

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NUMBER 2021-071

A By-law to designate the property known as the “Captain Robert Hackett Residence” as being of cultural heritage value or interest.

WHEREAS the *Ontario Heritage Act* 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 authority was granted by Council to designate the property located municipally at 275-277 Bathurst Street and known as the “Captain Robert Hackett Residence”, as being of cultural heritage value or interest;

AND WHEREAS the Captain Robert Hackett Residence is legally described as:

LT 7 E/S BATHURST ST PL 1 AMHERSTBURG;

AND WHEREAS the Council of the Town of Amherstburg has caused to be served upon the owners of the land and premises known as the Captain Robert Hackett Residence and upon the Ontario Heritage Trust, Notice of Intent to designate the property and has caused the Notice of Intent to be published in a newspaper having general circulation in the municipality as required by the Ontario Heritage Act;

AND WHEREAS the property’s cultural heritage value or interest, its important physical heritage attributes, and therefore its reasons for designation are summarized and set out in Schedule “A” to this bylaw;

AND WHEREAS a more fulsome description of the history and cultural heritage value of the Captain Robert Hackett Residence is set out in Schedule “B”;

AND WHEREAS the Captain Robert Hackett Residence is visually represented in Schedule “C”;

AND WHEREAS any future interventions or changes to the property shall follow commonly used heritage-conservation best practices, as set out in Schedule “D”;

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. The property at 275-277 Bathurst Street, known as the Captain Robert Hackett Residence and more particularly described in Schedule “A” is hereby designated as being of cultural heritage value or interest, for the reasons set out in Schedules “A” and “B”.

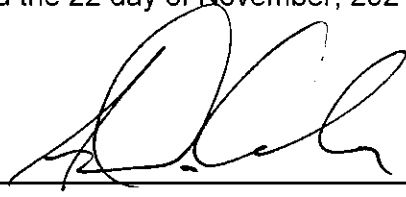
2. Any future interventions or changes to the property shall follow commonly used heritage-conservation best practices, as set out in Schedule “D”.

3. The Town Solicitor is authorized to cause a copy of this by-law to be registered in the proper Land Registry Office against the property located at 275-277 Bathurst Street and legally described as:

LT 7 E/S BATHURST ST PL 1 AMHERSTBURG;

4. The Town clerk is authorized to cause a copy of this bylaw to be served upon the owner of the property located at 275-277 Bathurst Street, and upon the Ontario Heritage Trust and to cause notice of this bylaw to be published in a newspaper having general circulation in the Town of Amherstburg as required by the *Ontario Heritage Act*.

Read a first, second, and third time and finally passed the 22 day of November, 2021.



MAYOR – ALDO DICARLO



CLERK – VALERIE CRITCHLEY

SCHEDULE "A" - STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND HERITAGE ATTRIBUTES

Description of Property

275-277 Bathurst Street, Amherstburg, Ontario

LT 7 E/S BATHURST ST PL 1 AMHERSTBURG

known as the "Captain Robert Hackett Residence"

Statement of Cultural Heritage Value of Interest

Dating from c. 1854-55, the house has physical value as one of the 47 oldest-known buildings in the Town of Amherstburg, making it rare as a type of residential architecture in the town; it's representative of the type of mid-19th century Amherstburg building stock.

The 1850s were an "Era of Expansion" in Amherstburg; the house was built during this era relating directly to this key theme in the Town's development.

The house is valued for its association with Captain Robert J. Hackett (c. 1827-1879) a prominent commander of schooners and steamers on the Great Lakes and Detroit River, who built it as his home, and owned it until 1856. This early history of the house recalls Amherstburg's once-strong maritime activity and identity.

Historically, Amherstburg has been a significant commercial centre in the region, and the c. 1885 addition on the side of the house associates the property to the historic commercial activity of downtown Amherstburg; it was originally the addition was a cabinet, furniture, and framing shop.

The property contributes to the concentration of historic resources on the street as one of 10 19th century houses on the block; it helps define the mixed residential and commercial heritage character of the area. The property is physically, functionally and visually linked to its surroundings being compatible in scale, form, massing, use and age.

Heritage Attributes

The primary heritage attributes (character-defining elements) of the property are:

The c. 1854-55 house and c.1885 addition:

- original location and placement of the house on Bathurst Street;
- the c. 1854-55 portion of the house and its one- and-one-half-storey rectangular form with front-facing gable roof; the c. 1885, north addition of the house with its one-storey rectangular form;
- wood-frame construction and facades and masonry base;
- fenestration and doorways, including later enclosed verandah window assemblies;
- the interior main staircase with its high-style, wood newel post and balustrades.

SCHEDULE "B" – STATEMENT OF SIGNIFICANCE

Description

The Captain Robert Hackett Residence is a c.1854-55, one-and-one-half-storey, wood-frame house and property. The front-gable house features a c.1885 north extension. The property is situated in the historic residential core of Amherstburg.

