

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 2730-94

A BY-LAW to designate the property known municipally as 407 King Street, The Wilderness, in the Town of Niagara-on-the-Lake in the Province of Ontario as being of architectural and historical value and interest.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1980, Chapter 337, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owners of the lands and premises known as The Wilderness at 407 King Street in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks; and

WHEREAS the reasons for designation are set out in Schedule 'B' hereto; and

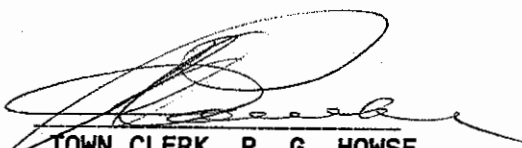
WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of architectural and historical value and interest the real property known as The Wilderness at 407 King Street in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal 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.
3. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality once for each of three consecutive weeks.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 14TH DAY OF MARCH, 1994.


LORD MAYOR MICHAEL M. DIETSCH


TOWN CLERK R. G. HOWSE

SCHEDULE 'A'

DESCRIPTION:

The Wilderness
407 King Street, Niagara-on-the-Lake

Lots numbers 235, 236, 237 and 238, also a piece of land lying between said Lots formerly laid out as a street but very many years ago closed up by verdict of a jury, as shown on Niven Plan No. 86, in the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara and Province of Ontario (formerly in the Town of Niagara, in the County of Lincoln).

As previously described in Instrument No. 529368(86).

SCHEDULE 'B'

REASONS FOR DESIGNATION:**The Wilderness
407 King Street, Niagara-on-the-Lake**

The Wilderness, 407 King Street, is recommended for designation for architectural and historic reasons.

One of the most historic residential properties in the old Town, the Wilderness consists of four one acre lots and the unopened William Street road allowance between King and Regent Streets. It is the site of a Neo-Classical style house of the Regency period built by Colonel William Claus in 1816-1817, with c.1820, c.1835-40, c.1851, c.1870 and 1990 additions, and a carriage house constructed c.1840 and later converted for use as a garage. The Wilderness was presented to Ann Claus by the Six Nations in 1799 as a token of admiration and respect for her late spouse Colonel Daniel Claus who as Deputy Superintendent of Indian Affairs for Canada acted as their agent and supporter. The property is covered by immense trees and a variety of shrubs and One Mile Creek crosses the Wilderness from east to west, creating a wooded wetland.

The house, along with the carriage house, is set back from the road on high point of land, facing north toward Lake Ontario and One Mile Creek. The original house was, by extensions, made into a picturesque, low, rambling cottage, an effect augmented by the garden setting. The north-east wing has a cellar with a brick and stone foundation, while the other sections have crawl spaces below. The three earliest sections have brick walls, while the later additions are of timber frame construction. All have an ashlar-lined stucco finish, to match the earlier brick and mask the different parts, originally with dark painted joints but now concealed by white paint. This appears to be a later finish, done at the same time as the c.1870 south addition. The two square bay windows at the east end also appear to have been constructed c.1870 and presently contain french windows, recently reconstructed, which were probably added during the 1920s. Evidence indicates these windows had twin double-hung or bottom sliding sash of 2/2 panes. Window frames in the brick sections of the house are virtually flush with the exterior. Many of the windows have c.1840 shutters, a transitional type with movable louvres in the lower panel and fixed louvres in the upper panel, mounted on late 1800s cast iron shutter hinges. Similar hardware is used for the south wing shutters which are a post-1850 style with operable louvres in both panels. Main entrance features include a dutch door, fanlight and a hood above the entrance, all later additions. There are three chimneys for interior fireplaces. Much of the hip roof has been restored to the original wood shingle finish, with several sections of asphalt shingles remaining. Evidence indicates there was a built-in or cornice gutter originally.

The three earliest sections are a significant example of the immediate rebuilding after the War of 1812. The first section, completed by 1816 and now roughly in the middle, includes the present library, which may have been a parlour or drawing room earlier, and the two windows west of the front door. It had a loft above, probably the original sleeping space.

