



## City of Hamilton

# HAMILTON MUNICIPAL HERITAGE COMMITTEE REVISED

**Meeting #:** 21-007

**Date:** September 24, 2021

**Time:** 12:30 p.m.

**Location:** Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:

<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

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**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

(Added Items, if applicable, will be noted with \*)

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1. August 5, 2021

**5. COMMUNICATIONS**

- \*5.1. Correspondence respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

Recommendation: Be received, and referred to Item 8.2, Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12), for consideration

- \*5.1.a. Myfanwy Armes
- \*5.1.b. R.H. Baker
- \*5.1.c. Ben Burke
- \*5.1.d. David Starr
- \*5.1.e. Margaret and Myles D'Arcey
- \*5.1.f. S. Robin Larin
- \*5.1.g. Bob Maton, President, Ancaster Village Heritage Community, Inc.
- \*5.1.h. Gail Moffatt
- \*5.1.i. Liz Scheid
- \*5.1.j. Rhonda Scott
- \*5.1.k. Sandra Starr
- \*5.1.l. Wendi Van Exan
- \*5.1.m. Ben Burke (Additional Information)
- \*5.1.n. Sandy Price

## **6. DELEGATION REQUESTS**

- \*6.1. Delegation Request from Megan Hobson, Heritage Consultant, respecting HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East (for today's meeting)
- \*6.2. Delegation Request, Paula Kilburn, Advisory Committee for Persons with Disabilities respecting the Integration of Accessibility in Heritage Properties (for a future meeting)
- \*6.3. Delegation Request from Brenda Khes, Applicant, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (for today's meeting)
- \*6.4. Delegation Request from Bob Maton, Ancaster Village Heritage Community, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

## 7. CONSENT ITEMS

### 7.1. Policy & Design Working Group Meeting Notes

7.1.a. December 7, 2020

7.1.b. January 25, 2021

7.1.c. March 15, 2021

7.1.d. April 19, 2021

7.1.e. May 17, 2021

7.1.f. June 21, 2021

### 7.2. Heritage Permit Review Sub-Committee Minutes

7.2.a. July 20, 2021

7.2.b. July 27, 2021

7.2.c. August 17, 2021

### 7.3. Inventory & Research Working Group Meeting Notes June 21, 2021

### 7.4. Heritage Permit Applications- Delegated Approvals

7.4.a. Heritage Permit Application HP2021-032: Proposed construction of a rear addition sunroom to 140 Hatt Street, Dundas (Ward 13) (By-law 04-064)

7.4.b. Heritage Permit Application HP2021-035: Proposed installation of security signs to 114-116 MacNab Street South, Hamilton (MacNab Street Presbyterian Church) (Ward 2) (MacNab-Charles HCD)

7.4.c. Heritage Permit Application HP2021-036: Proposed installation of interior waterproofing, weeping tile and window well drains, 29 Mill Street North, Flamborough (Ward 15) (Mill Street HCD)

7.4.d. Heritage Permit Application HP2021-039: Replacement of the eavestroughs, soffits, fascia, and dormer cladding at 220 St. Clair Boulevard, Hamilton (Ward 3) (By-law No.92-140) (St. Clair Boulevard HCD)

7.4.e. Heritage Permit Application HP2021-040: Proposed alteration of investigative parging openings and brick removal at 35-43 Duke Street, Hamilton (Ward 2) (By-law No. 75-237)

- 7.4.f. Heritage Permit Application HP2021-042: Proposed Alteration of the Storefronts and Windows at 255-265 James Street North, Hamilton (Ward 2) (By-law No. 87-176)
- 7.4.g. Heritage Permit Application DP2021-026: Proposed replacement of existing windows at 220 St. Clair Boulevard, Hamilton (Ward 3) (St. Clair Boulevard HCD) (By-law No.92-140)
- 7.4.h. Heritage Permit Application HP2021-034: Proposed refurbishment of existing windows of the sanctuary to 21 Stone Church Road West (Barton Stone - Mount Hope United Church) (Ward 8) (By-law No. 17-119)

## **8. STAFF PRESENTATIONS**

- 8.1. Heritage Permit Application HP2021-037, Under Part IV of the Ontario Heritage Act, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2)
- \*8.2. Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

## **9. PUBLIC HEARINGS / DELEGATIONS**

## **10. DISCUSSION ITEMS**

## **11. MOTIONS**

## **12. NOTICES OF MOTION**

## **13. GENERAL INFORMATION / OTHER BUSINESS**

### **13.1. Buildings and Landscapes**

This list is determined by members of the Hamilton Municipal Heritage Committee. Members provide informal updates to the properties on this list, based on their visual assessments of the properties, or information they have gleaned from other sources, such as new articles and updates from other heritage groups.

13.1.a. Endangered Buildings and Landscapes (RED)

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
- (iv) 18-22 King Street East, Hamilton (D) – W. Rosart
- (v) 24-28 King Street East, Hamilton (D) – W. Rosart
- (vi) 2 Hatt Street, Dundas (R) – K. Burke
- (vii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown
- (viii) Long and Bisby Building, 828 Sanatorium Road (D) – G. Carroll
- (ix) 120 Park Street, North, Hamilton (R) – R. McKee
- (x) 398 Wilson Street East, Ancaster (D) – C. Dimitry
- (xi) Lampman House, 1021 Garner Road East, Ancaster (D) – C. Dimitry
- (xii) Cathedral Boys School, 378 Main Street East, Hamilton (R) – T. Ritchie
- (xiii) Firth Brothers Building, 127 Hughson Street North, Hamilton (NOID) – T. Ritchie
- (xiv) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee
- (xv) Former Hanrahan Hotel (former) 80 to 92 Barton Street East (I)– T. Ritchie
- (xvi) Television City, 163 Jackson Street West (D) – J. Brown
- (xvii) 1932 Wing of the Former Mount Hamilton Hospital, 711 Concession Street (R) – G. Carroll
- (xviii) 215 King Street West, Dundas (I) – K. Burke
- (xix) 679 Main Street East, and 85 Holton Street South, Hamilton (Former St. Giles Church) (I)– D. Beland
- (xx) 219 King Street West, Dundas (R) – K. Burke
- (xxi) 216 Hatt Street, Dundas (I) – K. Burke

13.1.b. Buildings and Landscapes of Interest (YELLOW)

(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland
- (ii) 2251 Rymal Road East, Stoney Creek (R) – C. Dimitry
- (iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas (R) – K. Burke
- (iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (ND) – W. Rosart
- (v) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll
- (vi) Dunington-Grubb Gardens, 1000 Main Street East (within Gage Park) (R) – D. Beland
- (vii) St. Clair Blvd. Conservation District (D) – D. Beland
- (viii) 52 Charlton Avenue West, Hamilton (D) – J. Brown
- (ix) 292 Dundas Street East, Waterdown (R) – L. Lunsted
- (x) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton (R) – T. Ritchie
- (xi) Binkley property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown
- (xii) 62 6th Concession East, Flamborough (I) - L. Lunsted
- (xiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xiv) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie
- (xv) 1 Main Street West, Hamilton (D) – W. Rosart
- (xvi) 54 - 56 Hess Street South, Hamilton (R) – J. Brown

13.1.c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

- (i) Royal Connaught Hotel, 112 King Street East, Hamilton (NOID) – T. Ritchie
- (ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (iii) Treble Hall, 4-12 John Street North, Hamilton (D) – T. Ritchie
- (iv) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (v) Rastrick House, 46 Forest Avenue, Hamilton (D) – G. Carroll
- (vi) 125 King Street East, Hamilton (R) – T. Ritchie

13.1.d. Heritage Properties Update (BLACK)

(Black = Properties that HMHC have no control over and may be demolished)

No properties.

13.2. Staff Work Plan as of September 14, 2021

**14. PRIVATE AND CONFIDENTIAL**

**15. ADJOURNMENT**



## Hamilton

### HAMILTON MUNICIPAL HERITAGE COMMITTEE

Minutes 21-006

12:30 p.m.

Thursday, August 5, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually

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**Present:** Councillor M. Pearson  
A. Denham-Robinson (Chair), D. Beland, J. Brown, K. Burke, G. Carroll, C. Dimitry (Vice-Chair), L. Lusted, R. McKee

**Absent:** T. Ritchie and W. Rosart

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**THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:**

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Clerk advised the Committee of the following changes:

**6. DELEGATION REQUESTS**

- 6.1 Delegation Request from Dr. S. Sheehan respecting the property at 85 Holton Street South (former St. Giles Church) (for today's meeting)

**7. CONSENT ITEMS**

- 7.1 Heritage Permit Applications - Delegated Approvals

7.1(a) Heritage Permit Application HP2021-029: Installation of exterior signage at the rear of the property for the new retail store at 5 Mill Street South, Waterdown (Ward 15), located within the Mill Street Heritage Conservation District (By-law No. 96-34-H)

7.1(b) Heritage Permit Application HP2021-031: Installation of exterior signage on main floor to 46 James Street North, Hamilton (Ward 2) (By-law No. 08-215)

- 7.2 Heritage Permit Review Sub-Committee Minutes - June 15, 2021



**13. GENERAL INFORMATION / OTHER BUSINESS**

13.3. Staff Work Plan

**(Brown/Lunsted)**

That the Agenda for the August 5, 2021 Hamilton Municipal Heritage Committee be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 3)**

No declarations of interest were made.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) June 25, 2021 (Item 4.1)**

**(Brown/Carroll)**

That the Minutes of the June 25, 2021 meeting of the Hamilton Municipal Heritage Committee be approved, as presented.

**CARRIED**

**(d) COMMUNICATIONS (Item 5)**

**(i) Statement from the Friends of St. Giles on meeting with New Vision United Church - June 30, 2021 (Item 5.1)**

**(Carroll/Dimitry)**

That the Resignation from Statement from the Friends of St. Giles on meeting with New Vision United Church - June 30, 2021, be received.

**CARRIED**

**(e) DELEGATION REQUEST (Item 6)**

**(i) Delegation Request from Dr. S. Sheehan respecting the property at 85 Holton Street South (former St. Giles Church) (for today's meeting) (Added Item 6.1)**

**(McKee/Burke)**

That the Delegation Request from Dr. S. Sheehan respecting the property at 85 Holton Street South (former St. Giles Church) be approved, for today's meeting.

**CARRIED**

**(f) CONSENT ITEMS (Item 7)**

**(Lunsted/Beland)**

That the following items be received:

- (i) Heritage Permit Applications - Delegated Approvals (Added Item 7.1)
  - (a) Heritage Permit Application HP2021-029: Installation of exterior signage at the rear of the property for the new retail store at 5 Mill Street South, Waterdown (Ward 15), located within the Mill Street Heritage Conservation District (By-law No. 96-34-H) (Added Item 7.1(a))
  - (b) Heritage Permit Application HP2021-031: Installation of exterior signage on main floor to 46 James Street North, Hamilton (Ward 2) (By-law No. 08-215) (Added Item 7.1(b))
- (ii) Heritage Permit Review Sub-Committee Minutes - June 15, 2021 (Added Item 7.2)

**CARRIED**

**(g) DELEGATIONS (Item 9)**

**(i) Dr. S. Sheehan respecting the property at 85 Holton Street South (former St. Giles Church) (Added Item 9.1)**

Dr. Sheehan addressed Committee with an update respecting the property at 85 Holton Street South (former St. Giles Church), with the aid of a PowerPoint presentation.

**(Lunsted/McKee)**

Dr. Sheehan addressed Committee with an update respecting the property at 85 Holton Street South (former St. Giles Church), be received.

**CARRIED**

**(ii) (Brown/McKee)**

That staff be directed to schedule Licensing and By-law Services staff to attend an upcoming Hamilton Municipal Heritage Committee meeting to discuss the Vacant Building Registry and impacts on heritage properties.

**CARRIED**

**(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Buildings and Landscapes (Item 13.1)**

**(McKee/Burke)**

That the following updates be received:

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**(Green = Properties whose status is stable)**

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- (vi) 125 King Street East, Hamilton (R) – T. Ritchie

**(d) Heritage Properties Update (black):**

**(Black = Properties that HMHC have no control over and may be demolished)**

No properties.

**CARRIED**

**(ii) Verbal Update on the Plaquing Process at the City of Hamilton (Item 13.2)**

Christopher Redford addressed the Committee with a Verbal Update respecting Plaquing Process at the City of Hamilton.

**(McKee/Lunsted)**

That the Verbal Update respecting Plaquing Process at the City of Hamilton, be received.

**CARRIED**

**1. (McKee/Burke)**

That the Education and Communication Working Group gather information respecting Designation Plaquing, for a report back to the Hamilton Municipal Heritage Committee.

**CARRIED**

**2. (McKee/Lunsted)**

That staff be directed to explore the feasibility of a Hamilton Municipal Heritage Committee Plaquing Program.

**CARRIED**

**(iii) Staff Work Plan (Added Item 13.3)**

Amber Knowles, Chloe Richer, Cultural Heritage Planners, addressed committee with an overview of the current Staff Work Plan.

**(Dimitry/Carroll)**

That the Staff Work Plan, be received.

**CARRIED**

**(g) ADJOURNMENT (Item 15)**

**(Burke/Brown)**

That there being no further business, the Hamilton Municipal Heritage Committee, adjourned at 2:18 p.m.

**CARRIED**

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

# 5.1

**From:** [wannie armes](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Marr:Philippo house  
**Date:** Saturday, August 28, 2021 4:58:32 PM

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I am writing to ask that the developers in Ancaster NOT be granted permission to "move" the heritage-designated Marr-Philippo house currently at 398 Wilson St east Ancaster.

We have list too many of our heritage buildings to greedy developers who do not care. We are trying to preserve what is left of our heritage buildings I the village.

To move this building is as crazy as filling in a wetland. I really don't think it would survive a move whether by accident or design.

Myfanwy Armes

**From:** [Rowen Baker](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** MARR - PHILLIPO HOUSE  
**Date:** Sunday, August 29, 2021 9:47:59 AM

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I wish to register my opposition to the proposed move of the above building.  
To consider hiding this historic landmark in the village core to allow a grossly oversized development is obscene.

This house is a wonderful example of the early days of Ancaster and should be both preserved and highlighted for the pleasure of visitors and residents.

R.H. Baker

[REDACTED]  
[REDACTED]  
[REDACTED]



## 5.1(c)

**From:** [REDACTED]  
**To:** [Kursikowski, Stacey](#)  
**Cc:** [Bob Maton](#)  
**Subject:** [WARNING: MESSAGE ENCRYPTED][WARNING: MESSAGE ENCRYPTED]Marr-Phillipo House: Heritage Permit Review Sub-Committee  
**Date:** Wednesday, September 1, 2021 8:59:45 AM  
**Attachments:** [Christ Church Cathedral.pdf](#)

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Stacey:

I viewed the entire meeting of the sub-committee today. I would appreciate if you would distribute this email to all members of the sub-committee and the Heritage Committee.

The requirement to move the House was presented to the meeting as being driven by the need to remediate the soil beneath the building to a depth of 6-8 m. This is a false dichotomy. The House can be retained in position while the soil is remediated, but it requires just about the same amount of engineering ingenuity as is involved in moving it. In fact the methods are rather similar as both involve needle beams although having different vertical supports methods.

Diane Dent asked whether Christopher Borgal of GBCA knew of any buildings anywhere in the world that had been lifted in-situ or supported to allow work to be completed beneath. I was more than surprised at his response that he didn't know of any. Structural engineers have been underpinning buildings and constructing beneath them for over a hundred years. Recent examples in Toronto include Union Station and St. Michael's Cathedral but perhaps a more dramatic example is that undertaken by my old firm, Quinn Dressel Associates at Christ Church Cathedral in Montreal in 1987.

I am attaching a reader-friendly narrative (with a small technical section in the middle) of the Christ Church project which clearly demonstrates that a building can be supported on piles or caissons which extend to load-bearing soils or rock below the soils requiring excavation (or remediation, in the case of the Marr-Phillipo House).

Moving the House requires a steel grillage of beams mounted on jacks and dollies. A similar grillage of beams mounted on caissons or piles - instead of jacks and dollies - can be constructed to support the building while the soil is remediated. In fact, that grillage and the caissons/piles can remain permanently in place after remediation. The decision on the grillage materials would be up to the structural engineer but could be steel which would later be encased in concrete, or could also be reinforced concrete or pre-stressed concrete beams. Synchronized jacks could be used to elevate the House and separate the superstructure from the foundation walls, thus allowing for the foundation walls to be removed. A reinforced concrete slab could later be cast under the House to provide a fire-resistant barrier.

In order to retain the House in its present location, Christopher Borgal spoke of open excavations extending horizontally 50' (~15m) around the House for an excavation of 8 m with sloping sides to accommodate the angle of repose of the soil, and he stated that with the excavations encroaching onto Wilson Street relocation of the House was the only option. Obviously, shoring would obviate the need for open excavation.

Brenda Khes of GSP Group mentioned in her presentation that there would be one level of underground parking in the new development. The construction of such basement

parking would normally have a minimum depth of 4-5 m below grade and shoring would be required along Wilson and Academy Streets. However, if the contaminated soil extends to depths of 6-8m at the south east corner of the development then the shoring would be significantly deeper to allow for the removal of all contaminated soil materials, including the foundation walls of the House. In those circumstances intersecting caissons with steel piles could be used for the shoring and the same equipment would be at hand for the caisson supports of the House. The House caissons/piles and grillage could be put in place prior to shoring and once the shoring is in position remediation of the soil could commence.

