

The Corporation of the City of Burlington

City of Burlington By-law XX-2019

A by-law to amend By-law Number 105-2001, designating the property located at 736 King Road, for the purposes of correcting a technical error and of satisfying the requirements of the Ontario Heritage Act.

File: 501-06.2, PB-38-19

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the City of Burlington enacted and passed By-law 105-2001 on the 5th day of November, 2001, to designate the property known as 736 King Road in the City of Burlington, Regional Municipality of Halton, as having historical and architectural value and interest pursuant to the *Ontario Heritage Act*, as amended;

AND WHEREAS By-law 105-2001 contained an error in the legal description of the designated property;

AND WHEREAS pursuant to subsection 30.1(10) of the *Ontario Heritage Act*, if the Council of a municipality proposes to amend a by-law designating property made under section 29 before the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent, the Council shall include in the amendment such changes as are necessary to ensure that the by-law satisfies the requirements of section 29, as it read on the day the *Ontario Heritage Amendment Act, 2005* received Royal Assent,

AND WHEREAS pursuant to section 30.1(1) the Council of the Corporation of the City of Burlington may, by by-law, amend a by-law designating property made under section 29 and section 29 applies with necessary modifications to an amending by-law as though it were a by-law to designate property under that section;

AND WHEREAS pursuant to sections 30.1(1) and 29(2), the Council of the Corporation of the City of Burlington consulted with its municipal heritage committee before giving notice of its intention to amend designation By-law 105-2001;

AND WHEREAS pursuant to sections 30.1(1) and 29(3), the Council of the Corporation of the City of Burlington gave notice of its intention to amend designation By-law 105-2001, and no notice of objection was received;

AND WHEREAS the Council of The Corporation of the City of Burlington now deems it advisable to enact and pass a by-law to amend By-law 105-2001 to correct the legal

description of the designated property and satisfy the requirements of the *Ontario Heritage Act*, section 30.1(10);

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. THAT paragraph 1 of By-law 105-2001, enacted and passed by the Council of the Corporation of the City of Burlington on the 5th day of November, 2001, be deleted, and the following substituted therefore:
“That 736 King Road, being Part Lt 2, Con Broken Front, designated as PART 4 & 5, 20R10143, in the City of Burlington, Region of Halton, being the whole of PIN 07097-0022 (LT), be designated as a property having cultural heritage value and interest.”
2. THAT Schedule “A” from By-law 105-2001 be replaced with the following Schedule “A” – Statement of Cultural Heritage Significance.
3. THAT the City Clerk provide a copy of this by-law to the owner of the property and to the Ontario Heritage Trust, and shall cause this by-law to be registered in the Land Registry Office for Halton.
4. THAT in all other respects, By-law 105-2001, is hereby confirmed.

Enacted and passed this _____ day, of _____, 2019.

Mayor Marianne Meed Ward _____

City Clerk Angela Morgan _____

The Corporation of the City of Burlington

City of Burlington By-law XX-2019

Schedule "A"

Statement of Cultural Heritage Significance: 736 King Road

Introduction and Description of Property

736 King Road is located on the west side of King Road in the City of Burlington. The property consists of a one-and-a-half storey red brick house.

Statement of Cultural Heritage Value or Interest

Design/Physical Value

736 King Road, also known as "Crown Farm", is an early house in Burlington and a good example of a Gothic Revival style residence. The King family settled on the lot in 1802 in a log cabin. The subject building replaced that log cabin. What is now the kitchen wing at the rear was a frame structure that may have been built as early as 1825, clad with a broad shiplap clapboard siding. It was later re-clad with brick. The front part of the house was likely added later. Records indicate that it was in place before 1891. The Gothic Revival architectural style is evident in the gable end roof and symmetrical façade that features a central gable with an arched window opening over a centrally placed door. The door is flanked by one window on each side and is highlighted by sidelights and a rectangular transom window. The porch features ornate posts and decorative gingerbread.

Historical/Associative Value

736 King Road is associated with the King family. The King family was one of the earliest settlers in East Flamborough Township (now Burlington) and they owned the property for over 135 years, from 1802 to 1941. Charles King was a United Empire Loyalist (UEL) that arrived at Fort Erie, Upper Canada from New Jersey where he met George Chisholm and family. The King and Chisholm families moved to Burlington in 1793. The Crown Patent to Lot 2, Broken Front Concession went to Charles King in May 1802. Charles' sons James and George King fought at the Battle of Queenston Heights during the War of 1812. Charles Henry King, grandson of Charles King, was willed the Crown Farm in 1846 when he was five years old. Under the ownership of Charles H. King, the property was a market farm, which contributed to Burlington's reputation as "The Garden of Canada". In Martha Craig's 1902 book, *Garden of Canada*, King is described as a fruit farmer with a six-acre apple orchard and two-acre

plum orchard. He is also known for establishing the *Oakville Advertiser* newspaper circa 1887. The King family owned the property until 1941.

Contextual Value

736 King Road is historically linked to its surroundings. King Road was developed within the alignment of an early Indigenous Trail leading northwest from Burlington Beach to Lake Medad. King Road is named for the King family who resided at 736 King Road for over 135 years. As one of only three extant historic structures along this segment of King Road, 736 King Road is a local landmark and a touchstone to the area's agricultural past.

Cultural Heritage Attributes

The heritage attributes that contribute to the cultural heritage value or interest of 736 King Road include, but are not limited to:

- One-and-a-half storey house
- Brick cladding
- L-shaped floor plan with rear wing offset toward the north elevation
- Three-bay symmetrical front façade with a side gable roof featuring a central gable with an arched window opening over a centrally located entryway
- Entryway with sidelights and rectangular transom flanked by one window on each side
- Symmetrical two-bay south elevation (south-facing gable end) with centrally placed chimney
- One brick chimney
- North elevation (north-facing gable end) with two rectangular window openings in the second storey
- Rear wing with side gable (west/rear elevation), and one gable centrally located in the roof of each of the north and south (side) elevations of the rear wing, with one arched window opening in the north gable
- Radiating brick voussoirs over the window openings
- Hip-roofed porch that spans the length of the façade
- Ornate posts and decorative gingerbread that adorn the porch
- Situation on King Road