Heritage Value

Dating from c. 1854-55, the house has physical value as one of the 47 oldest-known buildings in the Town of Amherstburg, making it rare as a type of residential architecture in the town. While modest in appearance, the property is representative of the type of mid-19th century residential architecture which comprised, and comprises, the historic building stock of Amherstburg.

Typical of such houses, the property is of wood-frame construction, one-and-one-half stories in height, with a front gable roof. The original interior staircase and high-style balustrades remain. Original cladding and finishes may still exist under the modern re-cladding materials.

The 1850s were an “Era of Expansion” in Amherstburg with significant growth and development of the town. The house was built during this era with a loan from the Amherstburg Building Society, relating directly to this key theme in the Town’s development.

The house is valued for its association with Captain Robert J. Hackett (c. 1827-1879) a prominent commander of schooners and steamers on the Great Lakes and Detroit River. It was built as his home, which he owned until 1856. At the time, Hackett owned the ‘Emerald’, one of the few sidewheel steamers on the Detroit River. With his brother Henry, Hackett soon went on to building and owning the first big iron ore barge which had ever ploughed the waters of the lakes - the *Colin Campbell* - launching a prosperous career in building and running a long line of heavy vessels. With diversification into coal and real estate businesses Hackett later became identified as “one of the boldest and most ambitious capitalists on the lakes”. This early history of the house is significant for recalling Amherstburg’s once-strong maritime activity and identity.

Historically, Amherstburg has been a significant commercial centre in the region, and the c. 1885 addition on the side of the house associates the property to the historic commercial activity of downtown Amherstburg. Originally the addition was a cabinet, furniture, and framing shop. In the early part of the twentieth century, the shop served other commercial uses including a hat store (1930s) and a home-decorating shop (1940s).

The property contributes to the concentration of historic resources on the street, being one of ten 19th century residences on the block, each of which is placed on the Towns Heritage Register. Such a concentration - of which this property contributes to - helps define the mixed residential and commercial heritage character of the area and could be an integral part of any future heritage conservation district.

The property is physically, functionally and visually linked to its surroundings, which are also heritage resources. Like its neighbouring residential properties which are one, one-and-one-half or two stories in height, the subject property is compatible in scale, form, massing, use and age.

SCHEDULE “C” – IMAGES OF THE CAPTAIN ROBERT HACKETT RESIDENCE



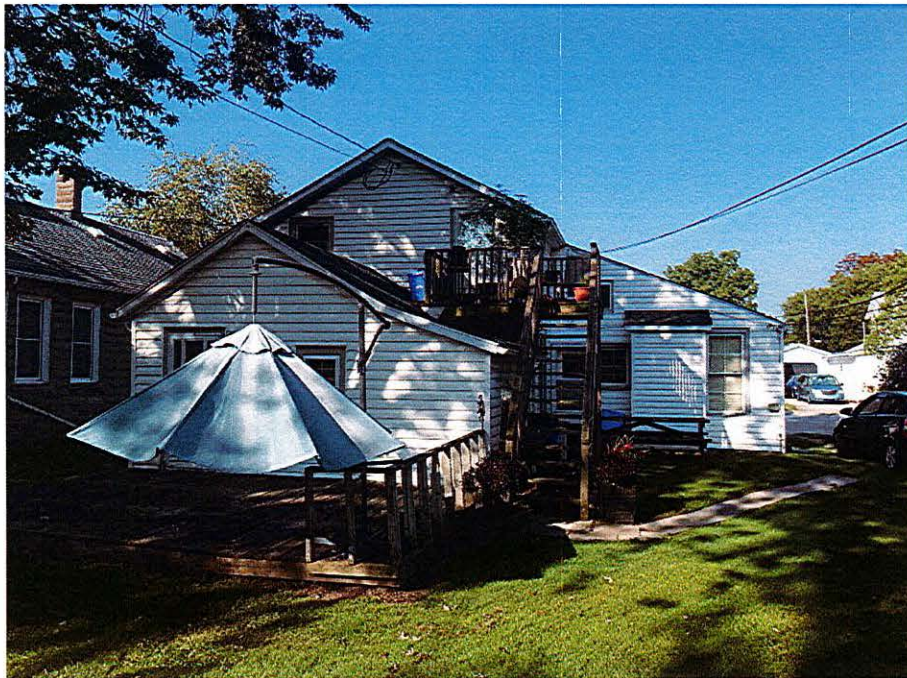
West (Main) façade of 275-77 Bathurst Street (August 27, 2021)



North façade and main (West) façade of 275-77 Bathurst Street (August 20, 2021)



South and West (main) façades of 275-77 Bathurst Street (August 27, 2021)



East facades of 275-77 Bathurst Street (August 20, 2021)

SCHEDULE “D” – “THE STANDARDS”

(Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010)

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an historic place that requires minimal or no change to its character-defining elements.
6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.