Ralph Di Cienzo of Lantec said soil remediation would take up to two months, but the shoring and overall excavation of the basement would take 8-12 months anyway. There would also be plenty of material on the rest of the site to fill the over-excavated southeast corner to the underside of the basement level in that area.

In conclusion, my point is that the House CAN be retained in its current location with probably less risk than would be involved in moving it to 15 Lorne or anywhere else along the Wilson Street frontage.

The sub-committee came to the correct conclusion today in rejecting the relocation of the House to 15 Lorne.

I would be more than willing to discuss any aspects of the structural engineering involved with your sub-committee members.

Regards,

Ben Burke, P. Eng.

## CHRIST CHURCH CATHEDRAL, MONTREAL

**Architect:** WZMH Architects  
**Structural Engineers:** Quinn Dressel Associates  
**Start Date:** February 1987  
**Completion Date:** November 1987  
**Original Church Construction:** 1859

From early 1987 to November of the same year, Christ Church Cathedral, in the heart of downtown Montreal, was pointed to, gaped at and discussed by thousands of Montrealers morning, noon and night.

Resembling a giant ship in dry-dock, passers-by were arrested by the church's "floating" appearance; some were even heard to say "You wouldn't catch me going in there!" Sidewalk superintendents were numerous and eloquent - explaining their accurate (and not-so-accurate) engineering ideas to anyone who would listen.

This was in 1987, and the focus of attention was the "Cathedral-on-stilts", as it came to be called, the stilts bearing the caissons for the underground excavations and new foundations constructed as part of a multi-million dollar office and retail development.



**The Cathedral-on-stilts**

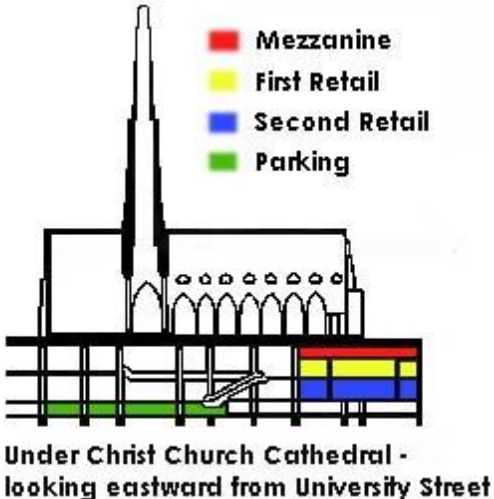
The Cathedral was completed in 1859 based on the design of Frank Wills, who also designed Christ Church Cathedral, Fredericton.



**Original design with stone steeple**

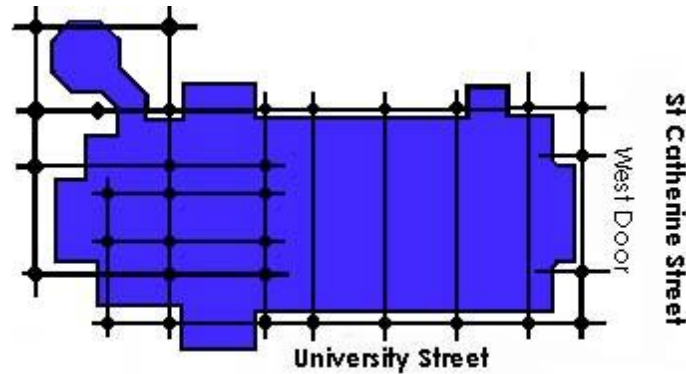
Architecturally it has always been regarded as a fine example of the English neo-gothic style but its engineering design was not in the same league. From its completion the heavy central tower started to sink into the soft ground on which the foundations were built; by the 1920s the spire was leaning 4ft to the south. There was a landmark lawsuit as a result of early foundation problems (Wardle vs. Bethune) often quoted in connection with Article 1688 of the Quebec Civil Code. In 1927 the stone steeple, weighing 3.5 million pounds, had to be removed. It was not until 1940 that a replica steeple made entirely of aluminium was erected as an anonymous gift.

The 1980's development project comprised the building of a 34-storey office tower immediately to the north of the Cathedral which included a single parking level and two retail levels below the Cathedral, underground connections to Eaton's and The Bay department stores, and re-landscaped grounds.



There is also a 10,000 sq. ft. mezzanine floor sandwiched between the Cathedral floor and the ceiling of the first retail level, which is occupied by the Canadian Bible Society, the Diocesan Bookroom and the Undercroft - home for the Cathedral's music, church school and out-reach programmes.

Underpinning of the Cathedral to make provision for the retail and parking levels was the engineering highpoint of the project. The work started at the end of February 1987, and was completed in November of the same year.



Caisson locations around and under the Cathedral

Thirty-three hollow cylindrical steel piles or 'caissons' were driven down to bedrock around the Cathedral walls and under the central tower. Twenty-three of these were just outside the Cathedral walls and were 36" in diameter. The ten driven from within the Cathedral crypt using a special machine were 26" in diameter. The caissons were driven to bedrock about 45-50 ft. below ground and a hole bored into the rock to ensure proper bearing. The contractor lowered steel reinforcement cages into the caissons and filled them with concrete to create a column on which the Cathedral was supported.

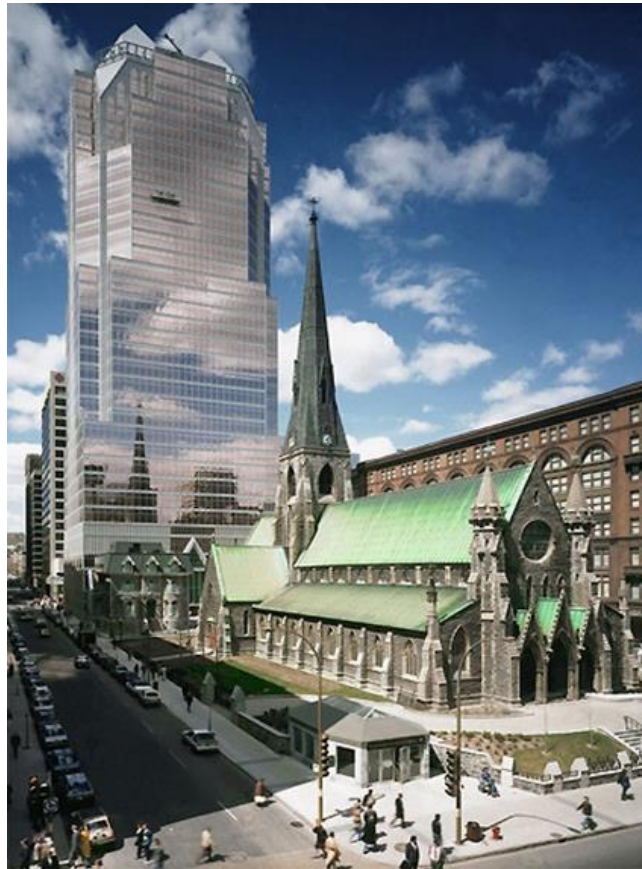


**Caissons and pre-stressed beams support the Cathedral**

On top of the caissons a grid of massive pre-stressed concrete beams was built, capable of carrying the weight of the Cathedral when spanning between the caissons after ground excavation was completed. The beams running across the Cathedral were generally 6' x 6' shaped in the form of a 'T'. The beams running from the back of the Cathedral towards the high altar were 4' deep x 3'9" wide.

An 8" concrete slab was poured just below the tops of the beams to create an effective sound and fire barrier between the wooden floor of the Cathedral and the retail level below.

The underpinning of the tower required carefully excavation by hand and chipping into the massive concrete foundations placed in 1939 to stabilize the original foundations and enable erection of a new aluminium spire which considerably reduced the weight on the Cathedral tower. Jacks were inserted during excavation and finally two massive concrete beams 14' wide 46' long and 5' deep were poured spanning across the pairs of caissons at each corner of the transept.



### **Completed project**

The Cathedral was carefully monitored for movement and excess vibrations throughout the whole operation. In addition the stained glass windows were surveyed and checked again once the main construction was completed.

# 5.1(d)

**From:** [Starr, David](#)  
**To:** [Office of the Mayor](#)  
**Subject:** Marr-Philippo House in Grave Danger  
**Date:** Thursday, August 12, 2021 2:12:39 AM

---

Dear Sir

I oppose the moving of the Marr-Philippo House and want the developer to adhere to the Ancaster Wilson Street Secondary Plan for this development.

Please stop this ill-advised development proposal

Thank you

David Starr

P.Eng, MBA

Long time Ancaster resident

***NOTICE: The information contained in this electronic mail transmission is for the use of the individual or entity to which it is addressed or intended and may contain information that is privileged, personal or otherwise confidential. It is not intended for transmission to, or receipt by, any individual or entity other than the named or intended addressee (or a person authorized to deliver it to the named or intended addressee) except as otherwise expressly permitted in this electronic mail transmission. If you have received this electronic transmission in error, please delete it without copying or forwarding it, and notify the sender of the error. Although the sender takes measures to protect its network against viruses, no assurance is given that this transmission is virus-free. Thank you.***

## 5.1(e)

**From:** [Myles D'Arcey](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Marr-Phillipo House  
**Date:** Tuesday, August 31, 2021 8:38:53 AM

---

To the Mayor and Councillors, and city heritage staff

Re: Do not move the Marr-Phillipo House, 398 Wilson Street East, Ancaster

I am writing in opposition to the application by developers to relocate the characterful, fragile, stone-built, heritage-designated, 1840-dated Marr-Phillipo House, currently at 398 Wilson Street East in Ancaster. AVHC has well over 100 members, and is deeply engaged in preserving the heritage stock in Ancaster as a critical aspect of our mission to maintain the quality of life in our Township.

The Marr-Phillips House is one of the very few remaining buildings on Wilson Street dating from the early era when Ancaster Village was first established, beginning at the end of the 18th century. It is a crucial link with the historic origins of Ancaster. Beside it until recently there had been a contemporaneous frame building, the Marr House – dated similarly to the Marr-Phillipo House and closely associated with it – which was suddenly demolished without notice and without acknowledgment of its value to the Village by these same developers.

Developers propose to move the Marr-Phillipo House to an out-of-sight position at the rear of the lot – that is, if it survives the move, which is doubtful. If it survives, in its new location it will be lost to view, away from Wilson Street and hidden to the rear of a massive condominium development which is proposed on that large lot. According to plans presented by the developers to two local voluntary organizations, which were reported in the Ancaster News, the use of the Marr-Phillipo House in that new position will be restricted only to condominium residents, as an amenity. In their public presentations they threatened Ancaster residents that they will not go ahead with their plans if they are not allowed to move the Marr-Phillipo House.

This is another step in the destruction of Ancaster's unique position as the second earliest established village in Upper Canada.

The Marr-Phillipo building is remarkably well-preserved, but it is fragile. Moving it clearly represents a significant cost to the developers, which raises concerns about its ultimate preservation. Moving it will deprive Ancaster of another precious landmark, similar to the loss of the Brandon House over two years ago now. As you may remember, that demolition was met with serious opprobrium and fury by the residents of Ancaster and broader Hamilton, and gave rise to the efforts of our own organization to preserve our heritage.

We ask that you consider maintaining the Marr-Phillipo House in the position where it has been for over 180 years, and that you require the developers to incorporate it into their development plans.

Thank you and sincerely,

Margaret and Myles D'Arcey

[REDACTED]

[REDACTED]





**From:** [Robin Larin](#)  
**To:** [Kursikowski, Stacey](#)  
**Cc:** [Bob Maton](#)  
**Subject:** Ancaster heritage  
**Date:** Saturday, August 28, 2021 6:29:52 PM

---

Hello Ms. Kursikowski,

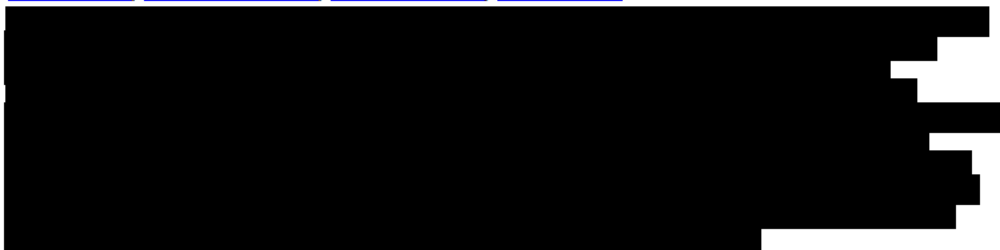
I understand that you will be coordinating the Heritage Permit Review Sub-Committee meeting on August 31, 2021. I am writing as an Ancaster resident living near the historic village centre to oppose the plan to move the heritage-designated Marr-Philippo house. Currently located at 398 Wilson St East, this house should remain in its location as a key element of Ancaster's historic identity. Developers wish to move the house to the rear of a planned condominium structure. Not only is it unlikely that a building of this age would not survive such a move, its displacement to a barely visible spot would further diminish the distinctive heritage nature of the village centre.

I support the efforts of the Ancaster Village Heritage Community to retain the character of this historic town and oppose attempts to turn the village centre into yet another homogenized suburb. Once these buildings are gone, they are gone forever, as will be our connection to and understanding of our local history. Please reconsider this move and instead choose to preserve the Marr-Philippo house in its current location and sustain the unique identity of Ancaster village.

Thank you,  
S. Robin Larin



**From:** [Bob Maton](#)  
**To:** [Golden, Alissa](#); [Kursikowski, Stacey](#); [Robichaud, Steve](#); [Thorne, Jason](#)  
**Cc:**



**Subject:** Do not move the Marr-Philippo House, Wilson Street, Ancaster  
**Date:** Saturday, August 28, 2021 3:34:25 PM

---

Good morning,

**Re: Do not move the Marr-Phillipo House, 398 Wilson Street East, Ancaster**

I write as President of the Ancaster Village Heritage Community, Inc. (AVHC), in opposition to the application by developers to relocate the characterful, fragile, stone-built, heritage-designated, 1840-dated Marr-Philippo House, currently at 398 Wilson Street East in Ancaster. AVHC has well over 100 members, and is deeply engaged in preserving the heritage stock in Ancaster as a critical aspect of our mission to maintain the quality of life in our Township.

The Marr-Philippo House is one of the very few remaining buildings on Wilson Street dating from the early era when Ancaster Village was first established, beginning at the end of the 18th century. It is a crucial link with the historic origins of Ancaster. Beside it until recently there had been a contemporaneous frame building, the Marr House - dated similarly to the Marr-Philippo House and closely associated with it - which was suddenly demolished without notice and without acknowledgment of its value to the Village by these same developers. Many heritage buildings along Wilson Street have suffered the same fate.

Developers propose to move the Marr-Phillipo House to an out-of-sight position at the rear of the lot - that is, if it survives the move, which is doubtful. If it survives, in its new location it will be lost to view, away from Wilson Street and hidden to the rear of a massive condominium development which is proposed for that lot. According to plans presented by the developers to two local voluntary organizations, plans which were reported in the Ancaster News, the use of the Marr-Phillipo House in that new position will be restricted to condominium residents only, as an amenity. In their public presentations the developers threatened that they will not go ahead with their plans if they are not allowed to move the Marr-Phillipo House.

This is another step in the destruction of Ancaster's unique position as the second earliest established village in Upper Canada.

The Marr-Phillipo building is remarkably well-preserved, but it is fragile. Moving it clearly

represents a significant cost to the developers, which raises concerns about its ultimate preservation. Moving it will deprive Ancaster of another precious landmark, similar to the loss of the Brandon House over two years ago now. As you may remember, that demolition was met with serious opprobrium and fury by the residents of Ancaster and broader Hamilton, and gave rise to the efforts of our own organization to preserve our heritage.

We ask that you consider maintaining the Marr-Philippo House in the position where it has been for over 180 years, and that you require the developers to incorporate it into their development plans.

Thank you and sincerely,

Bob Maton, PhD, President  
Ancaster Village Heritage Community, Inc.

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [Gail Moffatt](#)  
**To:** [Kursikowski, Stacey](#)  
**Cc:** [Bob Maton](#)  
**Subject:** Do not move the Marr-Phillipo House  
**Date:** Sunday, August 29, 2021 11:09:12 AM

---

To the Mayor and Councillors and City of Hamilton Heritage Staff  
(For public record)

RE: do not move the Marr-Phillipo House  
398 Wilson Street East  
Ancaster

I write as a resident of Ancaster, who moved here because of Ancaster's unique character. Ancaster exudes a small town atmosphere: a historic, picturesque village, significant for its architecture. Ancaster's Main Street, Wilson Street, is a priceless treasure. This streetscape is essential to maintaining the character of the village. Previous demolition of buildings has damaged the village. BUT, has NOT destroyed it! Our unique character and heritage CAN be preserved (it cannot be replaced). The Marr-Phillips House should REMAIN IN PLACE. It should NOT BE MOVED. It is an anchor to the historic, sidewalk streetscape!

Sincerely,  
Gail Moffatt



Sent from my iPad

# 5.1(i)

**From:** [Scheid, Elizabeth](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Marr- Philippo House  
**Date:** Monday, August 30, 2021 8:56:06 AM

---

To the Mayor and Councillors, and city heritage staff

The Marr-Philippo House is one of the very few remaining buildings on Wilson Street dating from the early era when Ancaster Village was first established, beginning at the end of the 18th century. It is a crucial link with the historic origins of Ancaster.

