

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

BY-LAW NO. 2961-96

(Roll #1-164)

A BY-LAW to designate the property known municipally as 66 King Street, Whale Inn, 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. 1990, Chapter O.18, 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 Whale Inn at 66 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 Whale Inn at 66 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 29TH DAY OF JANUARY, 1996.

Michael M. Dietsch

LORD MAYOR MICHAEL M. DIETSCH

Holly Howse

TOWN CLERK R. G. HOWSE
H. Howse

SCHEDULE 'A'

DESCRIPTION:

Whale Inn

66 King Street, Niagara-on-the-Lake

Parcel 18-1 Section M-15 being Lot 18 on Plan M-15 in the Town of Niagara-on-the-Lake, in the Regional Municipality of Niagara, registered in the Land Registry Office (No. 30) for the Land Titles Division of Niagara North at St. Catharines. Together with the right to maintain and use the frame dwelling and porch erected upon that part of King Street until such time as the said existing frame dwelling is removed or replaced as more fully set out in Instrument 8770.

SCHEDULE 'B'

REASONS FOR DESIGNATION:

Whale Inn

66 King Street, Niagara-on-the-Lake

The Whale Inn is recommended for designation for architectural and historical reasons. It is an excellent example of the neo-Classic vernacular frame building, with a two storey, five bay front, centre doorcase and side tap room entrance leading into a public bar, typical of early tavern construction. Located at the foot of King Street on land originally granted to the Niagara Harbour and Dock Company, the Whale Inn was built in 1835 to serve sailors and travellers. Three generations of the Elliott family occupied the building which from the 1900s until the 1940s was operated as a guest house and restaurant known as the Elliott House. Now a private residence, the building has retained most of its significant features and still reflects its origins as an important early hostelry of Niagara.

The property slopes down to the water and slightly to the south and the approach from King Street gives the impression the building is set down in a hollow. The house, which faces and partly encroaches upon the King Street road allowance, forms an important visual anchor at the foot of King Street. Walter Elliott, born c.1799, owned the building by the late 1840s and probably leased the land from the Dock Company which was formed in 1831. He occupied the house with his wife Mary, worked as a labourer and appears to have operated a trading business (horses, cows, carriages, boats, nets) with his son Thomas during the 1850s, in addition to serving as an innkeeper. Walter died in the late 1850s and the building was passed on to Thomas, born in 1824, who as well as serving as a hotelkeeper, worked as a grocer, fisher and trader. Thomas and his wife Jane purchased the land in 1871 during the Dock Company land dispersal. Thomas died in 1899 and Jane Orr Elliott lived in the house until her death in 1908 when the property passed to their daughters Emily, Sarah and Adelaide. The latter died in 1941 and in 1953 cousin Frank Thomas sold the property to settle the estate. Subsequent owners include: Kate Oppenheimer (1953-1968), George and Helen Masson (1968-1970), Marjorie and Marshall Hunt (1970-1972), Marguerite and John Gwynne (1972-1990) and the current owner, Marilyn B. Shepherd.

Built close to the dock, this two storey frame building has a 1 1/2 storey east kitchen wing set several steps below the main floor. The heavy timber structure of the post, girt and beam type, appears to be a modified barn style frame using cross girts to support floor beams spanning the depth of the building to carry the second floor. As a result, floor decking is laid parallel to the front and back walls. Ground floor framing over a shallow cellar is reversed, with hewn summer beams below hall partitions carrying rough log joists, most with bark. The main section cellar is accessible from outside at the north (river) end of the building and the wing has no cellar. Exterior features include: a wood shingle, gable roof; vestiges of a cornice gutter represented by moulded eaves returns, original except for the back of gutter; two end brick chimneys; wood clapboard of moderate width with typical trim of the early 19th century including starter board, cornerboards and casings; 1836 fire insurance marker above the main entrance; narrow 4/4 window beside the tap room entrance; original 6/6 windows at the west facade; main entrance with pilasters, sidelights and a deep frieze below a cornice; two quarter moon windows in the gable; original sash and old glass in most windows at the gable ends and rear facade and in the rear wing, with fine muntins which are reasonably deep where larger glass is used; main block panes of 10" x 14" downstairs, mainly in a 6/6 pattern, 10" x 12" upstairs and 7" x 9" in the rear wing, in 12/8, 8/8 and 6/6 arrangements; a trapezoidal window above the wing roof and louvred shutters.

The layout is a centre hall plan with flanking rooms and steps down from the main block to the wing. Significant interior detail includes the following:

three staircases - elegant, simple main staircase with hardwood balustrade, slender vase-shaped turned newels with bun tops, larger at the base, sligher at the turn about the landing, square balusters; simple back staircase to addition first floor; back staircase to addition second floor with simple well rail, square balusters similar to main stair but with heavy square newel with rounded off corners on the top, small "growed knee" (probably cut from a spreading root at the base of a tree) used as brace to the floor

doors, hardware - six panel front door and interior first floor doors; four panel doors on the main block second floor; beaded board with cleat doors on addition second floor; rim locks, some of the lift-latch Carpenter type as well as spring latches, all with brass knobs, and one Norfolk latch

trim - simple detail throughout, showing tavern origins, with good joinery typical of mid-1830s, using cyma reversa with sloped fillet profile; hall architraves with fillet/cyma reversa/sloped fillet backmould set on a casing with intermediate fillet quirk and 3/4 bead edge; dining room/parlour architraves with similar trim; simpler tap/bar room trim with a plain casing without quirk; main block second floor trim similar to tap/bar room but with finer backmould; basic beaded edge trim elsewhere; mainly plain-faced baseboards with torus/fillet cap; early, possibly original, closets on second floor in south bedrooms

joinery - folding panelled partition at back of existing dining room/original parlour which fits original archway at back, the opened space would have been used as a ballroom, an essential hotel feature; addition/original kitchen mantelpiece, the only fireplace (otherwise, building was stove heated originally) which was the cooking hearth with crane/crook in place and its simple mantelpiece with mould surround and broad cove bedmould; addition/original kitchen wainscot of high, wide horizontal board with cap mould; back bar to tap room with symmetrical pilaster trim, glazed doors at upper cupboards, panelled doors to cabinet below, natural wood stained dark walnut, possibly to match intermediate shelf made of that wood

The building was restored and enhanced in the 1950s by master carpenter Carl Banke. An American Colonial bar front built then was removed and the original back bar again exposed in the 1970s. The Whale Inn is notable for its distinguished details and relatively simple finish, an attribute common to such buildings. Its closest companion is the former Sign of the Crown at 118 Johnson Street which shares certain design characteristics. Site features include: a single garage and attached double carport addition; a board fence to the west (on the road allowance) and south; trees, shrubs and plantings such as the large horse chestnut trees to the west and south (also on the road allowance) and shoreline protection along the water.

This designation applies to the lands and more particularly the entire exterior facade and the structure of the house and the significant interior detail as noted above.