

To: COUNCIL

Meeting Date: 11/26/2024

Subject: 24-146-CD Recommendation to Designate the Residence at 16 Byng Avenue

Submitted By: Bob Bjerke, Chief Planner

Prepared By: Scott Abbott, Planner-Heritage

Report No.: 24-146-CD

File No.: R01.01.157

Wards Affected: Ward 5

RECOMMENDATION(S):

THAT Report 24-146-CD Recommendation to Designate the Residence at 16 Byng Avenue under Part IV of the Ontario Heritage Act – be received;

AND THAT Council approve the recommendation to designate the property municipally known as 16 Byng Avenue under Part IV of the Ontario Heritage Act;

AND FURTHER THAT the Clerk be authorized to publish a Notice of Intention to Designate (NOID) for the property located at 16 Byng Avenue in accordance with Section 29 of the Ontario Heritage Act for its cultural heritage value.

EXECUTIVE SUMMARY:

Purpose

This report has been prepared to provide a recommendation to Council in support of the designation of the residence on the property municipally known as 16 Byng Avenue (**Figure 1**) under Part IV of the Ontario Heritage Act.

Key Findings

- The property is currently listed on the Heritage Register.
- The property was the residence of William Dickson Jr., the son of William Dickson, founder of Galt.

- Staff have determined the property contains sufficient cultural heritage value to warrant designation under Part IV of the Ontario Heritage Act by satisfying several criteria under Ontario Regulation 9/06 (as amended by O. Reg 569/22).



Figure 1: Front elevation of 16 Byng Avenue (Google Maps, December 2022).

Financial Implications

The City does provide and pay for the installation of a heritage plaque at a cost of approximately \$500. The City also pays to register the bylaw on title to the property, which is under \$100.

STRATEGIC ALIGNMENT:

Strategic Action

Objective(s): Not Applicable

Strategic Action: Not Applicable

OR

Core Service

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

The property located at 16 Byng Avenue (the “Subject Property”) is situated within Ward 5 in the City of Cambridge (**Figure 2**). The legal description of the property is Part Lot 19, Plan 291; Part 1, Plan 58R- 20441. The property is positioned on the west side of Byng Avenue, which runs in a north-south direction. It is bounded by Lansdowne Road South to the west, George Street South (upper plateau) to the east, and St. Andrews Street to the south. Laneway 163 is located directly to the west of the stone residence.

