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## Planning and Development Services

August 25, 2022  
Sent Via Mail

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, Ontario  
M5C 1J3

**RE: NOTICE OF INTENTION TO DESIGNATE UNDER THE ONTARIO HERITAGE ACT, 1 BURNS PLACE, FORT ERIE**

Please be advised that at its Council-in-Committee meeting held of August 8, 2022, the Municipal Council of the Town of Fort Erie considered Report No. PDS-58-2022 and approved the following recommendations:

*THAT: Council approves the designation of 1 Burns Place as outlined in this report, for architectural, historical and contextual attributes and reasons, under Part IV of the Ontario Heritage Act; pursuant to the recommendation of the Museum and Cultural Heritage Advisory Committee, and further*

*THAT: Council directs staff to prepare a Designation By-law and provide Notice of Intention to Designate in accordance with the Ontario Heritage Act.*

In accordance with Council's direction and pursuant to the *Ontario Heritage Act*, please find enclosed a Notice of Intention to Designate the above property. A Notice of Intention to Designate will also be published in the Town's local newspaper on August 25, 2022.

In the event that you have an objection to the proposed designation, you are required to serve a Notice of Objection on the Clerk of the Town of Fort Erie within 30 days after the date of publication of this notice, being August 25, 2022.

Thank you for your attention to this matter.

Yours very truly,

Signe Hansen, OALA, CSLA, MBA  
Manager, Community Planning  
[shansen@forterie.ca](mailto:shansen@forterie.ca)  
Encls.



## **Notice of Intention to Designate**

TAKE NOTICE THAT the Council of the Corporation of the Town of Fort Erie intends to designate 1 Burns Place, being Con 1 NR PT Lot 9 in the Town of Fort Erie, as a property of cultural heritage value or interest under section 29, Part IV of the Ontario Heritage Act R.S.O. 1990 Chapter O.18.

### **Description of the Property**

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 hip-lap 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 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, 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.

Further information respecting the proposed designation is available by contacting Signe Hansen, Manager, Community Planning, at the Town of Fort Erie at (905) 871-1600 ext. 2506, or by e-mail at [shansen@forterie.ca](mailto:shansen@forterie.ca)

#### **Notice of Objection**

Any person may, within thirty (30) days after the date of the publication of this Notice of Intention to Designate, serve on the Clerk of the Town of Fort Erie, a Notice of Objection to this proposed designation, setting out the reasons for this objection and all relevant facts.

If a Notice of Objection is received, the Council of the Town of Fort Erie shall consider the objection and make a decision whether or not to withdraw the notice of intention to designate the property within 90 days after the end of the 30-day objection period. If

Council decides not to withdraw its intention to designate, a heritage designation bylaw must be passed within 120 days after the date of publication of the notice of intention to designate. Council must publish a notice of passing of the designation bylaw which is followed by a 30-day appeal period when appeals of the bylaw may be made to the Ontario Land Tribunal.

Where no Notice of Objection is served, Council may pass a by-law designating the property.

Carol Schofield, Manager Legislative Services/Town Clerk  
Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie Ontario, L2A 2S6  
(905) 871-1600, Ext.2211