SCHEDULE 'B'

REASONS FOR DESIGNATION: (continued)

The second section was being built in 1817, and includes the front hall and main entrance and the sitting room with two windows east of the front door. These sections together formed a five bay front with a slightly off-centre entrance. It now has a hipped roof to the east and is extended beyond the original west end to cover the later frame addition. There is a fireplace at the back wall of the library and the room opposite may have had a similar arrangement, now changed. The c.1820 second addition was probably the original kitchen and appears to have had two front windows and one to the back, a doorway at the north-west corner and a window matching its position near the south end of the west wall. Constructed between 1835 and 1840 and possibly moved up to the brick house, the north wing was the first to be of timber. It has a pedimented gable, and probably was used for more sleeping space. The west addition is possibly of the Walter Dickson period c.1851. The 1870 addition was built on the south side at the east end and appears to have included a bedroom, office and back hall originally. It now serves as a dining room and a kitchen. A number of sheds extending from the west end were removed in 1923 when a small section was added to the south end of the west addition. A carport was added in the 1950s and in 1990 a rear gallery was reconstructed along the south side of the house and a new rear entrance and storage areas were built in the south-west internal angle. Except for the library fireplace and alcoves, trim is relatively plain, with simply detailed backmoulds. Most doors are a simple four-panel design, evidence of the early post-war reconstruction. Additions and alterations include the late 1820s archway between living and dining rooms and the fireplace between the east sections which was converted to a double-fronted style between 1927 and 1947 and probably resulted in reconstruction of the chimney. The front mantle may be an early 1800s style, while the rear one is of early 1900s design.

Significant interior detail includes the following:

Section 1, 1816, Library - structure, floor and roof, fireplace, alcoves, windows and trim, door from hall and trim, baseboard, cornice, door to wing and trim, east brick wall to hall

Section 2, 1817, Hall, Sitting Room - structure, foundation, beam with joists, roof; front entrance doorcase, fanlight and door; south and east hall doors, all hall door trim, hall baseboard and west brick wall; sitting room fireplace and mantel, north windows and trim, door from hall, baseboard, floor, east bay window and trim, archway to dining room

Section 3, c.1820, Passageway, Bedroom - structure, floor and roof; passageway window and trim, and east, west and south doors and trim; bedroom walls, door and trim, window and trim, baseboard, chimney, partition and former opening in south-west corner

Section 4, c.1835-1840, North Wing - structure; passage door and window trim, and floor; bathroom partition trim, door, west window opening, south doorcase and trim in south side of cupboard, and closet door; bedroom door to passage, closet doors and trim, baseboard, windows, and floor

SCHEDULE 'B'

REASONS FOR DESIGNATION: (continued)

Section 5, c.1851, West Addition - structure; passage trim and south door; north-west bedroom trim, accordion lath, door, baseboard, window, door opening (blocked); laundry door; south-west bedroom trim, windows, floor, door and closet door

Section 6, c.1870, South Wing - structure; dining room mantel, bay window and trim, door and trim, window and trim, baseboard, and floor; kitchen window and trim, partition and door to gallery

Section 8, 1990, Gallery, Storage - doors to cellar stairs, kitchen and storage.

Located north-west of the house, the 1 1/2 storey, timber frame carriage house appears to be contemporary with the north wing, c.1840. It has a wood shingle, gable roof with sloped eaves soffit, clapboard siding with starter board, beaded cornerboard and a plain frieze. The five bay east facade includes a stable door north of the south end window and carriage doors at the north end. There are three stable windows and a hay door above at the south wall, and later garage doors at the north wall, with two blocked window openings in the west wall. The double leaf carriage doors (two sets) are a vertical board and cleated type, with semi-elliptical headed opening, beaded architrave and wood keystone. The single stable door is the same vertical board and cleated style. The twelve pane storm windows have 9" x 12" glass and beaded architrave with drip cap.

