

**Ministry of Tourism,
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Conservation Review Board

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**Ministère du Tourisme,
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Commission des

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**RE: TOWN OF DUNDAS - INTENTION TO DESIGNATE THE PROPERTY KNOWN
AS THE "COLLINS HOTEL", 33 KING STREET WEST, DUNDAS**

Barbara Humphreys, Member
Karen Wishart, Member

January 11, 1994

This hearing is convened under Section 29(8) of the Ontario Heritage Act, R.S.O. 1990, Ch.O.18 for the purpose of reporting to the Council of the Town of Dundas whether in the opinion of this Board, on the basis of the evidence it will hear, the property known municipally as 33 King Street West ("Collins Hotel") should be designated by by-law under the Act, an objection having been raised by the owner in trust, who claimed that any restriction placed on the building would render it economically unviable.

Notice of this hearing was given under the Act in the Dundas Star on October 27, November 3 and 10, 1993 by the Board, the relevant affidavit by a member of the Board's staff being Exhibit 1. It should be noted that a further postponement was requested by the objector's solicitor and the hearing was finally held on January 11th at 10 a.m. in the Town of Dundas Council Chamber, 60 Main Street, Dundas, Ontario, the members of the public being informed by a notice affixed to the meeting room door by the Town of Dundas.

Prior to the meeting the Board visited the building and was able to view the site and the exterior of the Hotel.

Present: Ken Johnson, Johnson, Ramsbottom & Castle, Solicitor
for Dundas
Robert Muir, Blaney, McMurtry, Stapells, Solicitor for Monty Beber, in trust,
mortgagee and Doane Raymond Limited, Receiver Manager in bankruptcy of the
Collins Hotel
Stefan Savelli, Planner for Town of Dundas
Peter Stokes, Consultant in Restoration Architecture
John Farnan, Member of Dundas LACAC
David Brown, Member of Dundas LACAC

Mr. Johnson presented documents establishing Monte Beber as the owner, in trust, with Doane Raymond Limited as Receiver and General Manager of the property.

The Case for the Town of Dundas

Mr. Johnson explained that it is the intention of the Town to designate specific features of the Collins Hotel--i.e. the front facade including the ground floor window and door openings, the second floor door and windows, the balcony, columns and architrave, the mansard roof and dormers but excluding the facing of the ground floor and the modern windows and doors on the first and second floors.

In support of this Mr. Johnson called on the following witnesses:

Mr. David Brown: Professor of Chemistry & Physics, McMaster University; resident of Dundas since 1960; member of Dundas LACAC for 9 years and presently the Chairman.

Mr. Brown assisted in the preparation of the LACAC report and recommendation for designation; he wrote the document "Reasons for Designation" (Exhibit 5, Tab 2) relating the history of the building, describing its architecture and detailing the elements to be designated. He stated that his report was based partly on his own observations, on notes by others on the LACAC files, various newspaper clippings and building history prepared some years ago by the Historical Society. In his testimony he reiterated much of his report and stressed the important role both the Collins family and the Hotel had played in the early years in Dundas.

Mr. Farnan: Clock Maker and Restorer of Antique Buildings; resident of Dundas since 1939; member of LACAC for 5 years. From his long residence in Dundas and his personal knowledge, Mr. Farnan was able to add to the history of the building and to its reputation as an important and well run centre for many social and political events over the years; he stated that it was still operating as a hotel at least until 1968 and still houses a tavern. He also described an effort made in the early 1980's by a previous owner to restore the facade by opening up the centre door which had been eliminated and replaced by two side entrances in the 1920's. In his strong support of the proposed designation, he referred to the three Inventories of historic buildings in Dundas (Exhibit 8, Tab 3), each of which included the Hotel.

Mr. Stefan Savelli: Planner for the Town of Dundas

Mr. Savelli elaborated on the extensive documentation he had prepared and submitted (Exhibit 11, Tab 4 and Exhibit 12, Tab 5) regarding the planning, zoning and by-laws of Dundas governing the area of the Hotel and its surrounding environs. The Planning Committee considers the Collins Hotel to be an integral part of the established historic core, where several buildings have already been designated and tight rules accepted to protect any future addition or alterations in that area, an area which they hope to have designated as an historic district. He also referred to the listing of the historic buildings of the Town which have been divided into A and B categories and pointed out that the Hotel was definitely in the A category.

Mr. Peter Stokes: Consultant in Restoration Architecture

Mr. Stokes is a leading Canadian architectural historian with extensive experience in the examination and assessment of "heritage" buildings. He prepared a report and submitted a series of recent photographs illustrating the importance of the Hotel to the streetscape (Exhibits 13 and 17).

Mr. Stokes described the architecture of the building as an interesting composite design, the early changes in the facade illustrating the attempt to keep up with the times, each element in itself faithfully representing an historic period. The resultant "collection" has produced a building of considerable architectural and historic interest. He stressed the importance of the building to the streetscape and commented on its symbolism in the history of the development of the Town. He further explained that while the early 19th century changes had been well designed and well constructed and proven compatible, the same was not true of the more recent ones which, fortunately, were not irreparable. Designation would hopefully ensure that any further alterations would be controlled in such a manner as to protect the heritage aspects of the building. Finally, he could not

see that it would be impossible to make interior changes without affecting the exterior, particularly in view of the fact that only the front facade was to be listed under "Reasons for Designation".

Case for the Objector (Monte Beber, owner-in-trust)

Presenter: Mr. Robert Muir, Blaney, McMurtry, Stapells, Solicitor for Monty Beber, in trust, mortgagee and Doane Raymond Limited, Receiver Manager in bankruptcy of the Collins Hotel.