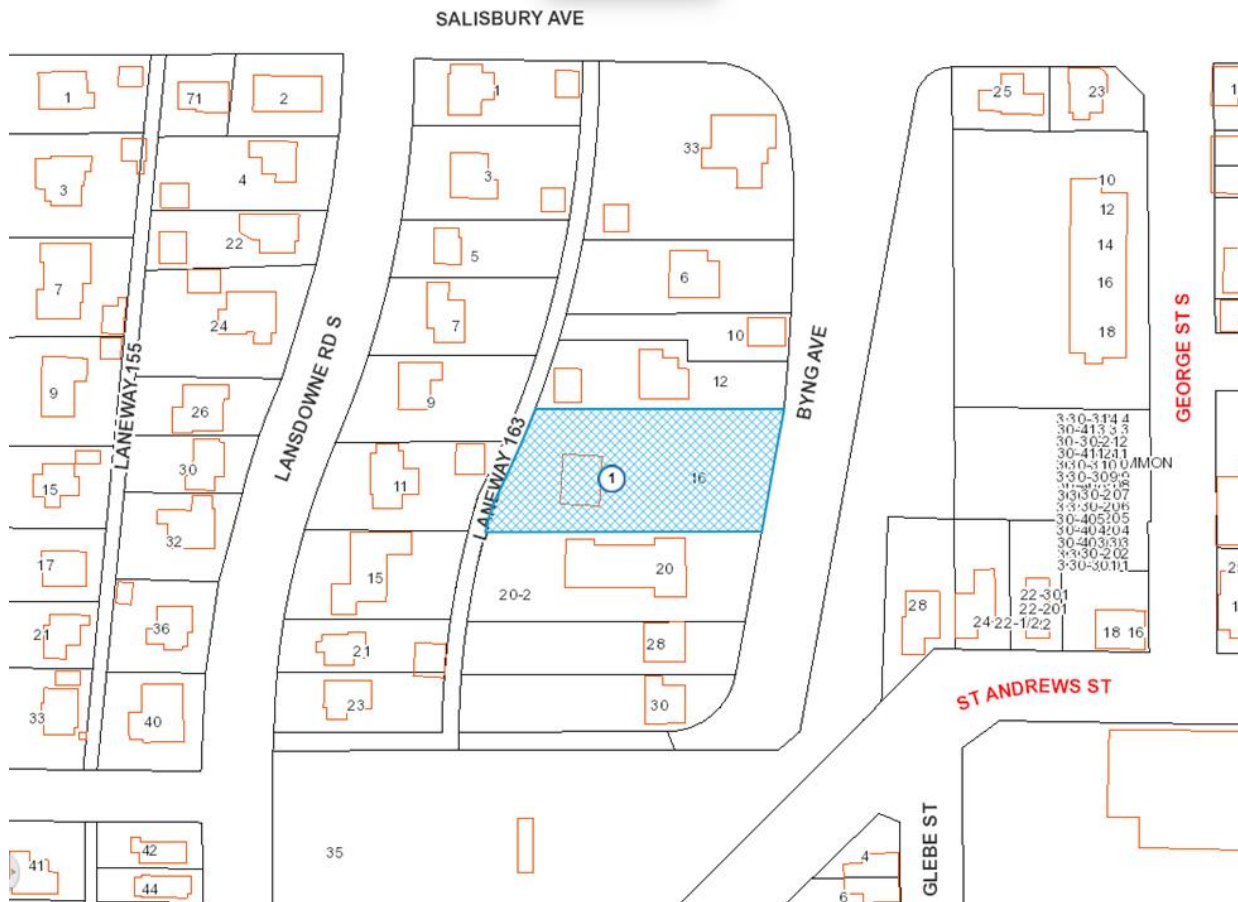


Figure 2: Map of 16 Byng Avenue (City of Cambridge).

The property is currently listed on the City's Heritage Register but is not designated. It falls within the Dickson Hill Heritage Conservation District (HCD) a designated area that includes policies and strategies to preserve the heritage character of public spaces, including street trees, streetlights, signage, and public parking areas.

Byng Avenue is a two-way dead-end street with curbed sides and a sidewalk on the west side. There are no streetlights on the west side, and cobra head streetlights are present on the east side. The distinctive 'globe' style streetlights, highlighted in the HCD, are not present on Byng Avenue. The property overlooks St. Andrews Park, offering views toward the Grand River and the Galt Core.

ANALYSIS:

Historical Context

The stone residence on the subject property was constructed circa 1832 in the Regency architectural style, using locally sourced limestone. It was originally intended to serve as a gatehouse for a larger estate planned by William Dickson, the founder of Galt (now part of Cambridge). However, the main estate house was never built.

Following William Dickson's relocation to Niagara in 1837, the property, along with his business ventures and land holdings, was transferred to his son, William Dickson Jr. The house was named "Kirkmichael", a tribute to the region in Dumfries, Scotland, from which the Dickson family originated. William Dickson Jr. resided in the house until his death in 1877. Ownership of the house then passed to his niece, Florence Dickson, who retained the property until her death in 1924. Florence played a pivotal role in shaping the Dickson Hill area, acquiring substantial land holdings and developing the lot patterns and subdivisions that remain visible today.

The cultural significance of the subject property is rooted in its association with the founding family of Galt and its embodiment of the Regency architectural style. The property is a rare and tangible link to the legacy of William Dickson Jr., one of the area's largest landowners in the 19th century. The residence holds considerable historical value as the last physical remnant of the extensive Dickson estate, reflecting the social and economic prominence a single individual could wield in the early development of the city.

The house's prominent location on a promontory overlooking Cambridge is emblematic of the stature and prestige associated with the Dickson family during the formative years of the community. Its significance is further documented by its appearance on the "1861 Tremain County of Waterloo Map", where it is clearly labeled as the residence of William Dickson (**Figure 3**).



Figure 3: Tremaine Map County of Waterloo 1861. Subject property outlined in red.

Regency buildings are deliberately positioned to maximize visual impact and take advantage of the best possible views. The designs typically feature year-round “cottages” or grander “villas,” blending the symmetry, columns, arcades, and entablatures of classical architecture with exotic motifs, intricate finishes, and Mediterranean inspired details.

While planning staff have approached the current property owner regarding the designation of the property under Part IV of the Ontario Heritage Act, the owner has expressed opposition to the proposed designation.

Alterations and Heritage Integrity

Over time, several alterations have been made to the property. Notably, these changes have not detracted from the architectural and historical significance of the original structure, and it remains a valuable candidate for designation under the Ontario Heritage Act.

