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**NOTICE OF
AMENDING BY-LAW NO. 2014-97**

**PURSUANT TO THE PROVISIONS OF
THE ONTARIO HERITAGE ACT R.S.O. 1990, SECTION 30.1,**

AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS

**Battle Ground Hotel Museum
6137 Lundy's Lane**

TAKE NOTICE that the Council of the Corporation of the City of Niagara Falls passed a by-law amending Designating By-law 99-109 on the 12th day of August, 2014.

PURPOSE AND EFFECT OF THE AMENDMENT

The amendment to the designating by-law has updated the legal description contained in Schedule A and the Reasons for Designation contained in Schedule B.

EXPLANATION OF AMENDMENT

The 1999 by-law described the heritage attributes of the property in general terms. Schedule B, Reasons for Designation has been revised to describe the associative and architectural value of the property including the setting and also updated to reflect a more detailed description of the property and the heritage attributes contained within.

Dated at the City of Niagara Falls this 11th day of November, 2014.

A handwritten signature in cursive script, reading "Alex Herlovitch".

Alex Herlovitch
Director of Planning, Building & Development
City of Niagara Falls
4310 Queen Street, P.O. Box 1023
Niagara Falls, ON L2E 6X5

CITY OF NIAGARA FALLS

By-law No. 2014 - 97

I, the undersigned, Deputy Clerk of The Corporation of the City of Niagara Falls, hereby certify the foregoing to be a true and correct copy of By-law No. 2014-97. Given under my hand and the seal of the said Corporation this 12th day of August, 2014.

[Signature] Deputy Clerk

A by-law to amend By-law No. 99-109, being a by-law to designate 6137 Lundy's Lane, formerly with the municipal address of 6151 Lundy's Lane, known as the Battle Ground Hotel Museum, to be of cultural heritage value and significance.

WHEREAS By-law No. 99-109 designated the Battle Ground Hotel Museum located at 6137 Lundy's Lane to be of cultural heritage value and interest;

AND WHEREAS pursuant to Section 30.1 (2) (a) , the council of a municipality may by by-law amend a by-law designating property under Section 29 of the *Ontario Heritage Act* to clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes;

AND WHEREAS a Notice of Intention to Repeal a portion of the designating by-law was published in the Niagara Falls Review on June 28, 2014 in order to facilitate a land transfer to the Regional Municipality of Niagara for road widening;

AND WHEREAS the requirement for Council to consult with its Municipal Heritage Committee pursuant to Section 30.1 (5) has been fulfilled;

AND WHEREAS The Corporation of the City of Niagara Falls has caused to be served on the owner and the Ontario Heritage Trust, a Notice of the proposed Amendment;

AND WHEREAS no objections have been filed with the Clerk of the Municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. That By-law 99-109 be amended by deleting Schedule "A" thereto and substituting Schedule "A" attached hereto.
2. That By-law 99-109 be amended by deleting Schedule "B" thereto and substituting Schedule "B" attached hereto.
3. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper Land Registry Office.
4. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the property and upon the Ontario Heritage Trust.

Passed this twelfth day of August, 2014.

[Signature]
DEAN IORFIDA, CITY CLERK

[Signature]
JAMES M. DIODATI, MAYOR

First Reading: August 12, 2014
Second Reading: August 12, 2014
Third Reading: August 12, 2014

SCHEDULE "A" TO BY-LAW NO. 2014-97

Lot 8 north side of Lundy's Lane, west of Portage Road, Plan 653 abstracted as Block 8 Village of Niagara Falls except BB71234; Part Lot 7, north side of Lundy's Lane, west of Portage Road Plan 653, abstracted as Block 8, Village of Niagara Falls, Part 1, 59R9693; s/t AA89697; Part Lot 7, north side of Lundy's Lane, west of Portage Road Plan 653, abstracted as Block 8, Village of Niagara Falls, as in AA50650 except BB71234; save and except Part 1 on Reference Plan 59R-14574. Being part of PIN 64315-0195.

