements that contribute to the heritage value of 1 Burns Place include:

- The setting of the house located back from the street in a landscape of mature trees on approach with expansive lawn surrounding the main building
- Driveway approach entering the premises from the south turning gradually to the west joins the building head-on ending in a turn around.
- The entire exterior of the 2 storey Regency style house including Double garage auxiliary building located to the north west of the main building.
- The annex structure of the building on the west facade consisting of a pitched roof with gable end and chimney.
- The white painted shiplap cladding on exterior.
- The symmetrical 5 bay facade organisation.
- The asphalt shingle roof.
- The symmetrical red brick chimneys on north and south walls extending above the roof line.
- The pitched hip roof with broad eaves, and paired and single brackets symmetrically placed under the eaves.
- The stairs leading up to the verandah from the parking turn-around space.
- The wide wrap around verandah on 3 sides with 8 square columns across the front. Columns feature scrolled brackets on 3 sides.
- The entrance door has sidelights and transom and original lock. Sidelights separated from entry door by fluted columns/pilasters.
- The windows feature 6 over 6 pane sash windows, with feature green operable louvered shutters.
- The two interior original marble fireplaces on the main floor
- The kitchen fireplace which is open hearth with a brick surround.
- The original staircase and banister and trim.

Photo Dates unknown



Louis McDermott Collection



Following Photos – 2019