Some key alterations include:

- A Demolition Permit was issued on October 4, 2019, for the removal of a 2300 square foot indoor pool area;

- A variance was granted to accommodate an addition, including a two-car garage and expanded living space. The rear yard setback was reduced to 3.3 meters (10.82 feet) from the bylaw requirements of 7.5 meters (24.61 feet); and
- Further alterations were approved under a Residential Alteration Permit issued on February 25, 2022, permitting the demolition of a portion of the rear of the house to accommodate a larger rear-yard addition designed to compliment and respect the heritage character of the original structure.

Despite these changes, the core elements of the house—particularly the Regency-style limestone construction and other heritage defining characteristics—have been maintained.

Importantly, the cultural and historical significance of the house—specifically its ties to the founding family of Galt and its status as one of the last remnants of the William Dickson Jr. estate—remains intact despite these modifications. The prominent location of the house overlooking the City of Cambridge, and its well-preserved Regency architectural style continue to make it a compelling candidate for heritage designation.

Evaluation under Ontario Regulation 9/06 (as amended by 569/22)

According to a suite of changes introduced to the Ontario Heritage Act through the More Homes Built Faster Act, 2022, properties must meet at least two (2) of nine (9) criteria under Ontario Regulation 569/22 to be considered for designation.

1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.

YES – The one-and-a-half storey limestone house, constructed circa 1832 is a representative and early example of the Regency cottage architectural style displaying the typical features and materials associated with this period.

2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

NO – The building does not exhibit a high degree of craftsmanship or artistic merit. It was constructed using common materials and techniques typical of its era.

3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.

NO – There is no evidence to suggest that the house demonstrates any notable technical or scientific advancements for its time.

4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.

YES – The property is directly associated with the Dickson family, a prominent family in the history of Galt. Commissioned by the Honorable William Dickson Sr. for his son William Dickson Jr., the senior Dickson was instrumental in founding the Village of Galt, contributing significantly to its early commercial development. William Dickson Jr. inherited the estate and was a leading figure in the community, residing in the house until 1877. The property remained within the Dickson family until the early 20th century.

5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

NO – While the property is well documented in local historical records, it has not yielded new or unique information that would significantly enhance our understanding of the community.

6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

YES – The property has a strong historical connection to Florence Dickson, a significant figure in the community's development. Florence played a pivotal role in shaping the Dickson Hill area through her strategic land acquisitions and development efforts. Her surveys and subdivision designs for the land she inherited and purchased directly influenced the lot patterns and streetscapes that still define the area today. As such, Florence Dickson's contributions as a designer have left a lasting impact on the character of Dickson Hill.

7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.

YES – The stone house at 16 Byng Avenue is integral to the development of the surrounding area. As one of the earliest structures built by the Dickson family, it helped shape the character of what is now the Dickson Hill neighborhood and the Dickson Hill Heritage Conservation District, both of which are named after the family. The property continues to support and reflect the historical character of the district.

8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.

YES – The property is historically linked to its surroundings, particularly through its connection to the Dickson family. William Dickson Jr. commissioned the nearby Dickson Public School at 65 St. Andrews Street, further linking the residence to its immediate environment.

9. The property has contextual value because it is a landmark.

NO– This property is not considered a landmark as it does not serve as a dominant or defining feature in the broader landscape.

Cultural Heritage Attributes

The following key heritage attributes capture the cultural and historical significance of the stone residence at 16 Byng Avenue:

- The significant setback from Byng Avenue, creating a distinct relationship with the streetscape.
- The east-facing five-bay façade, characteristic of Regency-style architecture.
- The use of limestone in a broken course pattern, highlighted by prominent relief or ‘padded joints.’
- The large limestone cornices that accentuate the façade.
- The stone voussoirs above the main entrance display traditional masonry techniques.
- The low-pitched hipped roof, typical of the Regency style.
- The presence of four segmental dormers, adding to the visual rhythm of the roofline.
- The yellow brick chimney.
- The wrap-around porch, supported by decorative wooden posts, replicating the original design.
- The main entrance, featuring an elliptical transom, sidelights, and decorative tracery.
- The front façade window apertures.

EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

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, the property meets the prescribed criteria; and

(b) the designation is made in accordance with the process set out in this section. 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (1); 2022, c. 21, Sched. 6, s. 4 (1).

Notice Required

(1.1) Subject to subsections (1.2) and (2), if the council of a municipality intends to designate a property within the municipality to be of cultural heritage value or interest, it shall cause notice of intention to designate the property to be given by the clerk of the municipality in accordance with subsection (3). 2005, c. 6, s. 17 (1); 2019, c. 9, Sched. 11, s. 7 (2).