This is another step in the destruction of Ancaster's unique position as the second earliest established village in Upper Canada. The beauty of Ancaster has suffered from the destruction of buildings that gave it a unique character.

I am disturbed that our councilor and the city have not had the sense, foresight or courage to protect Ancaster's architectural heritage. It is time to show some strength.

Do not allow the Marr- Philippo house to be moved.

Sincerely,  
Liz Scheid

**From:** [Rhonda Scott](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Marr-Phillips House  
**Date:** Saturday, August 28, 2021 6:09:44 PM

---

To the Mayor and Councillors, and city heritage staff

Re: Do not move the Marr-Phillipo House, 398 Wilson Street East, Ancaster

I am writing in opposition to the application by developers to relocate the characterful, fragile, stone-built, heritage-designated, 1840-dated Marr-Phillipo House, currently at 398 Wilson Street East in Ancaster. AVHC has well over 100 members, and is deeply engaged in preserving the heritage stock in Ancaster as a critical aspect of our mission to maintain the quality of life in our Township.

The Marr-Phillipo House is one of the very few remaining buildings on Wilson Street dating from the early era when Ancaster Village was first established, beginning at the end of the 18th century. It is a crucial link with the historic origins of Ancaster. Beside it until recently there had been a contemporaneous frame building, the Marr House - dated similarly to the Marr-Phillipo House and closely associated with it - which was suddenly demolished without notice and without acknowledgment of its value to the Village by these same developers.

Developers propose to move the Marr-Phillipo House to an out-of-sight position at the rear of the lot - that is, if it survives the move, which is doubtful. If it survives, in its new location it will be lost to view, away from Wilson Street and hidden to the rear of a massive condominium development which is proposed on that large lot.

According to plans presented by the developers to two local voluntary organizations, which were reported in the Ancaster News, the use of the Marr-Phillipo House in that new position will be restricted only to condominium residents, as an amenity. In their public presentations they threatened Ancaster residents that they will not go ahead with their plans if they are not allowed to move the Marr-Phillipo House.

This is another step in the destruction of Ancaster's unique position as the second earliest established village in Upper Canada.

The Marr-Phillipo building is remarkably well-preserved, but it is fragile. Moving it clearly represents a significant cost to the developers, which raises concerns about its ultimate preservation. Moving it will deprive Ancaster of another precious landmark, similar to the loss of the Brandon House over two years ago now. As you may remember, that demolition was met with serious opprobrium and fury by the residents of Ancaster and broader Hamilton, and gave rise to the efforts of our own organization to preserve our heritage.

We ask that you consider maintaining the Marr-Phillipo House in the position where it has been for over 180 years, and that you require the developers to incorporate it into their development plans.

Thank you and sincerely,

Rhonda Scott



Take care,  
Rhonda Scott  
Sent from my iPhone

## 5.1(k)

**From:** [Sandra Starr](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Do Not Move the Marr-Phillipo House  
**Date:** Sunday, August 29, 2021 10:15:35 PM

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**I oppose the move of The Marr-Philippo House. It is one of the very few remaining buildings on Wilson Street dating from the early era when Ancaster Village was first established, beginning at the end of the 18th century. It is a crucial link with the historic origins of Ancaster. Beside it until recently there had been a contemporaneous frame building, the Marr House - dated similarly to the Marr-Philippo House and closely associated with it - which was suddenly demolished without notice and without acknowledgment of its value to the Village by these same developers. Developers propose to move the Marr-Phillipo House to an out-of-sight position at the rear of the lot - that is, if it survives the move, which is doubtful. If it survives, in its new location it will be lost to view, away from Wilson Street and hidden to the rear of a massive condominium development which is proposed on that large lot. According to plans presented by the developers to two local voluntary organizations, which were reported in the Ancaster News, the use of the Marr-Phillipo House in that new position will be restricted only to condominium residents, as an amenity. In their public presentations they threatened Ancaster residents that they will not go ahead with their plans if they are not allowed to move the Marr-Phillipo House.**

**This is another step in the destruction of Ancaster's unique position as the second earliest established village in Upper Canada.**

The Marr-Phillipo building is remarkably well-preserved, but it is fragile. Moving it clearly represents a significant cost to the developers, which raises concerns about its ultimate preservation. Moving it will deprive Ancaster of another precious landmark, similar to the loss of the **Brandon House** over two years ago now.

**We ask that you consider maintaining the Marr-Philippo House in the position where it has been for over 180 years, and that you require the developers to incorporate it into their development plans.**

Respectfully,

Sandra Starr



**From:** [Wendi Van Exan](#)  
**To:** [Kursikowski, Stacey](#)  
**Subject:** Marr-Phillipo House Ancaster  
**Date:** Sunday, August 29, 2021 8:08:39 AM

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Good Morning Ms Kursikowski

As a resident of Ancaster for almost 50 years I would like to add my voice to the many Ancaster residents who are opposed to the developers plan to move this heritage - designated building from its current home on the street (since 1840) to somewhere in the back on the lot

Like many, I do not believe it could survive this move, and having been at a presentation of the developers I do not believe they think so either. They have currently allowed a bridal shop to open and it is lovely to see the building brought back to life.

Please do not allow the Marr-Phillipo house to suffer the same fate as the Brandon House. I do not trust the developers and I feel the City needs to be on top of this.

Please ask that the developers incorporate this fine heritage building into their development plans.

Thank you  
Wendi Van Exan

# 5.1(m)

**From:** [benburke\\_benburke](mailto:benburke_benburke)  
**To:** [Kursikowski, Stacey](mailto:Kursikowski, Stacey)  
**Subject:** Proposal to Move Marr-Phillipo House  
**Date:** Tuesday, August 31, 2021 12:03:08 AM

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Stacey:

I want to declare my interest up front. I am a relatively new resident of Ancaster, who was attracted in the first place by the charm of the heritage buildings in the Village Core and the treed approaches from the east along Rousseaux and along Old Dundas Street and Wilson Street East to the north.

I retired in February 2020 having worked as a structural engineer for 52 years with extensive experience of heritage buildings in Ireland and Ontario. I am the recipient of a European Heritage Award for the restoration of the English Market in Cork, Ireland in the aftermath of a devastating fire. I was the consulting engineer-of-record for interventions and restorations of several historical buildings for Heritage Ontario, for the Legislative Assembly Office at Queen's Park and for the restoration of heritage buildings, including St. Michael's Cathedral in Toronto. I have also been involved in the design of moving a heritage building and fully understand the complexities and risks involved. Providing context for the present and the future through the preservation of our heritage buildings of significance and architectural merit is especially important in today's world of real estate development.

The current proposal to move the Marr-Phillipo House from its current location and retain it as an amenity facility for the proposed condominium building residents at the rear of the development will significantly diminish the character of the streetscape.

The following is a quotation from the City's "Reasons for Designation under Part IV of the Ontario Heritage Act" By-law 78-87: "*The use of stone as a construction material relates the building to several other important buildings on Wilson Street. For these reasons the building is of great importance to the Wilson Street streetscape.*" While the building has great heritage merit in and of itself, its contribution to the enhancement of the streetscape should not be compromised by moving it to the rear of the site where it would be out of view and totally divorced from Wilson Street East. Doing so, would diminished the Village Core.

Moving a building is a complicated process and any missteps can be disastrous. It requires the following steps:

- Build new foundations and foundation walls at the new location.
- Excavate around the building to expose the top of the foundation wall.
- Create holes at the top of the foundation walls through which specially designed steel beams are threaded that can support the weight of the building.
- Jack up the beams (and therefore the building).
- Place dollies under the beams.
- Roll the dollies carrying the building along a pre-planned route to the new foundation location.
- When properly located above the new foundation walls place jacks under the beams, lift slightly, remove dollies.
- Build up the foundation walls between the beams to the underside of the masonry walls.
- Lower jacks and remove beams.

Infill holes left by the beams.

Moving a stone masonry building is more difficult than moving a timber framed building and there is a greater risk of irreparable damage because it does not have the same degree of structural flexibility. The spacing of the beams is critical in order to maintain the integrity of the stone masonry. Furthermore, the greatest risk arises from unforeseen obstacles and conditions pertaining to the structure in jacking, in transporting along the pre-planned route and lowering the building which can not only cause severe damage but increase costs significantly, and in a worst case scenario result in the demise of the whole building.

Ideally, any building that is to be moved should have a basement or at least an accessible crawl space to allow structural steel beams to be inserted under the exterior walls below the ground floor level. The Marr-Phillipo House presents difficulties in this regard and the excavation to allow the insertion of the steel beams would probably encroach on the public sidewalk. The route for transportation would probably be on the public roads south along Wilson and east on Academy.

Assuming the building can be successfully moved, the timing of the move relative to the construction of the rest of the development comes into play. The questions raised include the sequence of the move relative to the new construction. Would the new foundations be independent of the foundations of the condominium, or would the Marr-Phillipo House be moved onto a suspended part of the new development, like the ground floor slab? The shoring for the construction of the condominium basement could also have an impact on the House either before it is moved or after it is moved due to vibration during shoring operations or through vertical settlement in the event that the shores deflect laterally.

In my opinion there is a substantial risk of irreparable damage to the House involved in moving such a fragile building. It should be the displayed jewel of any development along Wilson Street East. It should be embraced as a treasure incorporated into the design and not as an "embarrassment" hidden at the rear, which it could potentially become if moved.

The objective is not just to preserve the Marr-Phillipo House at the rear of a development as a hidden "record" of those who came before us, but to conserve it as part of a streetscape replete with other marvelous heritage buildings as part of a street-front building in a living vibrant community. In other words, comply with one of the main reasons provided for its heritage designation in the first place, namely, "*The use of stone as a construction material relates the building to several other important buildings on Wilson Street. For these reasons the building is of great importance to the Wilson Street streetscape.*"

Museums display the relics of the past. The heritage buildings of Ancaster Village should not be museum artifacts but must be part of our active every day personal and business lives. We should ask ourselves what it is that makes Ancaster Village so appealing to visitors and residents alike – it is the heritage buildings and the ambience they create. Destroying a heritage building as in the Brandon House or hiding it from view as proposed for the Marr-Phillipo House shows an insensitivity to the history of Ancaster, a disregard for its special character, and a poverty of vision for its future.

Thank you for consideration of my views and please reject the proposal to move the Marr-Phillipo House.

Regards,

Ben Burke

**Subject:** Marr-Philip House

please forward this to the appropriate personnel:

Amber Knowles, Cultural Heritage Planner

Stacey Kursikowski, Cultural Heritage Planner

Chloe Richer, Cultural Heritage Planner

I understand that there will be a vote on this very soon and that Ancaster residents are not permitted to attend.

I strongly disagree to the moving of the Marr-Philip House in order to accommodate the proposed construction.

What iron clad guarantee do you have that the building will be preserved? Moving something of that vintage does not come with a guarantee. What steps will be taken if the move of this historic building does not go well? What is to prevent other builders from requesting to move or just tear down the few remaining heritage buildings in Ancaster? I am referring of course to the Brandon House and 15 Church Street to name just two buildings.

The projected building plan already contravenes a number of Ancaster bylaws and will totally change the streetscape of Wilson Street. We are supposedly known as the Historic Village of Ancaster and yet are allowing developers to build inappropriate buildings, move or tear down historic buildings (think Brandon House and the farm house on Church Street).

Do you really want the tax payers of Ancaster to remember you as being one of the people involved in the destruction of a heritage village? In the past, developers have tried to make new projects, such as The Olive Board (which started out as a Tim Horton's), fit in with our heritage village design. What has changed since then to allow builders be in charge?

Sandy Price

Sent from my iPad

**From:** [Kelsey, Lisa](#)  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); [Kolar, Loren](#)  
**Cc:** [Mighty, Danielle](#)  
**Subject:** RE: Form submission from: Request to Speak to Committee of Council Form  
**Date:** Thursday, September 16, 2021 3:44:15 PM

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-----Original Message-----

From: no-reply@hamilton.ca <no-reply@hamilton.ca>  
Sent: Thursday, September 16, 2021 1:58 PM  
To: clerk@hamilton.ca  
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Thursday, September 16, 2021 - 1:58pm Submitted by anonymous user: 172.70.127.12 Submitted values are:

==Committee Requested==

Committee: Hamilton Municipal Heritage Committee

==Requestor Information==

Name of Individual: Megan Hobson

Name of Organization:

Contact Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address: 45 James Street, Dundas ON L9H 2J5 Reason(s)  
for delegation request: I am the heritage consultant representing the  
applicant for HP2021-037 - Facade Integration into Redevelopment  
of 18-28 King Street East

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

---

The results of this submission may be viewed at:  
<https://www.hamilton.ca/node/286/submission/542151>

**From:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**To:** [Kolar, Loren](#)  
**Cc:** [Vernem, Christine](#)  
**Subject:** FW: Form submission from: Request to Speak to Committee of Council Form  
**Date:** Wednesday, September 22, 2021 2:39:34 PM

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-----Original Message-----

From: no-reply@hamilton.ca <no-reply@hamilton.ca>  
Sent: Wednesday, September 22, 2021 1:27 PM  
To: clerk@hamilton.ca  
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Wednesday, September 22, 2021 - 1:27pm Submitted by anonymous user: 172.70.130.75 Submitted values are:

==Committee Requested==

Committee: Hamilton Municipal Heritage Committee

==Requestor Information==

Name of Individual: Paula Kilburn or Tom Manzuk (alternate)

Name of Organization: Advisory Committee for Persons with Disabilities

Contact Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address:

[REDACTED]

[REDACTED]

Email: [REDACTED]

Reason(s) for delegation request:

I would kindly request to speak to the Hamilton Municipal Heritage Committee, on behalf of the Advisory Committee for Persons with Disabilities, respecting the integration of accessibility in heritage properties.

Please note that I have received authorization from the Advisory Committee for Persons with Disabilities to make this request.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

The results of this submission may be viewed at:

<https://www.hamilton.ca/node/286/submission/543261>





**From:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**To:** [Kolar, Loren](#)  
**Cc:** [Vernem, Christine](#)  
**Subject:** FW: Form submission from: Request to Speak to Committee of Council Form  
**Date:** Thursday, September 23, 2021 8:47:11 AM

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-----Original Message-----

From: no-reply@hamilton.ca <no-reply@hamilton.ca>  
Sent: Wednesday, September 22, 2021 4:11 PM  
To: clerk@hamilton.ca  
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Wednesday, September 22, 2021 - 4:10pm Submitted by anonymous user: 162.158.126.143 Submitted values are:

==Committee Requested==  
Committee: Hamilton Municipal Heritage Committee

==Requestor Information==  
Name of Individual: Brenda Khes  
Name of Organization: GSP Group Inc.  
Contact Number: [REDACTED]  
Email Address: [bkhes@gspgroup.ca](mailto:bkhes@gspgroup.ca)  
Mailing Address: 162 Locke Street South, Suite 200  
Reason(s) for delegation request:  
Agenda Item 8.2 - I am the Applicant for Heritage permit  
Application HP2021-033 for the relocation of 398 Wilson Street  
East, Ancaster - available to respond to questions if required.  
No presentation proposed. If a delegation request is not  
required in this situation, please advise.

Will you be requesting funds from the City? No  
Will you be submitting a formal presentation? No

The results of this submission may be viewed at:  
<https://www.hamilton.ca/node/286/submission/543311>

**From:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**To:** [Kolar, Loren](#)  
**Cc:** [Vernem, Christine](#)  
**Subject:** FW: Form submission from: Request to Speak to Committee of Council Form  
**Date:** Thursday, September 23, 2021 11:32:06 AM

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-----Original Message-----

From: no-reply@hamilton.ca <no-reply@hamilton.ca>  
Sent: Thursday, September 23, 2021 10:32 AM  
To: clerk@hamilton.ca  
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Thursday, September 23, 2021 - 10:32am Submitted by anonymous user: 172.70.178.51 Submitted values are:

==Committee Requested==  
Committee: Hamilton Municipal Heritage Committee

==Requestor Information==  
Name of Individual: Dr. Robert Maton  
Name of Organization: Ancaster Village Heritage Community,  
Incorporated  
Contact Number: [REDACTED]  
Email Address: [REDACTED]  
Mailing Address:

[REDACTED]  
Reason(s) for delegation request: Regarding the Marr-Philippo House, 398 Wilson Street, I would like to speak in favour of the staff report recommending against moving the building.  
Will you be requesting funds from the City? No  
Will you be submitting a formal presentation? Yes

The results of this submission may be viewed at:  
<https://www.hamilton.ca/node/286/submission/543411>

Formal Presentation to the Hamilton Municipal Heritage Committee

September 24<sup>th</sup>, 2021

Regarding Relocation of the Marr House, 398 Wilson Street East

Dr. Bob Maton, President, Ancaster Village Heritage Community

My submission today is respecting 398 Wilson Street East, Ancaster, referred to as the Marr House. I can be brief, as the position of the Ancaster Village Heritage Community (AVHC) is in alignment with the Staff Report PED21196 which is on your agenda today.