The original plot is intact and archaeological remains include the original house site on the north bank of the Creek, the site and remaining supports of the old root-house north-west of the present house, an original stone-lined well south-east of the house and the concrete foundation west of the house marking the location of the gardener's frame cottage, built in the late 1920s or early 1930s and moved c.1950 to 127 Gage Street. The natural landscape includes sycamores or buttonwoods, false acacias, a Balm of Gilead tree, huge oaks (now dead, one reputed in its time to be the oldest in Southern Ontario) and the site of the Balm of Gilead used as a navigational marker by early vessels on Lake Ontario. Planted specimens include early settler's ornamental (black locust), mulberries, a magnificent gingko, catalpas, Norway spruce, as well as large variety of ornamental shrubs.

Six Nations bands met at the Wilderness to receive presents from the Crown and to collect the resinous coating from the Balm of Gilead tree buds as a cure for snow blindness. In 1796 the four lots were patented to David Deamud, James Whitten, Joseph Adnams and Lieutenant Robert Pilkington of the Royal Engineers, an Aide to Lieutenant Governor Simcoe. Pilkington obtained title to the entire property and ownership was transferred to Ann Claus in 1799. Pilkington reportedly received Indian land in exchange for his interest in the property. After the original brick house was burned in 1813, Mrs. Taylor, spouse of Fort Major Thomas Taylor, and her children took refuge for the winter in the old root-house, known as 'The Pit'. During the following winter it is reported that forty wounded men lived in a large cave in the bank of the Creek.

SCHEDULE 'B'

REASONS FOR DESIGNATION: (continued)

The existing house was built across the lane from the original by William Claus and it is said that Richard Miller Q.C. was born here in 1817 when his father's (W. D. Miller) house was being built at 46 Mary Street. Colonel William Claus (1765-1826), son of Ann and Daniel, succeeded John Butler as Superintendent to the Six Nations at Fort George in 1796 and from 1800 to 1826, like his father before him, served as Deputy Superintendent of Indian Affairs. At the outbreak of the War of 1812 he was Lieutenant Colonel of the First Regiment of Lincoln Militia and later he was actively involved in the community as member of the Niagara Library and St. Mark's Church, a trustee of the Niagara District Grammar School and Niagara's representative to the Legislative Council. William Claus kept detailed diaries while building the house and noted that bricks from Mr. Dickson's kiln were used for what is believed to be the 1817 addition. Catherine Claus, William's widow, granted the Wilderness to her son John Johnson Claus in 1841. He then conveyed the title to his brother Warren who immediately sold the property to Richard Woodruff of St. Davids. The Honourable Walter Hamilton Dickson obtained title in 1850. Catherine Lyons, daughter of William and Catherine Claus, bought the holding in 1860 and financed construction of the south wing through mortgages. Her grandsons W. A. Dickson and Andrew Lemon received the deed in 1873 and in 1878 sold the property to Thomas Ince who obtained the patent to the William Street road allowance. Subsequent owners included Grace Dickson (1881-1884), Gerard B. Allen (1884-1885), George L. Allen and Samuel N. Holliday (1885-1889), John G. Dickson and R. G. Cox (1889-1890) and William H. J. Evans, married to Catherine A. M. (nee Claus), who bought the property in 1890. From 1916-1922 the Wilderness was bank property. William R. Austin, grandfather of the present owners, purchased the parcel and in 1925 sold it to Frederick Combier. Anna Whitney assumed title in 1929, followed by Sudie B. Hancock and John P. Hancock in 1931, mortgage-holder The Independent Order of Foresters which foreclosed in 1940, and Henry Sprague. The I.O.O.F. foreclosed on the latter in 1946 and in 1947 sold the Wilderness to Mary R. Parker. Her daughters, Mary Isobel Parker, Muriel Frances MacKay and Lorna Ruth Parker received the property from her estate in 1986 and are the current owners.

This designation applies to the lands and more particularly the entire exterior facade and structure of the house, the significant interior detail of the house as noted above, the entire exterior facade and structure of the carriage house, the archaeological remains, the natural landscape and the planted landscape.