Consultation

(2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under subsection (1), consult with its municipal heritage committee. R.S.O. 1990, c. O.18, s. 29 (2); 2002, c. 18, Sched. F, s. 2 (9).

Notice of Intention

(3) Notice of intention to designate under subsection (1) shall be,

(a) served on the owner of the property and on the Trust; and

(b) published in a newspaper having general circulation in the municipality. R.S.O. 1990, c. O.18, s. 29 (3); 2005, c. 6, s. 1.

Contents of Notice

(4) Notice of intention to designate property that is served on the owner of property and on the Trust under clause (3) (a) shall contain,

(a) an adequate description of the property so that it may be readily ascertained;

(b) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property; and

(c) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (4).

Same

(4.1) Notice of intention to designate property that is published in a newspaper of general circulation in a municipality under clause (3) (b) shall contain,

(a) an adequate description of the property so that it may be readily ascertained;

(b) a statement explaining the cultural heritage value or interest of the property;

(c) a statement that further information respecting the notice of intention to designate the property is available from the municipality; and

(d) a statement that notice of objection to the notice of intention to designate the property may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper of general circulation in the municipality under clause (3) (b). 2005, c. 6, s. 17 (2); 2019, c. 9, Sched. 11, s. 7 (5).

City of Cambridge Official Plan

4.6 Designation of Heritage Properties

1. The City will regulate as fully as possible the demolition, removal or inappropriate alteration of buildings of cultural heritage value or interest included in the Register of Cultural Heritage Resources referred to in Section 4.3, and for these purposes, Council may:

- a) pass by-laws pursuant to the Ontario Heritage Act to designate properties including such buildings or structures to be of cultural heritage value. Council shall not permit the demolition, removal or inappropriate alteration of such buildings or structures for a period of 90 days following application by the owner of such buildings or structures, or such further period of time as Council and the owner may agree upon, unless Council has repealed the by-law designating such property or part thereof;

2. Council will preserve and protect the cultural heritage resources owned by the City and prepare and follow a maintenance programme for these resources

FINANCIAL IMPACT:

There is no cost to property owners associated with designating a property in Cambridge. The property owner of 16 Byng Avenue will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

PUBLIC VALUE:

Transparency:

The Council agenda is posted on the City's website as part of the reporting process.

ADVISORY COMMITTEE INPUT:

Staff consulted with the Municipal Heritage Advisory Committee (MHAC) on October 17, 2024, through report 24-026(MHAC) and the Committee provided the following recommendations to Council:

THAT Report 24-026(MHAC) Recommendation to Designate the Property Located at 16 Byng Avenue be received;

AND THAT the MHAC advise that Council approve the recommendation to designate the property municipally known as 16 Byng Avenue under Part IV of the Ontario Heritage Act;

AND FURTHER THAT the MHAC recommends to Council that the Clerk be authorized to publish a Notice of Intention to Designate (NOID) for the property municipally known as 16 Byng Avenue in accordance with Section 29 of the Ontario Heritage Act because of its cultural heritage value.

CARRIED

PUBLIC INPUT:

Council meetings are open to the public.

INTERNAL / EXTERNAL CONSULTATION:

Heritage Planning staff have engaged with the property owner regarding the potential designation. While the owner has expressed some apprehension about the designation process, we believe that ongoing consultation, coupled with providing relevant information about the benefits of designation, will help address their concerns.

The property owner has expressed interest in converting the residence into a bed and breakfast but has indicated that their support for the designation is contingent upon receiving approval for this use.

CONCLUSION:

Based on the findings noted above the stone residence on the subject property meets more than two (2) criteria under Ontario Regulation 9/06 and staff are of the opinion that the property contains sufficient cultural heritage value to merit designation under Part IV of the Ontario Heritage Act. As such, the MHAC is advising Council, with the support of staff in the recommendation to designate the subject property and request that they direct the City Clerk to publish a Notice of Intention to Designate for the property at 16 Byng Avenue in accordance with Section 29 of the Ontario Heritage Act.

REPORT IMPACTS:

Agreement: **No**

By-law: **No**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has been reviewed and approved for inclusion in the agenda by the respective Departmental Manager.

ATTACHMENTS:

1. 24-146-CD Appendix A – Cultural Heritage Impact Assessment Prepared by LHC Heritage Planning and Archaeology
2. 24-146-CD Appendix B – Supporting Archival Material
3. 24-146-CD Appendix C – Dickson Hill Heritage Conservation District Map
4. 24-146-CD Appendix D – Draft NOID for 16 Byng Avenue