AVHC would like to underline the importance of the streetscape of the Ancaster Village Core. Other buildings of heritage significance have been demolished on two lots adjacent to Marr House in preparation for a major development and we are sure Marr House would be gone, too, except for its heritage designation. What is left is a huge unkempt vacant lot on our streetscape.

Further down Wilson Street, Brandon House, a pristine 1862 stone home, was demolished in 2020 as it had not been designated. That alarming demolition has left another major shabby vacant lot at the corner of Wilson Street East and Rousseaux Street, the historic gateway to Ancaster.

AVHC sees the removal of Marr House from the streetscape close by as one of the final chapters in preserving the Cultural Heritage Landscape of the Ancaster Village Core.

AVHC deeply appreciates recognition by City staff of the importance of preserving Marr House in its location, and urges this Committee to accept the recommendation of the report.

Thank you,

Dr. Bob Maton, President, Ancaster Village Heritage Community

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday December 7, 2020

10:00 am

City of Hamilton Web Ex Virtual Meeting

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Attendees: C. Dimitry, B. Janssen, L. Lunsted, R. McKee, W. Rosart,

Regrets: C. Priamo , K.Stacey, A. Denham- Robinson

Also Present: D. Addington

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

None

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of November 19, 2020:**

Notes approved.

**(d) C.H.I.A. – 1 property: 101 King Street East, Hamilton**

An overview of the proposed changes was given by David Addington, (City of Hamilton). The subject property is listed on the Municipal Heritage Register and is located within the Gore Park Cultural Landscape.

- Proposed development:
  - o Adding 3 storeys to the existing 3 storey building. This building is structurally sound.
  - o Remove an existing 1-storey addition at the rear to allow for a 7 storey addition
  - o Integrate the existing interior to the new addition
  - o Remove existing cladding and repair existing brick exterior using original brick where possible
  - o Remove existing windows which are not original

Working Group Members noted the following regarding the CHIA in general:

- In general, the working group liked the concept and was happy to see that existing brick would be used. The integration of the existing building into the design is very well done.
- Review of the proposed changes:
  - The group was unanimous in their dislike of the proposed cube structures on the front of the 4<sup>th</sup> and 5<sup>th</sup> storey. Although the CHIA indicates that the cubes are intentionally designed to contrast with the heritage aspects of the 2<sup>nd</sup> and 3<sup>rd</sup> storeys, the group felt they were too drastic a contrast.
    - C. Dimitry suggested that perhaps the cantilever on the 5<sup>th</sup> storey could be set back. He also wondered if there were any plans to leave some of the interior joists exposed as they are the only interior heritage feature left.
    - B. Janssen liked the proposed use of the brick and the work on the heritage features
    - L. Lunsted wondered if they could frame the cube in brick, similar to the building at 185 King St. E., to soften the look of the cube.
    - The group also suggested that the window glazing could be simplified
    - The cube shape is evident in several surrounding buildings but the impact of those is not as jarring. Some are set back so they are not as visible from the street.

#### **Recommendations regarding the CHIA for 101 King Street East, Hamilton**

- That the applicant provide alternative designs more in keeping with the heritage design of the building.

#### **(e) OTHER BUSINESS**

- R. McKee asked what the status was concerning the designation of Gore Park. D. Addington replied that it is still being worked on. There is also no change to the status of the Auchmar Gate House.
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#### **(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 9:45 am.

**Next meeting date:** To be determined

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday March 15, 2021

3:30 pm

City of Hamilton Web Ex Virtual Meeting

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Attendees: C. Dimitry, B. Janssen, L. Lunsted, R. McKee, W. Rosart, A. Denham-Robinson

Regrets: C. Priamo, K. Stacey

Also Present: D. Addington  
 Hannah Kosziwka

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

A. Denham-Robinson stated that her office is working on the building being discussed in the C.H.I.A.

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of December 7, 2020:**

Approved by general consensus with minor edits.

**(d) C.H.I.A. – 1 property: Chedoke Browlands / Long & Bisby Building**

An overview of the Cultural Heritage Impact Assessment (CHIA) was given by Cultural Heritage Planner, David Addington. It was noted that Council approved the Notice of Intent to Designate in February and the NOID has been issued. The property owner has noted to staff that not all of the windows are intact or present, and that a portion of the rear addition had been previously been removed due to fire damage.

The Long & Bisby building was built in 1920 as a nurses residence for staff working at the Mountain Sanitorium. It is the only building from that institution still standing.

Overview Proposed development:

- Building 630 residential units, a mix of townhouses and multi-unit residential buildings.
- The townhouses are proposed to be 2-3 storeys, the multi-unit residential buildings will range in height with 4, 5, and 8 storey buildings being proposed.
- The development will be built in phases.
- Approximately 9 acres of land near Chedoke Creek will remain as open space and ownership will be transferred to the City.
- The Long & Busby building will be retained, initially as the office for the developer and later potentially converted for amenity or office use.
- A tree preservation plan has been submitted with the development application.

Working Group Members noted the following regarding the CHIA:

- In general, the working group were pleased that the Long & Bisby building is being retained and recommended that a Conservation plan be completed for the building. A. Denham-Robinson noted that the a plan for the ongoing monitoring and securing of the building must be included.
- C. Dimitry wondered if there were more heritage features inside the Long & Bisby building which have not been identified as being worth retaining such as the fireplace surround and ceiling the nurses lounge.
- R. McKee felt it was not clear what was happening to the Cross of Lorraine, and more information was needed as to how it was going to be dealt with and a plan for its restoration should be provided. Was it going to be restored and was it going to be lit? Was there a plan to remove trees so that the Cross was more visible?
- R. McKee suggested that the Hamilton Mountain Historical Society may be interested in preserving the Cross and may be able to help with funds and restoration plans.
- L. Lunsted said that the plans include blasting near the Long & Bisby building for construction of underground parking, and there was potential for damage to the building. It is agreed that an engineer should report on the potential blasting impacts on the Long & Bisby building and referenced in the CHIA. We would like to see regular reporting and ongoing monitoring of the building when this is happening.
- B. Janssen would like to see more detail on the park lands and hopes that as many trees as possible will be retained. It was noted that landscape components were removed from the designation By-law at Planning Committee.
- The CHIA reports that the landscape has been significantly altered over time so there is no significant impact with any changes, however, the P&D Working group is not in agreement with this statement.

**Recommendations regarding the CHIA for Chedoke Browlands/Long & Bisby**

- That the CHIA be received and that the questions and issues noted by the working group be addressed in a resubmission of the CHIA.



**(e) OTHER BUSINESS**

- R. McKee had various questions about the potential timing of a designation of the Auchmar Gatehouse and how a designation by-law would apply to the property should the gatehouse be moved.

**(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 10.00 am.

**Next meeting date:** To be determined

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday March 15, 2021

3:30 pm

City of Hamilton Web Ex Virtual Meeting

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Attendees: C. Dimitry, B. Janssen, L. Lunsted, R. McKee, W. Rosart, A. Denham-Robinson, Carol Priamo

Regrets: K.Stacey

Also Present: A. Golden  
Hannah Kosziwka

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

None

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of January 25, 2021**

Approved

**(d) C.H.I.A. – Revised Cultural Heritage Impact Assessment for 115-117 George Street & 220-222 Main Street West, by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2021**

This CHIA was previously discussed on October 19, 2020. In reviewing the revised CHIA, the group feels that their comments were not all addressed and the recommendations remain the same.

Working Group Members noted the following regarding the CHIA:

- In general, the working group was pleased with the additions to the CHIA with regards to the George Street addresses.

Individual comments:

**220 Main St. W.**

- C. Dimitry felt that there are at least 3 attributes for 220 Main St. W. which should be noted in the Reg. 9/06 criteria – Queen Anne style, the turrets and the brickwork
  - He would like the new design to have more actual brick rather than a representation and more of a heritage look
- C. Priamo asked if they have already applied for re-zoning for the higher number of stories. She does not approve of tearing the building down

**222 Main St. W.**

- C. Dimitri – would like to keep this building
- C. Priamo – feels that the 9/06 assessment in the CHIA is not accurate, and should be as follows:
  - 1 i) – should be a Yes
  - 1 ii) – it does have craftsmanship
  - 2 i) yes it has a theme – its historical development
  - 2 ii) Yes – if the building comes down then there is nothing left to help describe the neighbourhood
  - 3 i) Yes it is important in defining the character of the neighbourhood
  - 3 ii) Yes, it is linked to its surroundings
- B. Janssen feels that they have missed the mark and could do a lot more to recognize the heritage and history, if the building is demolished.

Overall comments:

The Working Group hoped for more features to be saved from 222 Main St. W. If possible they would prefer that the building be saved and a structure be built above it. They would prefer that more of the red brick be incorporated into the design. They do not agree with the Ref.. 9/06 criteria as written in the CHIA.

It is recognized that the setback of the Main Street buildings could be an issue in the design but it is an integral part of the original structure and would have contributed to the character of the neighbourhood.

**Recommendations regarding the CHIA for 115-117 George St. & 220-222 Main St. W.**

- That the CHIA be received and that the questions and issues noted by the working group be addressed in a resubmission of the CHIA.
- In addition, while 115-117 George Street are Registered, they recommend referring these buildings, as well as Arlo House at 206 Main St. W. to the Inventory and Research Working Group as possible candidates for Designation.

**(e) OTHER BUSINESS**

- R. McKee confirmed that the Cross of Lorraine is included in the designation of the Long & Bisby building.
- He also questioned if it is better to designate a building (Auchmar Gatehose) before or after moving it to another location.
- W. Rosart asked if information can be sent out to the group earlier. This will be discussed at the next meeting and potential timelines developed. However it all depends on when staff get the information and how urgent it is.

**(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 4:50 p.m..

**Next meeting date:** To be determined

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday April 19, 2021

3:00 pm

City of Hamilton Web Ex Virtual Meeting

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Attendees: C. Dimitry, B. Janssen, L. Lunsted, R. McKee, W. Rosart, A. Denham-Robinson, Carol Priamo

Regrets: K.Stacey

Also Present: A. Golden  
Hannah Kosziwka

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

None

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of March 15, 2021**

When asked these notes had been forwarded to the developer yet, Alissa Golden advised that she was waiting for them to be approved at this meeting. She will then add her comments and forward them.

Approved

**(d) C.H.I.A. – Cultural Heritage Impact Assessment for 101 Hunter Street E. by Goldsmith Borgal & Company Ltd. February 26, 2021**

The proposal is to demolish the building. The report did not find any criteria which met the Ontario Regulation 9/06 criteria for Cultural Heritage Value or interest.

Alissa Golden made the following comments for our clarification:

- Hunter Street was the cutoff and was not included in the Downtown Built Heritage Inventory.

- She feels that there is contextual value
- The statement that there is no historical or associative value may need more research
- The study seems to focus on the impact to adjacent buildings

Overall, the group disagreed with the report and felt that there were aspects that did not meet the Regulation 9/06 criteria.

Individual comments:

- The city Secondary Plan currently in effect does not allow this type of development
- It does not conform with the Tall Building Study or the current Zoning By-laws
- Corktown is one of four historical areas and needs more study
- The Shadow impact study is not representative of reality
- The placement of the building on the lot should be reconsidered
- The City should be accountable for studies which have been done and follow their own recommendations.
- We feel there is technical merit
- The brick and foundation are in good shape
- We would have expected to see more in the 'Associative Value' category
- If the new building is built, the row houses on the East and West may not survive
- While other nearby properties are on the Register, there are no plans for designation and they are not on the workplan.
- There is associative value
- Buildings may start to disappear in the Corktown area, south of Hunter Street if they are not added to the Register
- We do not see any heritage aspects in the design
- The buildings could be integrated into the design as they are right on the corner of the property.
- There were multiple references to high rises which do not exist yet
- The report does not recommend any heritage incorporation of the existing buildings

### **Recommendations regarding the CHIA for 101 Hunter Street West**

The group does not agree with the Ontario Regulation 9/06 criteria as noted in the report. They feel that the existing buildings could be incorporated into the design or at the very least, some indication of the heritage of the buildings should be incorporated.

The proposal does not seem to conform with existing Zoning By-laws.

- (e) **C.H.I.A. – Cultural Heritage Impact Assessment for 455 and 457 Bay Street North prepared by ASI July 2020**

The proposal is for an addition at the rear of 455 Bay Street North, a designated building, and to construct a new residence on the adjacent vacant lot at 457 Bay Street North.

The major concerns of the group were with regards to maintaining the stability of the slope, and the number of mature trees which may need to be removed to facilitate the build. In particular there is a large tree which seems to be in front of the proposed new construction and removing it would significantly alter the streetscape.

- All heavy equipment will have access from the rear of the properties
- The City is taking over the operation of the marina and it may eventually close, resulting in great public access to the area at the rear of these lots.
- There are three tunnels near these lots which have heritage significance. They are currently boarded up but in future they may be recognized with a heritage plaque.
- It was felt that the design of both the rear addition and the new construction were more in keeping with Vancouver, rather than Hamilton, and they do not fit the area.

**Overall comments:**

The Working Group agrees in general with the report. They concur with the suggestion in section B.3.4.1.3 that exterior finishes for the new construction could make greater use of wood and brick materials, rather than the glass, steel and concrete. Engineering reports should evaluate the structural integrity and stability of the slope, and a landscape plan should be provided.

**Recommendations regarding the CHIA for 455 and 457 Bay Street North**

- That the CHIA be received and that the issues noted by the working group be addressed.

**(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 4:35 p.m..

**Next meeting date:** To be determined

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday May 17, 2021

3:00 pm

City of Hamilton Web Ex Virtual Meeting

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Attendees: B. Janssen, L. Lunsted, A. Denham- Robinson, Carol Priamo

Regrets: K.Stacey, R.McKee, W. Rosart, C.Dimitry

Also Present: A. Golden  
H. Kosziwka, S. Kursikowski, C. Richer

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

None

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of April 19, 2021**

Approved with revisions – the names of the group members have been removed from the individual comments.

**(d) Introduction of the new Cultural Heritage Planners:** Stacey Kursikowski and Cloe Richer

**(e) C.H.I.A. – Cultural Heritage Impact Assessment for Trinity Baptist Church 922 Main Street East** by Megan Hobson, 17 August 2020.

The proposal is to add a six storey residential care facility to the east side of the church, containing 50 dwelling units, and to retain the existing church as amenity space. The new building will be separate, but access to the church will be through new entry points.

A presentation was made by Cultural Heritage Planner Stacey Kursikowski, outlining the proposed plans.



Individual comments:

- the plans call for 17 parking spaces – will this be enough?
- There are 16 stained glass windows and the plans call for the removal of two of them. Are these going to be retained somewhere else?
- There does not seem to be a good description of how the rooflines will come together, and why the 'joining' roof is required
- The church is currently only on the inventory. It should be on the register and perhaps even designated.
- There is a space between the two structures where the stained glass windows on the east side of the church will look onto. Could skylights be incorporated into the roof to allow some natural light into these spaces so that the stained glass windows can be highlighted.

The Cultural Heritage Planner had identified many of these questions already and is also asking if the east façade of the new structure could have a bit more definition on that side since it is the main entrance.

### **Recommendations regarding the CHIA for 922 Main Street East**

The Policy & Design Working Group is supportive of this CHIA and agrees with the recommendations. It is not necessary to have this resubmitted to us.

We would like the Cultural Heritage Planner to update us on any changes or responses regarding the questions and comments identified.

It is recommended that this property be sent to the Inventory & Research Group to have it included on the Register, with further research regarding eventual Designation.

### **(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 3:40 p.m..

**Next meeting date:** To be determined

**MEETING NOTES**  
**POLICY AND DESIGN WORKING GROUP**

Monday June 21, 2021

3:00 pm

City of Hamilton Web Ex Virtual Meeting

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Attendees: C. Dimitry, B. Janssen, L. Lunsted, A. Denham- Robinson, W. Rosart

Regrets: K.Stacey, R.McKee, , C. Priamo, S. Kusikowski

Also Present: C. Richer , H. Kosziwka,

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**THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:**

**(a) CHANGES TO THE AGENDA**

None

**(b) DECLARATIONS OF INTEREST**

None

**(c) REVIEW OF PAST MEETING NOTES**

**Notes of May 17, 2021**

Approved with revision – correction to the spelling of Chloe Richer.

**(d) C.H.I.A. – Cultural Heritage Impact Assessment for 265 Mill Street South, Waterdown** by KSA Architectural Solutions, December 2020

The report was to support a Zoning By-Law amendment application. A presentation was made by Cultural Heritage Planner Chloe Richer and she had a few comments:

- Landscaping needs to be addressed
- The property is on the Register and may be put forward for designation if further research supports it
- Several of the attributes in the report say they 'partially' apply. The answer should be yes or no, not partially.

Individual comments:

- o The working group is in favour of the overall strategy

- We feel that all of the attributes under Contextual Value should read 'meets criteria'
- We would like the comments under the Historical Attributes to be stronger, not 'partially meets'
- We feel that there is potential for this building to be designated. The Waterdown Village Built Heritage Inventory lists this property as a Designation Candidate.
- We would like to know if there are more items on the interior which could be salvaged. Most of the documentation is about the staircase.
- While the additions to the rear are necessary, would it be possible to have these more in line with the current structure.
- Would it be possible to have a site visit to view the interior?

