

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

BY-LAW NO. 3922-05
(229 Simcoe Street, Roll No.26-27-010-005-108)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS THE FAGAN-GARRETT-HUMMEL HOUSE, 229 SIMCOE STREET, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage 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 owner of the lands and premises known as the Fagan-Garrett-Hummel House at 229 Simcoe 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 a newspaper having general circulation in the municipality;

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 cultural heritage value or interest the real property known as the Fagan-Garrett-Hummel House at 229 Simcoe 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.
3. The Clerk is hereby authorized to cause 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 a newspaper having general circulation.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS
11TH DAY OF APRIL 2005.**


LORD MAYOR GARY BURROUGHS


TOWN CLERK HOLLY DOWD

SCHEDULE "A"

Lots 73 and 74, 95 and part Lot 96, Township Plan 86, Niagara designated as Parts 1, 2 and 3 on 30R-11437; Subject to easement over Part 3, 30R-11437 as in NR55259; Niagara-on-the-Lake

PIN 46398-0112 (LT)

SCHEDULE 'B'

REASONS FOR DESIGNATION

The Fagan-Garrett-Hummel House, c.1835 – Part Lot 96, Lot 4 in the Peaceacres Plan of Subdivision, Niagara-on-the-Lake

The Fagan-Garrett-Hummel House is recommended for designation for its cultural heritage value and interest.

The building represents an important remnant of the history of Irish settlement and of the early artisans who settled in Niagara. The property was home to an accomplished stonecutter and was adjacent to a small enclave of modest homes of other Irish craftsmen who settled in this area of Town. It is also an example of property that, however modest, was inhabited by a single family for almost 100 years.

Architecturally the building represents a modest worker's cottage of simple symmetrical design. Along with its neighbour to the immediate south, it constitutes an integral addition to the streetscape character and setting that marks the earlier layout of the Old Town with houses arranged parallel to the street and set close to the street line. It is an important example of one of the more unpretentious cottages constructed throughout the Town in the middle years of the last century when Niagara was home to a burgeoning commercial and industrial community.

Site

The property is on the west side of Simcoe Street between Queen and Johnson Streets. The house is situated on a relatively flat lot of approximately 1/8 acre sloping slightly to the south towards One Mile Creek.

Historical Background

The Fagan-Garrett-Hummel House stands on a portion of the one acre lot originally granted by the Crown to Provincial Secretary William Jarvis in 1801. There is no evidence that either Jarvis or his heir, Samuel Peters Jarvis, built a house on the lot. The earliest deed of any significance in relation to Lot 96 deals with the sale of the southeast 1/2 acre to Robert Dickson in 1824. In the spring of 1828, Mr. Dickson sold the southwest 1/2 acre in two pieces, 1/8 acre to Michael Morley, an Irish immigrant and stone mason and 1/8 acre to Henry Cleland, carpenter and joiner. The house owned by Michael Morley still stands next to the house at 229 Simcoe Street and was designated under Part IV of the Ontario Heritage Act in 2003 as the Morley-Gallagher House.

Sometime before these sales, Robert Dickson sold the 1/8 acre site of 229 Simcoe Street to Patrick Fagan, a stone cutter. Mr. Fagan was resident in Niagara as early as 1825 when he advertised his abilities on the front page of the *Niagara Gleaner* informing the public that he had specimens of quoins, window caps, sills, hearths, chimney slabs etc. available for viewing. He also guaranteed that he could cut and letter tombstones "with neatness and dispatch".

Fagan and his wife, Lucy Hiskett, had two children baptized in St. Vincent de Paul Church in 1827 and 1829 respectively. It is probable that he had a small house and a workshop on his lot by the late 1820's. The 1837 Baddeley plan of the town indicates three frame houses on Lot 96. These were probably owned by Fagan, Morley and Cleland, all of who were craftsmen and probably Irish immigrants.

The lot changed hands a number of times throughout the 1850's until it was sold by Hannah Jones to William Johndreau (Johnson), a carpenter, in 1856. Before the end of the decade, Mrs. Jones repossessed the property, renting the house to a young attorney, Edwin Lionel Garrett, from 1859 until his death in 1873. Mr. Garrett's widow continued to rent the property after his death. During this time the taxable value of the house remained relatively stable in comparison with other houses surrounding it, indicating that the non resident landlord spent nothing on improvements.

By 1885, the property had been purchased by Jane Garrett, the widow of Edwin Garrett. Various members of the Garrett family continued to own the property until 1956, ending almost 100 years of occupancy by the Garrett family. In that year, Martha Louise Garrett sold the property to George Phillips and the lot became part of the Phillips Estate at 228 Queen Street.

Architectural Description

The Fagan-Garrett-Hummel House is a small structure set close to the west side of Simcoe Street. The building is slightly raised above the sidewalk and is a stucco one and a half storey three bay frame building with a centre door. The gable roof is decorated with fretted fascias. There are small upper storey gable end windows with two end windows below in the south wall but none to the north. Behind the main structure is an offset gable roofed clapboard wing with two later lean-to additions.

The interior exhibits a somewhat altered centre hall plan with a wide stair filling the back of the entrance hall rising to side steps at the back of the landings above. Both of the rooms on either side of the centre hall now occupy the full depth of the house and are accessed through door less archways. The upstairs consists of two bedrooms and a bathroom. The wing houses a modernized kitchen with access to a partially dug out cellar under the south end of the wing and main block.

The exterior of the main house is covered in washed roughcast stucco with starter and corner boards attached to a mortise and tenon frame structure. The foundation is stone. The porch, which has boldly turned cylindrical columns and angular fretted and laminated brackets, was probably added in the late 19th century, c.1890. The ceiling of this porch appears to cover a former transom above the entrance door.

The interior contains a number of trim styles from different periods. However, the architraves in the north room have a backmould that dates stylistically to the late 1830's or very early 1840's. A slightly later machine produced moulding occurs in the south room.

The window sash has been changed to 2/2 and 1/1 patterns but measurements indicate that the original front windows were probably 12/12. A gable end window remade from the members of an older sash was originally 6/6.

Traces of the original well weathered clapboard exterior finish are visible in the rear wing loft. The clapboard is attached to the south end of the west wall of the main building. Old whitewashed straight sawn clapboards were also used as the north edge of the loft floor.

The main frame of the house, which can also be seen in the loft space, consists of mid-wall hewn main post double braced to the roof plate. There is no sign of fastening for the exterior finish, which probably indicates that this area was always a roof space, possibly of a saltbox lean-to. The post mortised to receive wall girts also had a mortise hole to the outside allowing for a cross beam.

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The dug-out cellar has a ground floor framing of flattened bark covered logs spanning east to west. However, the north end, where there may have been indications of a fireplace above, is not accessible. The wing is framed with pit sawn joists in a north to south direction. The rear dug-out houses the remains of a brick enclosure, probably a soft water cistern. The original access to the kitchen above is still visible.

Designation

This designation applies to the lands and more particularly to the front façade and the north and south exterior walls of the dwelling.