SCHEDULE "B" to BY-LAW NO. 2014-97

Description of Property – Battleground Hotel, 6137 Lundy's Lane

The Battleground Hotel is a one and a half-storey building of the early 19th century and now functions as a cultural heritage museum at the centre of the lands involved in the 1814 Battle of Lundy's Lane. With its front temple façade and clear Classical revival elements the building was extensively restored in 2001 to its c. 1850 appearance.

Statement of Cultural Heritage Value or Interest

The land on which the former hotel was built had originally belonged to Thomas Millard Sr., one of the first ten settlers in the Stamford Township. In 1836, Adam Fralick purchased approximately 20,000 sq. ft. (1,858 sq. m.) of this land for the purpose of constructing a tavern. Offering lodging, food and drink to travelers, the business quickly benefited from its location on the Historic Lundy's Lane Battlefield, and Fralick's also owned the adjacent Battlefield observation tower. What began as a simple storey and a half dwelling was further expanded to accommodate a growing numbers of tourists.

The Hotel continued to be passed through the Fralick family until it was sold to James A. Lowell in 1898. Eventually, the lot was acquired by [REDACTED] [REDACTED], who donated the land and building to the City in 1996. As a testament to the City's earliest forms of tourism, the Battleground Hotel remains a noteworthy site in one of the most historically significant areas of Niagara Falls.

Consistent with the Classical revival style, the building is symmetrical in appearance and features a seven bay façade. Originally consisting of a "T" shaped structure, the "T" shaped void was later filled in by two single storey structures with lean-to roofs, behind the east and west wings. The primary gable contains a recessed centre porch, and forms a classical temple façade. This umbrage is supported by two Doric order columns, and contains three points of entry, most likely reflecting the building's use as an inn. The centre door features six raised panels and two incised panel pilasters with simple capitals supporting a plain stepped entablature. Along the front (south) façade are six 12 over 12 restored windows, as well as three 9-light windows along the south facing gable end. The fenestration for the east, west and north elevations consist primarily of 12 over 8 and 8 over 8 sash. The trim of the windows are plain and flat, and feature louvered shutters fixed with a centre cross-rail.

Constructed on a rubble stone foundation, the structure is finished with clapboard siding, and features frieze, sill and beaded corner boards in the same colour and material. Eave returns, another element of the Classical revival style, are also evident. Galvanized copper roofing is used on the east side of the Tavern's lean-to to avoid weather complications associated with the shallow pitch, whereas cedar shingles comprise the primary and south facing gable ends. A remnant of the Cornice gutter was found insitu in the attic area formed by the western lean-to-roof. Inside, the east parlour retains its fireplace and mantel with pilasters, baseboards and trim, and panels beneath the windows. A simple, yet early, banister is intact on the second floor, as well as the sponge painted walls on the

first floor. Evidence of split lath and plaster, an early construction technique, was found in some locations.

The Battleground Hotel is one of many historical sites designated for its heritage value in the area due to its association with the 1814 Battle of Lundy's Lane. Although the building had been built after the Battle had occurred, its creation and success were directly impacted by the Battle's legacy. Furthermore, both the building and its original owner, Adam Fralick, had heavily assisted in the development of early tourism in the Niagara Region. With Fralick's construction of a third observation tower in the area and the Hotel's commercial success, the structure is instrumental to understanding the history and evolution of tourism in the City of Niagara Falls.

Description of Heritage Attributes

Key exterior features that embody the heritage value and are important to the preservation of 6137 Lundy's Lane includes the following heritage attributes:

- primary gable with eave returns typical of the Classical revival style
- central front door with simple square profiles featuring 6 raised panels, two pilasters with heavy cornice, and a plain stepped entablature
- temple façade form, characteristic of Classical Revival style, supported by two Doric order columns (restored)
- symmetrical façade with a seven-bay arrangement providing a balanced appearance
- 12 over 12, 12 over 8, and 8 over 8 sash window arrangement and fixed louvered shutters
- refurbished clapboard siding
- rubble stone foundation
- cornice gutters restored on second floor roof
- cedar shingles used on the primary gable and south facing gable end
- retained interior features in the east parlour, including a fireplace with mantle, baseboards and trim and panels beneath the windows
- Original banister and sponge painted walls.
- association with Adam Fralick, owner of the house and key player in the development of early tourism in the Niagara region
- proximity to other properties designated for their heritage value in relation to the Battle