**Recommendations regarding the CHIA for 265 Mill Street South, Flamborough (Waterdown)**

The Policy & Design Working Group is supportive of this CHIA and agrees with the recommendations. It is not necessary to have this resubmitted to us.

We would like the Cultural Heritage Planner to update us on any changes or responses regarding the questions and comments identified.

It is recommended that this property be sent to the Inventory & Research Group for further research regarding eventual Designation.

- (e) C.H.I.A. – Cultural Heritage Impact Assessment for 207 King Street, Dundas**  
by Wren Design, revised April 2021
- The working group is very pleased with the revisions to the CHIA. All of our concerns and questions have been addressed and answered.
  - The only question was if there will be accessible entry as it does not look like there is an AODA access in the front.

**(f) ADJOURNMENT**

The Policy & Design Working Group Meeting adjourned at 3:55 p.m.

**Next meeting date:** To be determined

**MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE**

**Tuesday, July 20, 2021**

**Present:** Karen Burke, Graham Carroll, Diane Dent, Charles Dimitry (Chair), Andy MacLaren, Carol Priamo, Tim Ritchie (Vice Chair), Stefan Spolnik, Steve Wiegand

**Attending Staff:** Amber Knowles, Hannah Kosziwka, Stacey Kursikowski, Chloe Richer, Charlie Toman

**Absent with Regrets:** Melissa Alexander

Meeting was called to order by the Chairman, Charles Dimitry, at 5:00pm

**1) Approval of Agenda:**

(Burke/Dent)

That the Agenda for July 20, be approved as presented.

**2) Approval of Minutes from Previous Meetings:**

(Carroll/Dent)

That the Minutes of June 15, 2021, be approved as presented.

### 3) Heritage Permit Applications

a. **HP2021-034: 21 Stone Church Road West (Barton Stone - Mount Hope United Church)**

- Scope of work:
  - Refurbishing all windows of the sanctuary while utilizing available grants.
  - Scope of work for 2021/2022 is to refurbish all 4 sets of existing paired gothic arched windows on the south elevation of the sanctuary and refurbish all 4 sets of existing paired gothic arched windows on the north elevation of the sanctuary in 2023/2024
- Reason for work:
  - Repairs of damaged wood/seals

John and Joanne Eagles, trustees of the church, represented the property owner and spoke to the Sub-committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Dent/MacLaren)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-034 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2024. If the alteration(s) are not completed by July 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**b. HP2021-035: 114-116 MacNab Street South , Hamilton (MacNab Street Presbyterian Church)**

- Scope of work:
  - Installation of surveillance signs
- Reason for work:
  - Curb vandalism, illegal activities, etc. taking place on the Church premises

Frank Taylor, Building Manager, and Ken Post, a trustee of the church, represented the property owner and spoke to the Sub-committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Dent/Carroll)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-035 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alteration(s) are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
- c) That the proposed signage conform to the City of Hamilton's Sign By-law

**c. HP2021-036: 29 Mill Street North, Flamborough**

- Scope of work:
  - Interior waterproofing alterations to concrete block addition
  
- Reason for work:
  - Waterproofing to prevent damage.

Rachel Wheeler, a contractor, represented the owner and spoke to the sub committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(MacLaren/Burke)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-036 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alteration(s) are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**d. HP2021-032: 140 Hatt Street, Dundas**

- Scope of work:
  - Construction of a rear addition (sunroom)
  
- Reason for work:
  - Additional space and home improvement

Giancarlo Tari, Owner, Complete Home Construction Inc., represented the property owners and spoke to the Sub-committee at the review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(MacLaren/Spolnik)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-032 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alteration(s) are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
- c) That the two heritage window openings at the rear of the buildings be maintained when they are enclosed by the sunroom addition.
- d) That revised plans be resubmitted to the satisfaction of the Director of Planning and Chief Planner indicating the existing rear window openings are to be retained in the sunroom addition.



4) **Adjournment:** Meeting was adjourned at 6:25 pm

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, July 27, 2021 from 4:30 – 8:30pm

**MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE**

**Tuesday, July 27, 2021**

**Present:** Melissa Alexander, Karen Burke, Graham Carroll, Charles Dimitry (Chair), Andy MacLaren, Carol Priamo, Tim Ritchie (Vice Chair), Steve Wiegand

**Attending Staff:** Amber Knowles, Hannah Kosziwka, Shannon McKie

**Absent with Regrets:** Diane Dent, Stefan Spolnik

Meeting was called to order by the Chairman, Charles Dimitry, at 4:30pm

**1) Approval of Agenda:**

(MacLaren/Priamo)

That the Agenda for July 27, be approved as presented.

**2) Approval of Minutes from Previous Meetings:**

Previous meeting's minutes will be received and reviewed at the August meeting.

### 3) Heritage Permit Applications

#### a. **HP2021-037: 18-28 King Street East, Hamilton (Gore Buildings)**

- Scope of work:
  - Proposed redevelopment integrating the designated heritage facades into a new 6-storey mixed use building.
- Reason for work:
  - Proposed redevelopment of site

The following parties represented the property owner, Hughson Business Space Corporation, and spoke to the Sub-committee at the permit review.

Evan Apostol, Wilson Blanchard  
Jonathan Dee, John G. Cooke & Associates LTD.  
Jeff Feswick, Historia Building Restoration Inc.  
Megan Hobson, Megan Hobson & Associates  
P Navarro, DPAI Architecture  
David Premi, DPAI Architecture

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Ritchie/Burke)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-037 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alteration(s) are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

c) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be submitted to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction.

d) That a Heritage Easement agreement be reached with the City prior to the commencement of work.

e) The applicant shall provide a Letter of Credit to the Director of Planning for 100% of the total estimated cost in a form satisfactory to the City's Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing, monitoring and restoring the retained portions as required by this Heritage Permit.

4) **Adjournment:** Meeting was adjourned at 6:45 pm

(Carroll/MacLaren)

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, August 17, 2021 from 4:30 – 8:30pm

**MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE**

**Tuesday, August 17, 2021**

**Present:** Karen Burke, Graham Carroll, Charles Dimitry (Chair), Andy MacLaren, Carol Priamo, Tim Ritchie (Vice Chair), Stefan Spolnik, Steve Wiegand

**Attending Staff:** Ohi Izirein, Amber Knowles, Hannah Kosziwka, Stacey Kursikowski, Chloe Richer

**Absent with Regrets:** Melissa Alexander, Diane Dent

Meeting was called to order by the Chairman, Charles Dimitry, at 5:00pm

**1) Approval of Agenda:**

(Burke/Ritchie)

That the Agenda for August 17, be approved as presented.

**2) Approval of Minutes from Previous Meetings:**

(Carroll/MacLaren)

That the Minutes of July 20, 2021 and July 27, 2021, be approved as presented.

### 3) Heritage Permit Applications

#### a. **HP2021-038: 24 Griffin Street, Waterdown**

- Scope of work:
  - Proposed replacement of front door
  - Replacement of seven windows (work already completed)
  
- Reason for work:
  - Replacement of front door due to poor condition
  - Windows previously replaced due to poor condition

Jim and Fay Mansfield, the property owners, spoke to the Sub-committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Dent/MacLaren)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-038 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
  
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alteration(s) are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**b. HP2021-039: 220 St. Clair Boulevard, Hamilton**

- Scope of work:
  - Replacement of the eavestroughs, soffits, fascia, and dormer cladding
  
- Reason for work:
  - Replacement of damaged elements and colour change to match previously approved replacement windows (HP2021-026)

Patrick Hale and Alissa Pellizzari-Hale, the property owners, spoke to the Sub-committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Carroll/Ritchie)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-039 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
  
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alteration(s) are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.



**c. HP2021-040: 35-43 Duke Street (Sandyford Place), Hamilton**

- Scope of work:
  - Investigative parging test openings
  - Removal of loose bricks from chimneys
  
- Reason for work:
  - Investigation into extent of deterioration of original masonry.

Stefan Nespoli, from Edison Engineers, represented the condo owners and spoke to the sub committee at the permit review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(MacLaren/Spolnik)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-040 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alteration(s) are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**d. HP2021-042: 255-265 James Street North**

- Scope of work:
  - Upper Windows:
    - Replace the existing (not original) residential windows on 2<sup>nd</sup> and 3<sup>rd</sup> floor of building with aluminum clad, one-over-one windows, black in colour.
  - Storefronts:
    - Replace five existing storefronts (single pane glass) with new black aluminum storefront frames at 255, 257, 259, 261 and 263 James Street North. All storefronts noted above will maintain their existing configurations.
    - Reconfigure the corner storefront at 265 James Street North to eliminate the recessed entry and form a straight storefront with an operable sliding door in similar proportions to the existing storefront.
    - Remove the existing knee wall and extend glass to the floor.
    - Increase the height of the entrance doors to 8' therefore eliminating or reducing the size of the transom above each entrance.
    - Paint the existing arched window frame black on the Colbourne Street frontage to match remaining
    - Replace glass in arched window as it is cracked.
  - Signage Band:
    - Install a new black aluminum clad band for consistent signage above storefronts on James Street.
  - Lighting:
    - Install wall sconce between all storefronts to illuminate facade of building – Eurofase Inc. “Dale” or “Crest” model outdoor wall mount light fixtures in Graphite Grey as per submitted specs.

Lorenzo DiDonato, the son of the property owner, represented his father and spoke to the Sub-committee at the review.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motion:

(Ritchie/Priamo)

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2021-042 be consented to, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) That the applicant submits a sketch illustrating a revised storefront for 265 James Street North indicating proportionate segments to the existing storefront with the incorporation of a sliding door, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- c) Implementation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alterations are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

4) **Adjournment:** Meeting was adjourned at 7:45 pm

(Carroll/MacLaren)

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, August 31, 2021 from 5:00 – 8:30pm

## **Inventory & Research Working Group (IRWG)**

### **Meeting Notes**

Monday, June 21, 2021 (6:00 pm – 8:00 pm)  
City of Hamilton WebEx Virtual Meeting

**Present:** Janice Brown (Chair); Rammy Saini (Secretary); Graham Carroll; Chuck Dimitry; Lyn Lunsted; Alissa Denham-Robinson; Ann Gillespie

**Regrets:** Brian Kowalesicz; Jim Charlton; Alissa Golden (Heritage Project Specialist)

**Also Present:** Chloe Richer (Heritage Planner); Stacey Kursikowski (Heritage Planner); Hannah Kosziwka (Waterloo Student Intern)

### **RECOMMENDATIONS**

THE INVENTORY & RESEARCH WORKING GROUP RECOMMENDS THE FOLLOWING TO THE HAMILTON MUNICIPAL HERITAGE COMMITTEE:

1. The Inventory & Research Working Group (IRWG) recommends researching best practices on reviewing, prioritizing and updating early designations (pre-2002) to align with the new Ontario Heritage Act, and adding this task as an ongoing project to the IRWG's Work Plan. The IRWG will report back to the Hamilton Municipal Heritage Committee with the findings.

### **NOTES**

#### **1. Chair's Remarks**

Janice welcomed all present and noted that soon we will have a third heritage planner.

#### **2. Declarations of Interest**

None.

#### **3. Review & Approval of Meeting Notes: May 20, 2021**

Approved by general consensus.

4. **Early Designations (pre-2002): Review, Prioritize, Update – Janice**  
The Ontario Heritage Act was updated in 2002, which means early designations (anything prior to 2002) have been completed and written differently to how they are completed now. The early designations, for example, do not always have identifying features or other heritage attributes recorded. Janice discussed with the IRWG how best to ensure that we do not lose the older designations.

With the new Ontario Heritage Act, it is possible that any designations to pre-2002 designations may affect their designation status. Between 1977 and 1979, there are 30 designations that could be in a difficult situation as they are not written to the same level of detail as is required presently. Dan Schneider<sup>1</sup> has strongly suggested that these designations should be reviewed and prioritized due to the potential for difficulties with their existing designation status. For example, 51 Herkimer Street is one of the earliest designations; its windows have since been altered at no fault of the owner, but this means the designation status could be impacted as per the existing Ontario Heritage Act (please see attachment as an example of an early designation).

The IRWG is interested in knowing more about what other cities have done to update their pre-2002 heritage permits. Stacey and Chloe are going to touch base with their heritage circles and see what information they can gather about how other cities/municipalities are updating their earlier designations. There are over 200 properties in the Hamilton area that have early designation status, but it is unclear which ones are most at threat. The IRWG discussed the potential nature of the work involved in updating the designations, especially with respect to time and resources. After having had this preliminary discussion/review, the IRWG has decided this is an issue that should be considered important enough to add to the working group's work plan. A

The IRWG would like to recommend that the working group research best practices on reviewing, prioritizing and updating early designations (pre-2002) to align with the new *Ontario Heritage Act*, and that this task be added as an ongoing project to the IRWG work plan. **See recommendation above.**

## 5. **Other Business**

- a) Ann Gillespie provided a brief update on the former Blackadar retirement residence at 99 Creighton Street (now vacant and under threat of demolition) and the adjacent 56-year old long-term care facility at 102 Creighton Street. The future of

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<sup>1</sup> Dan Schneider, BA, LLB, Dan Schneider Heritage Consulting, "OHA + M Blog for University of Waterloo, Heritage Resource Centre, Policy Advisor 2002-2005 - Changes to the OHA.

these properties currently remains unclear. Both properties were acquired by Elite Developments in 2020 with the intent of redeveloping the site for a 9-storey, 226-unit residential building. A formal consultation request was made to the City of Hamilton in April 2021. Only the 1875 building (99 Creighton St) has any historical and architectural interest (see accompanying Preliminary Research Report). Ann will continue her research on the property and bring back a recommendation to the IRWG at a later date.

**b)** Janice may not be available for a meeting in July, which is tentatively cancelled unless an urgent matter arises. Should the IRWG need to meet, Graham has kindly volunteered to chair the meeting. Rammy will be away in July and August; Ann has kindly volunteered to take meeting notes for those months.

## **6. Adjournment and Next Meeting Date**

The meeting was adjourned at 7:50 PM.

Next meeting: July 26<sup>th</sup> (if needed, otherwise Aug. 23<sup>rd</sup>), 6:00-8:00 PM, WebEx Online

The Corporation of the City of Hamilton

BY-LAW NO. 77- 21

To Designate:

Municipal No. 51 Herkimer Street

as Property of

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The City of Hamilton did give notice of its intention to designate No. 51 Herkimer Street in accordance with subsection 3 of section 29 of The Ontario Heritage Act, 1974, S.O. 1974, Chapter 122;

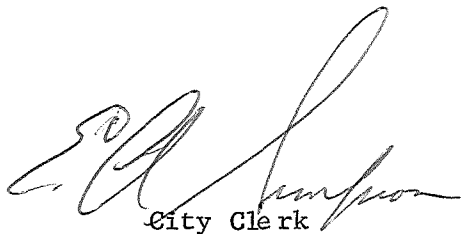
AND WHEREAS no notice of objection was served on the Clerk of the City of Hamilton;

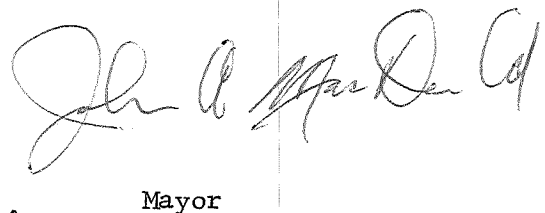
AND WHEREAS it is desired to designate No. 51 Herkimer Street in accordance with clause (a) of subsection 6 of section 29 of The Ontario Heritage Act, 1974.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

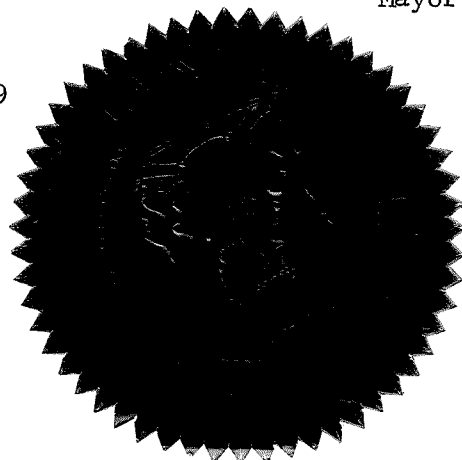
1. The property known as No. 51 Herkimer Street and more particularly described in schedule "A" hereto annexed is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B" to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed;
  - (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owners and The Ontario Heritage Foundation;
  - (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton.

PASSED this 25th day of January A.D. 1977.

  
City Clerk

  
Mayor

(1976) 39 R.B.C. 25, November 9



## SCHEDULE "A"

TO

BY-LAW NO. 77- 21

All and Singular the certain parcel or tract of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of parts of Lots Numbers Thirteen (13), Fourteen (14) and Fifteen (15) as shown on a plan of subdivision prepared for J. D. Pringle, A. Logie and W. Griffin, the Plan thereof registered in the Land Registry Office for the Registry Division of Wentworth as Number 40, and which said parcel or tract of land is situate on the south side of Herkimer Street between Park and MacNab Streets, and may be more particularly described as follows:

PREMISING the bearings used herein are assumed astronomic and derived from the Ontario Co-ordinate System, Zone 10, Central Meridian 79 degrees 30 minutes west longitude.

COMMENCING at an iron bar planted at the northwestern corner of Lot Number 13.