Mr. Muir called no witnesses and presented no evidence in chief for the record. Mr. Muir stated that he relied on the arguments stated in his letter of objection, addressed to the Clerk of the Town of Dundas, dated July 15, 1993 and indicated that this letter was already part of the record. In his cross-examination he queried the witnesses as to the extent of the alterations which had already taken place and the proof of historical details for which sources were not clear. He also questioned the statement that this hotel was the longest operating hotel in Ontario, again claiming that there was no proof offered of that statement and it should therefore not be taken into account in assessing the merits of the building. Furthermore he felt that designation should exclude the ground floor elevation entirely.

Summation:

Mr. Johnson pointed out that the intent of the proposed designation was not to necessarily keep the building as a hotel; it was realized that changes might be required to meet the needs but the architectural features must be protected. With reference to the recent changes he commented that these are reversible and indeed the former owner had taken steps to restore the building but lacked the funds to do so. However, the original central door had been opened up as a start in bringing the structure back to the original. Designation would not necessarily prohibit alterations to the building as need demanded but would ensure control of them so that the historical features would be protected to the greatest extent possible.

Mr. Muir declined to make a summation, stating only that designation should exclude the ground floor entirely; and that his client's opposition to designation of the entire facade was as stated in his original letter to the Town - that designation would prohibit the undertaking of renovations, alterations and/or improvements required to ensure the economic and commercial viability of the property.

Observations and Conclusions:

The Collins Hotel was erected in 1841 by Bernard Collins, an early settler in Dundas, arriving from Ireland in 1833. The Collins family owned the hotel until 1913 and were outstanding members of the community. Their hotel and tavern was apparently a focal point of the Town, hosting political, social and sports affairs in a popular but well disciplined manner. While the claim that it is the oldest operating hotel in Ontario was not proven it was operating as a hotel at least until 1968 and still houses a tavern.

Architecturally the building is somewhat of a hybrid. Originally it was a two-and-one half storey front gable brick building with an asymmetric facade. Two windows flank the main entrance to each side and a second entrance (the tavern door) is off to the right. On the upper floor the facade is the same configuration but the second door has been replaced by a window. In the 1850's the building acquired the existing impressive Neo-classic portico with massive Doric columns, a classical frieze and balcony with unusual double tapered balusters. In the 1880's a mansard roof and dormers were added--typical of the Second Empire style popular in Canada at the time. The 1920's saw the main

door eliminated in favour of two side doors, this being reversed again in the 1980's. Other 19th century changes included the facing of the ground floor level with an imitation stone surfacing and the replacing of the doors and windows at this level, but not altering the actual openings in any way. However none of these later changes are considered to be irreparable.

Historically the building holds an important place in the annals of the village. It is one of the earliest buildings of the town and represents a good deal of the history of the town's development. It is also a very important part of the streetscape being an anchor building in the established historic core of the town where several adjacent buildings have already been designated.

The Board felt that the objector, in stating that designation would prohibit alterations which would make the building economically viable, and presenting no evidence to support this position, has misunderstood the nature of designation in so far as alterations are concerned. Furthermore, given the fact that the listed elements of the designation concern only the front facade, the Board believes that it should be quite possible to create a ground floor plan suitable for contemporary use and compatible with the proposed designation.

Recommendations:

1. That the requested designation of the property at 33 King Street West be allowed.
2. That the "Reasons for Designation" list the specific features as noted by Mr. Johnson on behalf of the Town of Dundas - i.e. the front facade, including the ground floor window and door openings, the second floor door and windows, the balcony, columns and architrave, the mansard roof and dormers.
3. That the owner seek the cooperation and guidance of the LACAC in the design of the interior to achieve two objectives: economically viable use of the building and retention of the specified historical elements of the building.

(Signed)

Barbara Humphreys
Member

Karen Wishart
Member

EXHIBITS

NOTE: Exhibit Nos. 5,6,7,8,9,10,11,12 and 16 are contained in the bound report submitted by the Corporation of the Town of Dundas (Exhibit 1A) and referenced accordingly by Tab number.

- 1 Affidavit re notice of hearing
- 1A Bound volume of reports submitted by the Corporation of the Town of Dundas.
- 2 Abstract of deed of Lot 13 Plan 1300 certified up to January 6, 1994.
- 3 Certified copy of transfer/deed from The Hart Group to 949549 Ontario Inc.
- 4 Certified copy of the order of the Honourable Madam Justice Haley appointing Doane Raymond Limited as Receiver Manager of the property.
- 5 Reasons for Designation (Tab 2)
- 6 Copy of 1921 newspaper article "Reminiscences of an Old Boy" (Tab 10)
- 7 Copy of photograph of Collins Hotel as it existed in early 1900's (Tab 9)
- 8 Inventory of Buildings of Architectural and Historical Significance in Dundas (Tab 3)
- 9 Curriculum Vitae of Mr. Stefan Savelli
- 10 Report of Planning and Development Committee re Unfriendly Designation of Collins Hotel (Tab 1)
- 11 Excerpts from the Town of Dundas Official Plan (Tab 4)
- 12 Excerpt from the Town of Dundas Central Area Plan (Tab 5)
- 13 Collection of 20 coloured photographs of Collins Hotel and surrounding area
- 14 Map - Schedule B2 to the Official Plan for the Town of Dundas showing the Historic Core and the location of the designated buildings.
- 15 Map of Central Business District of the Town of Dundas showing the location of designated buildings.
- 16 Curriculum Vitae of Mr. Peter Stokes (Tab 6)
- 17 Report of Mr. Stokes - amended version of report contained in the Bound Edition of the reports (Tab 7).