THENCE South 72 degrees and 06 minutes east along the northern limits of Lots Numbers 13, 14 and 15, and being also along the southern limit of Herkimer Street, 78.58 feet more or less to an iron bar planted where it is intersected by the production northerly of the western face of a concrete retaining wall.

THENCE South 18 degrees 10 minutes and 50 seconds west to and along the western face of the aforesaid concrete retaining wall 115.47 feet more or less to an iron bar planted in the line of a present existing chain link fence marking the southern limit of the herein described lands.

THENCE North 72 degrees and 52 minutes west along the line of the aforesaid fence 78.60 feet more or less to an iron bar planted in the western limit of Lot Number 13.



## SCHEDULE "A" (Cont'd)

TO

BY-LAW NO. 77- 21

THENCE North 18 degrees 09 minutes and 30 seconds east along the western limit of Lot Number 13, and being also along the eastern limit of Park Street, 116.54 feet more or less to the point of commencement.

The above-described parcel of land contains by admeasurement 9,115 square feet be the same more or less.

On the above-described parcel of land is erected the dwelling known as Municipal Number 51 Herkimer Street.

TO HAVE AND TO HOLD unto the said Grantee its successors and assigns, to and for its and their sole and only use forever. Subject nevertheless to the reservations, limitations, provisoes and conditions expressed in the original grant thereof from the Crown, save as hereinafter set out.

## SCHEDULE "B"

TO

BY-LAW NO. 77- 21

The interior and exterior of this property are recommended for conservation as property having historic and architectural value or interest by the Local Architectural Conservation Advisory Committee of the City of Hamilton, in the "Architectural Review & Evaluation Report" prepared by Professor Anthony Adamson, and in "Victorian Architecture in Hamilton" published by the Architectural Conservancy of Ontario and written by Professor A. G. McKay.

This building is of considerable architectural merit, representing a transition between two Ontario design periods. Its basic form and its restraint in decoration is of Georgian derivation, but its massing, roofline, bargeboard, bay window, and stone label mouldings over windows on the principal facade and its interior woodwork give it a distinctively Neo-Gothic spirit, a modern departure for Hamilton at mid-century, and the shape of things to come. The use of Hamilton limestone for basic wall construction, faced with imported ashlar-finished white sandstone is typical of the better buildings of the period.

The structure was built in 1858, by Donald Nicholson, the builder of Sandyford Place, as the residence for the Reverend Robert Burnett, minister of St. Andrew's Presbyterian Church, whose outstanding church building (today, St. Paul's) had been completed the previous year under the direction of architect William Thomas. It is a manifestation of the high-quality residential environment that developed as characteristic of much of Durand Neighbourhood. Today, this building stands as one of a mere handful of buildings of its era and character in the City of Hamilton.

DATED January 25th, 1977

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 77-21

To Designate:

Municipal No. 51 Herkimer Street

As Property of:

HISTORIC AND ARCHITECTURAL  
VALUE AND INTEREST

39148

No. **C.D.**  
Land Registry Division of Wentworth (No. 62)  
I CERTIFY that this instrument is registered as of

K. A. Rouff,  
City Solicitor.

*A.M.*  
11:47 FEB 9 1977 in the

Land  
Registry Office  
at Hamilton  
Ontario.

*D Cannon*  
LAND REGISTRAR

33

2  
Reg's Fees 10.00  
Estim. Comm. 4.00  
1.00 copy



Hamilton

Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 7163  
Fax: 905-540-5611

FILE: HP2021-032

August 3, 2021

Sheelagh Wood  
c/o Mel Benham, Complete Home Construction Inc.  
140 Hatt Street  
Dundas ON  
L9H 2G6

**Re: Heritage Permit Application HP2021-032:  
Proposed construction of a rear addition sunroom to 140 Hatt Street,  
Dundas (Ward 13) (By-law 04-064)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-036 is approved for the designated property at 140 Hatt Street, Dundas in accordance with the submitted Heritage Permit application for the following alterations:

- Construction of a rear addition (sunroom)

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
- c) That revised plans be resubmitted to the satisfaction of the Director of Planning and Chief Planner indicating the existing rear window openings are to be retained in the sunroom addition.

**Re: Heritage Permit Application HP2021-032:  
Proposed construction of a rear addition sunroom to  
140 Hatt Street, Dundas (Ward 13) (By-law 04-064)**

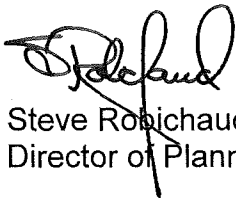
**August 3, 2021  
Page 2 of 2**

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Chloe Richer, Cultural Heritage Planner, at 905-546-2424 ext. 7163 or via email at [Chloe.Richer@hamilton.ca](mailto:Chloe.Richer@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Chloe Richer, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Arlene Vanderbeek, Ward 13

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-032**

**ADDRESS:** 140 Hatt Street, Dundas

**Owner:** Sheelagh Wood

**Applicant:** Mal Benham, Complete Home Construction Inc.

**Description of proposed alterations:**

- Construction of a rear addition (sunroom)

**Reasons for proposed alterations:**

- Additional space and home improvement

**Documentation submitted with application:**

- Image of Existing Rear Elevation
- Site Plan
- Proposed Basement, First Floor, and Roof Plans
- Proposed Partial Right and Left Elevations
- Proposed Rear Elevation
- Section of Proposed New Addition
- Existing Left and Front Elevations

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case By-law 04-064.

The applicant proposes to construct a sunroom at the rear of the existing home. The proposed addition will be similar to the existing addition to the dwelling which consists of wood board and batten siding. The applicant has confirmed that the window openings on the rear elevation, which listed under the Reasons for Designation, will be retained and incorporated into the design of the proposed addition.

The Designation By-law identifies the rear elevation, brickwork, and window openings as designated features. As the brickwork and window openings will be retained, it is not

mandatory to amend the designation by-law following approval of the heritage permit application. The architectural plans submitted with the Heritage Permit application incorrectly identified the brickwork and window openings as being filled in and largely covered by new gypsum board (drywall). The applicant has resubmitted revised plans which show that these features will be retained.

Minimal "disruption effects" are expected to the heritage context of the property. The addition will be located on the rear of the structure and its design will not overpower the existing heritage home. The addition is setback from the side property line and does not extend past the existing dwelling on the side. The addition will not be visible from Hatt Street and existing vegetation will likely impede the view from John Street.

There will be minimal "displacement effects" to the subject property as a result of this work. The rear window openings and brickwork will be retained as interior features. The windows that are to be removed are modern replacements and will not result in the loss of a heritage attribute. Staff are satisfied that the retention of the window openings is a reasonable action to minimize displacement effects.

Staff support the proposed alterations as they are generally in keeping with the Designated By-law as it relates to retaining the cultural heritage value or interest of the property.

**Key dates:**

Sub-committee meeting date: July 20, 2021

Notice of Receipt: July 23, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(MacLaren / Wiegand)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-032 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

- c) That revised plans be resubmitted to the satisfaction of the Director of Planning and Chief Planner indicating the existing rear window openings are to be retained in the sunroom addition.

CARRIED

<b>Final Recommendation:</b>
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That the applicant be advised that Heritage Permit Application HP2021-032 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton
- c) That revised plans be resubmitted to the satisfaction of the Director of Planning and Chief Planner indicating the existing rear window openings are to be retained in the sunroom addition.

<b>Approval:</b>
------------------

Staff Approval:

*Chloe Richer*

Chloe Richer, CAHP  
Cultural Heritage Planner

      C.T.O.I.        
SPM/MGR Initials

Authorized:

*[Signature]*

Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner



**Designation By-law Excerpt: 04-064**

The reasons for Designation apply to all elevations and the roof of the residence including all facades, entranceways, windows and chimneys, together with construction materials of brick, wood and glazing, building techniques, and specific interior features as follows:

**Front (North) Façade:**

- Symmetrical facade of five bays;
- Roof and roofline;
- six-over-six windows together with the openings, wood framing, sills, voussoirs, muntins and glazing;
- red brick laid in a Flemish bond; and,
- box cornice and mouldedwood fascia.

**Side (West) Elevation:**

- Side gable together with brick parapets and double brick chimneys;
- window openings together with wood sills and brick voussoirs; and,
- red brick laid in a Common bond.

**Rear (South) elevation:**

- Window openings together with wood sills and brick voussoirs, and,
- Red brick laid in a Common bond.

**Side (East) Elevation:**

- Side gable together with brick parapets and double brick chimneys; and,
- red brick laid in a Common bond.

**Interior:**

- Fireplaces together with wood mantles, hearths and ring for hanging cooking pots;
- built-in cupboards with wood panelled doors in the living room;
- wide plank pine flooring on the first and second floor;
- wood doors on the first and second floor; and,
- closet staircase on the first floor between the living room and kitchen.

# 7.4(b)



Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2021-035

August 17, 2021

Trustees of MacNab Street Presbyterian Church  
114-116 MacNab St. South  
Hamilton, Ontario  
L8P 3C3

**Re: Heritage Permit Application HP2021-035:  
Proposed installation of security signs to 114-116 MacNab Street South,  
Hamilton (MacNab Street Presbyterian Church) (Ward 2) (MacNab-Charles  
HCD)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-035 is approved for the designated property at 114-116 MacNab Street South, Hamilton, in accordance with the submitted Heritage Permit application for the following alterations:

- Installation of surveillance signs

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
- c) That the proposed signs conform to the City of Hamilton's Sign By-law.

**Re: Heritage Permit Application HP2021-035:  
Proposed installation of security signs to 114-116  
MacNab Street South, Hamilton (MacNab Street  
Presbyterian Church) (Ward 2) (MacNab-Charles HCD)**

**August 17, 2021  
Page 2 of 2**

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Amber Knowles, Cultural Heritage Planner, at 905-546-2424 ext. 1291 or via email at Amber.Knowles@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Amber Knowles, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Jason Farr, Ward 2

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-035**

**ADDRESS:** 114-116 MacNab Street South, Hamilton (MacNab Street Presbyterian Church)

**Owner:** Trustees of MacNab Street Presbyterian Church

**Applicant:** Kenneth Howard Post

**Description of proposed alterations:**

- Installation of security signs.

**Reasons for proposed alterations:**

- Curb vandalism, illegal activities, etc. taking place on the Church premises.

**Documentation submitted with application:**

- Proposed signage;
- Photos of proposed location; and,
- Specifications of proposed attachment product and method.

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case the MacNab-Charles Heritage Conservation District Guidelines.

The applicant proposes to install three security signs indicating that there is 24 hour surveillance footage on the property. This work is being completed to curb vandalism, drug use, and other various illegal activity that has been taking place on the property. Existing security cameras have been useful after a crime has occurred but have not been an effective deterrent as they are hidden. Signage is proposed as it will announce the surveillance efforts on the property.

The Heritage Conservation District’s Urban Design Guidelines identify that outdoor signage should be minimal and that the size and design should be regulated by the Committee.

Minimal “disruption effects” are expected to the heritage context of the property as a result of the signage. The signs are limited in size and the design is standard for a security sign and thus will have a minimal negative visual impact to the property. This signage should aid in preventing vandalism and other activities that may cause greater disruption effects to the property.

There will be minimal “displacement effects” to the subject property as a result of this work. The signs will be screwed into the mortar joints, which can be filled back in if the signs need to be removed. The signs will also aid in preventing further displacement effects from occurring to the property. Vandalism has damaged the structure. Signage indicating 24 hour video surveillance may decrease this vandalism, protecting the designated features of the property from further damage.

Staff support the proposed alterations as they are in keeping with the designation By-law.

**Key dates:**

Sub-committee meeting date: July 20, 2021

Notice of Receipt: July 22, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(Dent / Priamo)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-035 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton
- c) That the proposed signs conform to the City of Hamilton’s Sign By-law

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-035 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton
- c) That the proposed signs conform to the City of Hamilton's Sign By-law

**Approval:**

Staff Approval: Amber Knowles SM      O.I.       
Amber Knowles, CAHP  
Cultural Heritage Planner  
SPM/MGR Initials

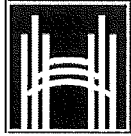
Authorized: Steve Robichaud  
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

**HCD Excerpt:**

Urban Design Guidelines - Information Environment

Guidelines

- Regulate size, location, and design of commercial signage, subject to the District Advisory Committee's and LACAC's approval;
- Strengthen the historical character of the District by encouraging the replacement of current signage with appropriate historic signage, where feasible;
- Emphasize and promote the historical aspect of the District by providing historical plaques, possibly for all buildings, specifying original dates and owners and/or for the District itself to be placed at the entrance.



**Hamilton**

Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 7163  
Fax: 905-540-5611

FILE: HP2021-036

August 3, 2021

David Russell  
c/o Rachel Wheeler  
29 Mill Street North  
Flamborough, ON  
L0R 2H0

**Re: Heritage Permit Application HP2021-036:  
Proposed installation of interior waterproofing, weeping tile and window  
well drains, 29 Mill Street North, Flamborough (Ward 15) (Mill Street HCD)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-036 is approved for the designated property at 29 Mill Street North, Flamborough in accordance with the submitted Heritage Permit application for the following alterations:

- Alterations including interior waterproofing, weeping tile and window well drains, primarily to the concrete block addition

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as



**Re: Heritage Permit Application HP2021-036:  
Proposed instillation of interior waterproofing on the  
concrete block addition to 29 Mill Street North,  
Flamborough (Ward 15) (Mill Street HCD)**

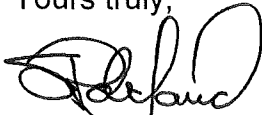
**August 3, 2021  
Page 2 of 2**

provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Chloe Richer, Cultural Heritage Planner, at 905-546-2424 ext. 7163 or via email at [Chloe.Richer@hamilton.ca](mailto:Chloe.Richer@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Chloe Richer, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Judi Partridge, Ward 15

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-036**  
**ADDRESS:** 29 Mill Street North, Flamborough

**Owner:** David Russell

**Applicant:** Rachel Wheeler - Basement Technologies

**Description of proposed alterations:**

- Alterations including interior waterproofing, weeping tile and window well drains, primarily to the concrete block addition

**Reasons for proposed alterations:**

- Prevent water damage

**Documentation submitted with application:**

- Plan of Existing Foundation
- Plan of Proposed Water Management System
- Section View of Proposed Water Management System
- Section View of Window Well
- Section View of Exhaust Hoods

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes specified in the Designation By-law and/or Heritage Conservation District Plan, in this case the Mill-John-Union-Griffin Heritage Conservation District Plan.

The applicant proposes to install alterations primarily to the concrete block addition of the residence. These alterations include interior waterproofing, weeping tile, and window well drains. This work is being done to prevent water damage to the dwelling as there have been issues with drainage in the past.

The Heritage Conservation District Plan does recommend avoiding the application of new surfaces or coating that will alter the appearance of the original material; however,

the concrete block portion of the structure is an addition and the alterations will be to the interior.

Minimal "disruption effects" are expected to the heritage context of the property. The proposed interior work is to be done primarily on the addition of the rear foundation. No significant visible impacts to the heritage property are anticipated and the work will not have any detrimental effects on the heritage character of the dwelling.

There will be minimal "displacement effects" to the subject property as a result of this work. The work is primarily proposed for a concrete block addition to the dwelling. This work will not impact any original exterior features of the home. Additionally, the proposed work is intended to prevent weather-related damage to the home which may, over time, impact the heritage features of the home.

Staff support the proposed alterations as they are in keeping with the Heritage Conservation District Plan.

**Key dates:**

Sub-committee meeting date: July 20, 2021

Notice of Receipt: July 23, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(MacLaren / Burke)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-036 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-036 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

**Approval:**

Staff Approval:

Chloe Richer      Chloe Richer /O.I.

Chloe Richer, CAHP  
Cultural Heritage Planner

SPM/MGR Initials

Authorized:

Steve Robichaud  
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

**HCD Excerpt:**

Mill Street HCD Guidelines

4.2.5 Foundations and Walls

Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a “falsely” new look to the building, for example, sandblasting, strong liquid chemical solutions and high-pressure water cleaning. Avoid application of new surfaces or coating that alter the appearance of the original material, especially where they are substitutes for masonry repairs. This may include the application of waterproof and water repellent coatings, paint, aluminum or vinyl siding and stucco.



Hamilton

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Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2021-039

August 25, 2021

Patrick Hale & Alissa Pellizzari-Hale  
220 St Clair Boulevard  
Hamilton, ON  
L8M 2P1

**Re: Heritage Permit Application HP2021-039:  
Replacement of the eavestroughs, soffits, fascia, and dormer cladding at  
220 St. Clair Boulevard, Hamilton (Ward 3) (By-law No.92-140) (St. Clair  
Boulevard HCD)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-039 is approved for the designated property at 220 St. Clair Boulevard, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replacement of the eavestroughs, soffits, fascia
- Replacement of dormer and side bay window cladding

**Subject to the following conditions:**

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alterations are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Re: Heritage Permit Application HP2021-039:  
Replacement of the eavestroughs, soffits, fascia, and  
dormer cladding at 220 St. Clair Boulevard, Hamilton  
(Ward 3) (By-law No.92-140) (St. Clair Boulevard HCD)**

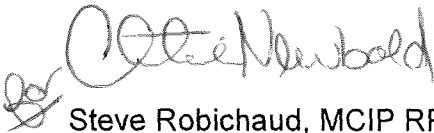
**August 25, 2021  
Page 2 of 2**

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Amber Knowles, Cultural Heritage Planner, at 905-546-2424 ext. 1291, or via email at [Amber.Knowles@hamilton.ca](mailto:Amber.Knowles@hamilton.ca)

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Amber Knowles, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Bob Nuttall, Acting Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Nrinder Nann, Ward 3

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-039**  
**ADDRESS:**

**Owner/Applicant:** Patrick Hale & Alissa Pellizzari-Hale

**Description of proposed alterations:**

- Replacement of the eavestroughs, soffits, fascia; and,
- Replacement of dormer and side bay window cladding.

**Reasons for proposed alterations:**

- Reorientation of downspouts to prevent property damage and flooding; and,
- Replacement of eavestroughs, soffits, fascia and cladding to address existing damage and replace with colour to match previously approved replacement windows (HP2021-026).

**Documentation submitted with application:**

- Plan of existing and proposed eavestrough locations;
- Photos of existing siding; and,
- Colour and material examples.

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case the St. Clair Boulevard Heritage Conservation District Plan.

The applicant proposes to replace the existing eavestroughs with ones at new drainage points. Soffits and fascia will be replaced in kind. The applicant will additionally be replacing the existing vinyl horizontal siding on the dormer and side bay windows with vinyl board and batten siding in a colour to match the previously approved windows (HP2021-026). The intent of the work is to repair and prevent water damage to the property while creating a more cohesive appearance to the home in the choice of colours.



Minimal “disruption effects” are expected to the heritage context of the property as the proposed work will complement the colour of the new windows to be installed as part of approved HP2021-026. The chosen colour will be sympathetic to the existing and neighbouring dwellings and as the existing siding is damaged, the change will be more visually appealing.

There will be minimal “displacement effects” to the subject property as a result of this work. The material being replaced is not original to the home and is being replaced with the similar materials. The proposed work will prevent further water damage and flooding to the dwelling and surrounding property, as well as prevent the flooding from impacting neighbouring dwellings.

Staff are supportive of the proposed work as it will repair and prevent further damage to the designated features of the property and will be visually compatible with the previously proposed window replacement.

**Key dates:**

Sub-committee meeting date: August 17, 2021  
Notice of Complete Application: August 18, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(Carroll / Ritchie)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-039 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alterations are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-039 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alterations are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Approval:**

Staff Approval: Amber Knowles SM \_\_\_\_\_  
Amber Knowles, CAHP SPM/MGR Initials  
Cultural Heritage Planner

Authorized: Steve Robichaud  
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

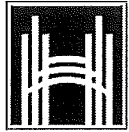
**Relevant Guidelines Excerpt:** St. Clair Boulevard HCD Appendix E: Guidelines for Maintenance, Repair and Restoration

2.1 Roof: Repair and Maintenance

Make sure that rainwater gutters are regularly cleaned to prevent backup and ice dams; and that downspouts are in working order and direct water away from the walls.

4.1 Exterior Woodwork and Decorative Trim:

In undertaking repairs use the gentlest means to strip or clean wood or finishes, being mindful not to remove or harm sound wood. Small cosmetic repairs can often be accomplished with compatible wood fillers which are then painted. More serious problems may require wood insertions or splices. When total decay has occurred, new wood should be used to duplicate the original structural or decorative element.



Hamilton

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www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424 Ext. 1291  
Fax: 905-540-5611

FILE: HP2021-040

September 7, 2021

Wentworth Condominium Corporation No. 96 c/o KingCondo Management  
c/o Stefan Nespoli  
42 Bridgeport Rd East  
Waterloo, ON  
N2J 0B3

**Re: Heritage Permit Application HP2021-040:  
Proposed alteration of investigative parking openings and brick removal at  
35-43 Duke Street, Hamilton (Ward 2) (By-law No. 75-237)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2021-040 is approved for the designated property at 35-43 Duke Street, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Investigative parking test openings; and,
- Removal of loose bricks from chimneys.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than September 30, 2023. If the alterations are not completed by September 30, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as

Re: Heritage Permit Application HP2021-040:  
Proposed alteration of investigative parking openings  
and brick removal at 35-43 Duke Street, Hamilton  
(Ward 2) (By-law No. 75-237)

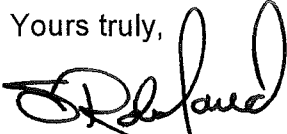
September 7, 2021  
Page 2 of 2

provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Amber Knowles, Cultural Heritage Planner, at 905-546-2424 ext. 1291, or via email at [Amber.Knowles@hamilton.ca](mailto:Amber.Knowles@hamilton.ca)

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Amber Knowles, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Bob Nuttall, Acting Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Jason Farr, Ward 2

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-040**  
**ADDRESS: 35-43 Duke Street, Hamilton**

**Owner:** Wentworth Condominium Corporation No. 96 c/o KingCondo Management  
**Applicant:** Stefan Nespoli

**Description of proposed alterations:**

- Investigative parging test openings; and,
- Removal of loose bricks from chimneys.

**Reasons for proposed alterations:**

- Investigation into extent of deterioration of original masonry

**Documentation submitted with application:**

- Photos of proposed locations
- Specifications on method of access and opening creation

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case Bylaw No. 75-237.

The applicant proposes to create several openings in the parging on the side and rear elevations to inspect the extent of deterioration underneath. Any loose bricks on the chimneys will also be removed as a part of this work.

Minimal “disruption effects” are expected to the heritage context of the property. The work is investigative in nature and will determine the extent of water damage underneath the cementitious parging. The openings will not be made on the front elevation which minimizes any potential visual impacts of the work. Loose bricks may

be removed from the chimneys for safety reasons, but this work is not expected to have any detrimental changes to the character of the property or its designated features.

There will be minimal “displacement effects” to the subject property as a result of this work. As this work is primarily investigative, there will be no loss due to damage or removal of heritage features of the property. Any bricks that will be removed within the scope of the work will be damaged and a safety concern from falling. This work may determine that there will be future loss of heritage attributes due to water damage, but these findings will be addressed as a part of a future heritage permit.

Staff are supportive of the application as it will determine the damage that has taken place to the Designated property and whether any of the Designated heritage features of the property have been or may be damaged. This investigative work will inform the next steps of this repair process.

**Key dates:**

Sub-committee meeting date: August 17, 2021  
Notice of Complete Application: August 18, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(MacLaren/ Spolnik)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-040 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than September 30, 2023. If the alterations are not completed by September 30, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-040 is approved in accordance with the submitted application, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief

Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than September 30, 2023. If the alterations are not completed by September 30, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Approval:**



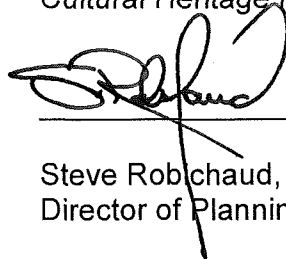
Staff Approval:

SM for Anita Fabac

Amber Knowles  
Cultural Heritage Planner

SPM/MGR Initials

Authorized:



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner



**Relevant Bylaw Excerpt: 75-237**

The ashlar stone work is of simple, plain lines. There was unanimity of the expert witnesses that the Front Facade was of prime importance for preservation. Attention was drawn to the window pediments, carved cave brackets, lintels, three-sided dormers with hipped roof and side lights and the cornice. As for the interior, reference was made to the staircases, fireplaces and undercut mouldings of plaster. All these elements create a building of exceptional architectural significance to the municipality, the province and, quite possibly, to the nation.



Hamilton

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Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1202  
Fax: 905-540-5611

FILE: HP2021-042

September 13, 2021

Mike Di Donato  
c/o Lorenzo Di Donato  
12 Neilor Crescent  
Etobicoke, ON  
M9C 1K4

**Re: Heritage Permit Application HP2021-042:  
Proposed Alteration of the Storefronts and Windows at 255-265 James  
Street North, Hamilton (Ward 2) (By-law No. 87-176)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-042 is approved for the designated property at 255-265 James Street North, Hamilton, in accordance with the submitted Heritage Permit application for the following alterations:

- Upper Windows:
  - Replace the existing (not original) residential windows on 2<sup>nd</sup> and 3<sup>rd</sup> floor of building with aluminum clad, one-over-one windows, black in colour.
- Storefronts:
  - Replace five existing storefronts (single pane glass) with new black aluminum storefront frames at 255, 257, 259, 261 and 263 James Street North. All storefronts noted above will maintain their existing configurations.
  - Reconfigure the corner storefront at 265 James Street North to eliminate the recessed entry and form a straight storefront with an operable sliding door in similar proportions to the existing storefront.
  - Remove the existing knee wall and extend glass to the floor.
  - Increase the height of the entrance doors to 8' therefore eliminating or reducing the size of the transom above each entrance.
  - Paint the existing arched window frame black on the Colbourne Street frontage to match remaining
  - Replace glass in arched window as it is cracked.

Re: Heritage Permit Application HP2021-042:  
Proposed Alteration of the Storefronts and Windows  
at 255-265 James Street North, Hamilton (Ward 2) (By-  
law No. 87-176)

September 8, 2021  
Page 2 of 3

- Signage Band:
  - Install a new black aluminum clad band for consistent signage above storefronts on James Street.
  
- Lighting:
  - Install wall sconce between all storefronts to illuminate facade of building – Eurofase Inc. “Dale” or “Crest” model outdoor wall mount light fixtures in Graphite Grey as per submitted specs.

Subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
  
- b) That the applicant submits a sketch illustrating a revised storefront for 265 James Street North indicating proportionate segments to the existing storefront with the incorporation of a sliding door, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
  
- c) That the applicant submits further details indicating the height of the existing aluminum band above the storefront for comparison to the height of the proposed aluminum band to ensure that the ornate arched brickwork and terracotta detailing along the storefronts remains visible, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
  
- d) Implementation of the alterations, in accordance with this approval, shall be completed no later than September 30, 2023. If the alterations are not completed by September 30, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

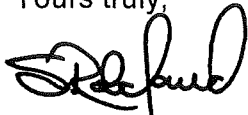
**Re: Heritage Permit Application HP2021-042:  
Proposed Alteration of the Storefronts and Windows  
at 255-265 James Street North, Hamilton (Ward 2) (By-  
law No. 87-176)**

**September 8, 2021  
Page 3 of 3**

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at [Stacey.Kursikowski@hamilton.ca](mailto:Stacey.Kursikowski@hamilton.ca)

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Bob Nuttall, Acting Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Jason Farr, Ward 2

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-042**  
**ADDRESS: 255-265 James Street North, Hamilton**

**Owner:** Mike Di Donato

**Applicant:** Lorenzo Di Donato

**Description of proposed alterations:**

- Upper Windows:
  - Replace the existing (not original) residential windows on 2<sup>nd</sup> and 3<sup>rd</sup> floor of building with aluminum clad, one-over-one windows, black in colour.
  
- Storefronts:
  - Replace five existing storefronts (single pane glass) with new black aluminum storefront frames at 255, 257, 259, 261 and 263 James Street North. All storefronts noted above will maintain their existing configurations.
  - Reconfigure the corner storefront at 265 James Street North to eliminate the recessed entry and form a straight storefront with an operable sliding door in similar proportions to the existing storefront.
  - Remove the existing knee wall and extend glass to the floor.
  - Increase the height of the entrance doors to 8' therefore eliminating or reducing the size of the transom above each entrance.
  - Paint the existing arched window frame black on the Colbourne Street frontage to match remaining
  - Replace glass in arched window as it is cracked.
  
- Signage Band:
  - Install a new black aluminum clad band for consistent signage above storefronts on James Street.
  
- Lighting:
  - Install wall sconce between all storefronts to illuminate facade of building – Eurofase Inc. “Dale” or “Crest” model outdoor wall mount light fixtures in Graphite Grey as per submitted specs.

**Reasons for proposed alterations:**

- Overall enhancement of building and storefronts

**Documentation submitted with application:**

- Cladding, Lighting, Window, Storefront door, and Storefront system specs;
- Renderings; and,
- Product brochures.

<b>Staff assessment:</b>
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Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- “**displacement effects**” (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- “**disruption effects**” (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case Bylaw 87-176.

The applicant proposes to replace the windows on the proposed property, renovate the existing storefronts, install a new signage band, and install lighting on the façade.

Upper floor windows:

The upper floor windows which are not original will be replaced. These windows were installed in the 1980's and are in poor condition. The new frames are proposed to be black to visually enhance the brickwork of the structure and not detract from the heritage attributes. The windows will be one-over-one, aluminum clad vinyl windows.

Storefronts:

The existing storefronts will be altered as a part of the proposed work. Five of the storefront along James Street North will be replaced with new glass and black aluminum frames. The existing knee wall will be removed and the transoms above each entrance may be either eliminated or shrunk in size to accommodate an 8' entry door. The corner storefront at 265 James Street North has been reconfigured inside which will eliminate the need for the recessed entry. As such, a straightened storefront will be installed with similar proportions to the existing storefront with the integration of a sliding door.

Signage Bank:

A new black aluminum signage band will be installed to allow for an area for consistent tenant signage. This band will extend higher than the existing band but will not impact the terracotta carvings on the structure. The signage bank will incorporate pot lighting for improved pedestrian safety.

Lighting:

Lighting in the form of wall sconces will be installed on the dividing pillars of the building to illuminate and enhance the structure and assist in improving pedestrian safety. These lights will be graphite grey in colour to compliment the new windows and storefront frames.

Minimal “disruption effects” are expected to the heritage context of the property as a result of this work as many of the original heritage features of the building have already been lost. Additionally, these changes are meant to visually enhance the property

without detracting from any of the heritage features. The black detailing of the windows, storefronts and lighting will compliment the original brickwork of the property and further enhance, rather than detract, from the property.

There will be minimal “displacement effects” to the subject property as a result of this work. The materials being replaced are not original or early features of the structure and their loss will not constitute a loss of heritage features of the property.

Staff are supportive of the application as it will visually enhance the property, while assisting in ensuring the long-term protection of this heritage resource. Staff are of the opinion that this application will enhance the overall heritage character of the property and streetscape.

**Key dates:**

Sub-committee Meeting Date: August 17, 2021  
Notice of Complete Application: August 18, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(Ritchie/ Priamo)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-042 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- a) That the applicant submits a sketch illustrating a revised storefront for 265 James Street North indicating proportionate segments to the existing storefront with the incorporation of a sliding door, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2023. If the alterations are not completed by August 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-042 is approved in accordance with the submitted application, subject to the following conditions:



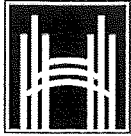


**Relevant Bylaw Excerpt:**

*Designated Features:*

Important to the preservation of 255-265 James Street North includes but is not limited to the following: original features of the two east (James) and north (Colbourne) facades, including the brick walls, the round-arched window and the carriage entrance facing Colbourne Street, the terra cotta ornamentation, and the double-hung sash windows.

# 7.4(g)



Hamilton

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Fax: 905-540-5611

FILE: HP2021-026

July 19, 2021

Patrick Hale & Alisa Pellizzari-Hale  
220 St. Clair Boulevard  
Hamilton, ON  
L8M 2P1

**Re: Heritage Permit Application HP2021-026:  
Proposed replacement of existing windows at 220 St. Clair Boulevard,  
Hamilton (Ward 3) (St. Clair Boulevard HCD) (By-law No.92-140)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2021-026 is approved for the designated property at 220 St. Clair Boulevard, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replacement of all original wood windows throughout entirety of dwelling, seven windows on front elevation are subject to this Heritage Permit as they are visible from the public right-of-way on this Part V designated building.
- All windows will be replaced with new 2.25" frame vinyl casement windows with the elegant contour profile in the colour 'Windswept Smoke'.
- Existing leaded details from windows in restored wooden frame to be retained and attached to the wooden jamb using antique hinges and door catches as confirmed with the window manufacturer/installer.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023,

Re: Heritage Permit Application HP2021-026:  
Proposed replacement of existing windows at 220 St.  
Clair Boulevard, Hamilton (Ward 3) (St. Clair  
Boulevard HCD) (By-law No.92-140)

July 19, 2021  
Page 2 of 2

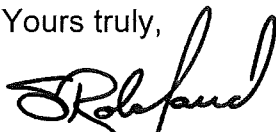
then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202 or via email at [Stacey.Kursikowski@hamilton.ca](mailto:Stacey.Kursikowski@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Nrinder Nann, Ward 3

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-026**  
**ADDRESS: 220 St. Clair Boulevard**

**Owner:** Patrick Hale & Alisa Pellizzari-Hale

**Description of proposed alterations:**

- Replacement of all original wood windows throughout entirety of dwelling, seven windows on front elevation are subject to this Heritage Permit as they are visible from the public right-of-way on this Part V designated building.
- All windows will be replaced with new 2.25" frame vinyl casement windows with the elegant contour profile in the colour 'Windswept Smoke'.
- Existing leaded details from windows in restored wooden frame to be retained and attached to the wooden jamb using antique hinges and door catches as confirmed with the window manufacturer/installer.

**Reasons for proposed alterations:**

- Windows are damaged and no longer functioning.

**Documentation submitted with application:**

- Photos of existing conditions;
- Cost estimates;
- Window specifications;
- Mock-up of proposed window impact; and,
- Proposed colour swatch.

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- "**displacement effects**" (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- "**disruption effects**" (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any heritage permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the St. Clair Boulevard Heritage Conservation District, in this case By-law No. 92-140.

There will be minimal displacement effects resulting from the proposed work. The proposed work will see the removal of existing, original windows; however, this impact

will be minimal as the existing windows are damaged and no longer functioning. The decorative leaded component of the existing windows will be retained as a part of the proposed work and be reinstalled to be visible from the public right-of-way. The leaded component will be attached to the restored wooden frame, behind a replacement window. The retention of this leaded portion is a priority for retention as it is a visually unique characteristic of the home and while the window portion is damaged, the decorative component being retained and restored will assist in reducing proposed displacement effects.

There will be minimal disruption effects resulting from the proposed work. There are existing examples of modern window replacements on the streetscape. The colour of the frames will be sympathetic to the existing façade of the home, complimenting the yellow brick and red dyed mortar. The single hung windows were not a specified feature of the home within the Heritage Conservation District Plan and the replacement to a casement window will not pose a major disruption effect.

Staff are supportive of the application as it is in line with the Heritage Conservation District as the proponents have confirmed a viable option for securing the current leaded portions to the new wooden window jamb with complementary hinges. The work will be in line with other similar modifications in the district and will minimize any displacement effects through the retention of the leaded decorative piece and the casement windows are permissible under the Heritage Conservation Plan as single hung windows were not a specified feature. Overall, the disruption and displacement effects will be minimized throughout this work through thoughtful accommodations to aid in preserving the unique heritage component of the leaded windows.

<b>Key dates:</b>
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Sub-committee meeting date: May 18, 2021  
 Notice of Receipt: June 8, 2021

<b>Sub-committee comments and advice:</b>
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The Sub-committee considered the application and passed the following motion:

(Ritchie/Soilnik)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-026 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023,

then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-026 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

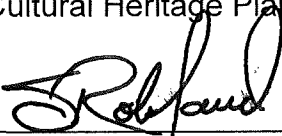
**Approval:**

Staff Approval:

  
\_\_\_\_\_  
Stacey Kursikowski  
Cultural Heritage Planner

SM/AF \_\_\_\_\_  
SPM/MGR Initials

Authorized:

  
\_\_\_\_\_  
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

**HCD Excerpt****St. Clair Boulevard****5.1 Windows and Doors: Repair and Maintenance**

The inspection and assessment of these features for structural soundness is of critical importance. Retention and repair of original window frames, sash, glass and door paneling is recommended. Badly decayed areas in an otherwise sound window or door should be repaired using compatible filler materials or appropriate joinery detailing. Retain existing glazing where possible and save door and window hardware during repairs.

Replacement wood windows or doors should be completed in kind. Aluminum, coated metal or vinyl units are not recommended. A replacement window or door must match the original in style, shape and placement. Replacement using historic photographs where available will be required to meet the above criteria.

**5.2 Windows and Doors: Restoration**

Always try to repair the existing original windows and doors if possible as they are important features of older buildings. When the replacement of a window is required try to use the existing frames.

New replacement sash should maintain the original muntin profile and dimensions. This may require new shaping blades to be cut to reproduce the molding profile. Try to make double hung windows work properly. Don't forget that original storm windows and doors are also heritage features. Where new glazing is required, it should resemble some of the qualities of older, single pane glass where possible.

Entrances which include transoms and sidelights often exhibit a high degree of craftsmanship. The retention of this skilled work is desirable and worthy of restoration through proper conservation techniques. The employment of experienced master carpenters may be necessary to complete this level of workmanship. Preparation of drawings and photographs will assist in the development of shop drawings.



**Hamilton**

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Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1202  
Fax: 905-540-5611

FILE: HP2021-034

August 5, 2021

Barton Stone – Mount Hope United Church  
21 Stone Church Road West  
Hamilton, Ontario  
L9B 1A1

**Re: Heritage Permit Application HP2021-034:  
Proposed refurbishment of existing windows of the sanctuary to 21 Stone  
Church Road West (Barton Stone – Mount Hope United Church) (Ward 8)  
(By-law No. 17-119)**

---

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit application HP2021-034 is approved for the designated property at 21 Stone Church Road West, Hamilton, in accordance with the submitted Heritage Permit application for the following alterations:

- Restoration of all eight sets of existing paired gothic arched windows on the sanctuary portion of the church as per the scope of work set out by Furlan Contracting;
- The work will be completed between now and 2024 to allow two sets of windows to be completed each year to coincide with available grant funding.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2024. If the alterations are not completed by July 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.



**Re: Heritage Permit Application HP2021-034:  
Proposed refurbishment of existing windows of the  
sanctuary to 21 Stone Church Road West (Barton  
Stone – Mount Hope United Church) (Ward 8) (By-law  
No. 17-119)**

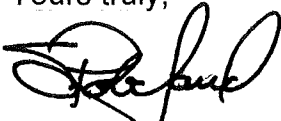
**August 5, 2021  
Page 2 of 2**

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202 or via email at [Stacey.Kursikowski@hamilton.ca](mailto:Stacey.Kursikowski@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor John-Paul Danko, Ward 8

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-034**  
**ADDRESS: 21 Stone Church Road West**

**Owner:** Barton Stone – Mount Hope United Church (c/o Joanne Eagles)

**Description of proposed alterations:**

- Restoration of all eight sets of existing paired gothic arched windows on the sanctuary portion of the church as per the scope of work set out by Furlan Contracting;
- The work will be completed between now and 2024 to allow two sets of windows to be completed each year to coincide with available grant funding.

**Reasons for proposed alterations:**

- Repairs of damaged wood/seals

**Documentation submitted with application:**

- Contractor quotes including detailed scope of work
- Grant application
- Pictures of existing windows

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case By-law No. 17-119.

The applicant proposes to remove and restore the existing original windows as they have been damaged by the elements over the years. The applicant provided a detailed scope of work from a preferred qualified contractor outlining the process to remove and repair the windows and will include removing window sash, stops and parting strips as well as the glazing and original glass and the repair of existing woodwork. The original glass will be re-used and any broken glass will be replaced in kind.

The designation By-law identifies the paired gothic arched windows as a heritage attribute of the property and thus care must be taken to ensure that these features will be adequately protected throughout the work.

Minimal "disruption effects" are expected to the heritage context of the property. The existing original windows are being repaired, and any broken components will be replaced in-kind. The proposed work is restorative and will not result in any negative disruption effects as it is repairing damage caused over time to the original features.

There will be minimal "displacement effects" to the subject property as a result of this work. The window restoration will ensure that the original windows can remain in the sanctuary for years to come and is a preventative measure to ensure these features are not lost due to damage. The repairs are in keeping with The Venice Charter International Charter for the Conservation and Restoration of Monuments and Sites (1964), as well as the Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) and The Ontario Heritage Tool Kit. Staff are satisfied that the proposed work will not cause any undue "displacement effects" to the property.

Staff support the proposed alterations as they are in keeping with the designation By-law.

**Key dates:**

Sub-committee meeting date: July 20, 2021

Notice of Receipt: July 21, 2021

**Sub-committee comments and advice:**

The Sub-committee considered the application and passed the following motion:

(Dent / MacLaren)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-034 be approved as submitted, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2024. If the alterations are not completed by July 31, 2024 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

CARRIED

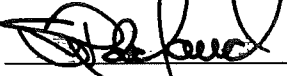
**Final Recommendation:**

That the applicant be advised that Heritage Permit Application HP2021-034 is approved in accordance with the submitted application, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2024. If the alterations are not completed by July 31, 2024 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

**Approval:**

Staff Approval:  \_\_\_\_\_ O.I. \_\_\_\_\_  
Stacey Kursikowski, MCIP, RPP  
Cultural Heritage Planner  
SPM/MGR Initials

Authorized:  \_\_\_\_\_  
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

**Designation By-law (By-law 17-119)**

Cultural Heritage Attributes that reflect pastoral context include:

- The fence pillars that are constructed from stone of the original stone fence; and,
- The mature trees along Upper James Street.

Cultural Heritage Attributes that reflect the Gothic Revival style of architecture include: •

- One-storey limestone construction;
- Gable roof with cornice returns;
- Paired gothic arched windows; and,
- Arched door on the east façade.

Cultural Heritage Attributes that reflect the value of the historic cemetery include:

- The tomb headstones and their arrangement



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	September 24, 2021
<b>SUBJECT/REPORT NO:</b>	Heritage Permit Application HP2021-037, Under Part IV of the <i>Ontario Heritage Act</i> , for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Amber Knowles (905) 546-2424 Ext. 1291
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That Heritage Permit application HP2021-037, for redevelopment of the properties including integrating the designated heritage façades into a new six storey mixed use building, for the lands located at 18-28 King Street East, be **approved**, subject to the following conditions:

- (a) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be prepared and submitted by the applicant to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- (b) That the Conservation Plan completed by the applicant's heritage consultants address the following to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction:
  - (i) Structural drawings for the facade retention frame;
  - (ii) Demolition and dismantling plan that provides the methodology for labelling, dismantling, re-locating and storing heritage elements;

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- (iii) Inventory of items to be dismantled and stored;
  - (iv) Masonry key plan that shows the original location and condition of individual stones for 28 King Street East;
  - (v) Monitoring plan for regular monitoring of stored elements and structural retention frames;
  - (vi) Repair methodologies and materials for heritage fabric including masonry specifications for suitable repair mortars and replacement stone;
  - (vii) Structural and architectural drawings for integration of the heritage facades into the new structure;
  - (viii) Window specifications for replacement windows to be installed in the heritage facades;
  - (ix) Construction management plan that includes protection and monitoring of the façade retention frame and sequencing and co-ordination of conservation work, demolition work and new construction;
  - (x) Project schedule and cost estimates for the proposed conservation work; and,
  - (xi) Identify what remains of the original storefronts and provide recommendations for the final storefront designs;
- (c) That the recommendations from the Conservation Plan submitted to the satisfaction of the Director of Planning and Chief Planner, be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of an Occupancy Permit;
- (d) That the following conditions with respect to cost estimates to implement the Conservation Plan and a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for removal of portions of the building:
- (i) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of three years and the total cost of restoration and protective enclosure of the retained Designated portions. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner;
  - (ii) The applicant shall provide a Letter of Credit to the Director of Planning and Chief Planner for 100% of the total estimated cost as per (i) above in a form satisfactory to the City's Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing, monitoring and restoring the retained portions as required by this Heritage Permit:
- (1) The Letter of Credit shall be kept in force, whether or not the ownership of 18-28 King Street East changes at any time, until the completion of

the required restoration of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or to otherwise attach the retained portions to a new building in conformity with the approved design and requirements;

- (2) The Letter of Credit may be reduced in accordance with the City's Letter of Credit Policy for site plan applications;
  - (3) If the Letter of Credit is about to expire without renewal thereof and any part of securing, protecting, stabilizing, monitoring or restoring the retained portions has not been completed in conformity with their approved designs, the City may draw all of the Letter of Credit funds and hold them as security to guarantee completion unless the City's Finance Department (Development Officer, Budget, Taxation and Policy) is provided with a renewal of the Letter of Credit forthwith; and,
  - (4) In the event that the Owner fails to complete, to the satisfaction of the Director of Planning and Chief Planner, the required securing, protecting, stabilizing, monitoring or restoring of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or attach to a new building in conformity with its approved design within the time required, then the City, in addition to any other remedies that the City may have, may exercise its authority under section 446 of the *Municipal Act* to have its employees, agents or contractors enter 18-28 King Street East to complete any one or more of these requirements. The cost of completion of securing, protecting, stabilizing, monitoring or restoring the retained portions shall be paid in full by the Owner from the Letter of Credit. In the event that there is a surplus, the City shall pay the surplus to the Owner upon completion of the requirement(s). In the event that there is a deficit, the City may further exercise its authority under section 446 of the *Municipal Act* including but not limited to adding the deficit to the tax roll and collecting it in the same manner as property taxes;
- (e) That prior to the issuance of any Building Permit for demolition or new construction, the applicant enters into and registers on title a Heritage Easement Agreement and covenant with the City pursuant to the *Ontario Heritage Act* for the purposes of maintaining the heritage attributes consistent with the conditionally approved permit to the satisfaction and approval of the Director of Planning and Chief Planner, and that the Mayor and Clerk, or delegate, as the case may be, are hereby authorized to execute any such agreement;

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- (f) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to any application for a Building Permit and / or the commencement of any alterations;
- (g) That should a Building Permit for the proposed alterations, in accordance with this approval, not be obtained and acted upon by October 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (h) That the proposed alterations, in accordance with this approval, shall be completed no later than October 31, 2024. If the alterations are not completed by October 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (i) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in conditions (g) and (h) of this approval, if that request is submitted prior to the expiry and if progress is being made.

## **EXECUTIVE SUMMARY**

The subject properties at 18-28 King Street East (see Appendix “A” attached to Report PED21195) are designated under Part IV of the *Ontario Heritage Act* by By-law No. 18-321, attached as Appendix “B” to Report PED21195.

This Heritage Permit application (HP2021-037) was received on July 6, 2021 and the Notice of Complete Application was issued on July 29, 2021. The application proposes to redevelop the current property while integrating the designated heritage façades into the new six storey mixed use building. The Kerr Building facade (18-22 King Street East) will be retained, the Skinner Building façade (24 King Street East) will be replicated, the Glassco Building façade (28 King Street East) will be dismantled and rebuilt. The vacant lot at 30 King Street East will be used as a courtyard. The proposal can be found in the Cultural Heritage Impact Assessment Addendum, attached as Appendix “C” to Report PED21195.

The *Ontario Heritage Act* requires that Council make a decision on a Heritage Permit application within 90 days of the issuance of a Notice of Complete Application. If no decision is reached within the 90-day timeframe, Council shall be deemed to consent to the application. The subject application’s 90-day timeframe will be reached on October 27, 2021.

The Heritage Permit Review Subcommittee of the Hamilton Municipal Heritage Committee (HMHC) reviewed the subject application on July 27, 2021, and

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recommended approval. When demolition of a designated heritage building is proposed as part of a Heritage Permit application, the application is subject to Council decision.

Staff are of the opinion that the proposed scope of work will ensure the conservation of significant cultural heritage resources. As such staff recommend approval of the Heritage Permit application, subject to the recommended conditions to ensure that additional concerns, such as the stabilization of the retained portions, will be addressed through a comprehensive conservation plan.

***Alternatives for Consideration – See Page 13***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: This Heritage Permit application has been processed and considered within the context of the applicable legislation.

Section 34 (1) of the *Ontario Heritage Act* states that:

“No owner of property designated under Section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:

1. Demolish or remove, or permit the demolition or removal of, any of the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be; and,
2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be. 2019, c. 9, Sched. 11, s. 12.”

Section 34 (4.2) of the *Ontario Heritage Act* states that:

“The council, after consultation with its municipal heritage committee, if one is established, and within the time period determined under subsection (4.3),

- (a) shall,
  - (i) consent to the application;
  - (ii) consent to the application, subject to such terms and conditions as may be specified by the council; or,
  - (iii) refuse the application;
- (b) shall serve notice of its decision on to the owner of the property and on the Trust; and,
- (c) shall publish its decision in a newspaper having general circulation in the municipality.”

With respect to the delegation of Council’s approval authority, Section 33 (15) of the *Ontario Heritage Act* states that:

“The power to consent to alterations to property under this section may be delegated by by-law by the council of a municipality to an employee or official of the municipality if the council has established a municipal heritage committee, and has consulted with the committee prior to delegating the power.”

## **HISTORICAL BACKGROUND**

18-20 King Street East was constructed circa 1840 and early occupants were Archibald and Thomas C. Kerr, who established their successful wholesale dry goods business there as early as 1848. 22 King Street East was constructed circa 1840 for H. E. Smith. By the 1850’s, both buildings were under single ownership.

The architect of 18-20 King Street East, William Thomas, was considered a key figure in Canadian architecture, designing important buildings throughout Ontario as well as in other Provinces. The building’s composition, design and materials provide a representative example of Renaissance Revival architecture dating to the pre-Confederation period and display a high-degree of craftsmanship. The buildings retain their original architectural features on the upper levels of their front facades and are among very few pre-Confederation stone commercial buildings remaining in Hamilton.

24 King Street East was constructed in 1875-1876 for James A. Skinner. Skinner was a crockery merchant who opened his “China Palace” at another location around 1850 and the current building was built as an expansion. James A. Skinner and Co. was recognized as “the largest importer of crockery, glassware, etc. and largest shippers to

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Manitoba, British Columbia and the Northwest". Later, Minden's Ladies Wear operated in this location between 1924 and 1951.

The building at 24 King Street East was originally designed and constructed in the Victorian Style of architecture with vertical brick coursing, stone window sills, metal hood mouldings and a metal cornice. Several alterations have been undertaken to the building and only the brick façade (painted), three window openings on the fourth level and the cornice and brackets remain.

28 King Street East was constructed in 1874 for William H. Glassco & Sons to house their furrier business, established in 1843 and first located in a building further to the east along King Street East. The building housed a large cold storage vault that was considered to be advanced at the time. G.F. Glassco & Sons operated in this location until 1931 and a succession of other furrier businesses subsequently operated out of the building.

The composition, design and materials of the building at 28 King Street East provide a representative example of Victorian architecture. At the time of its construction, the building was less elaborate than the buildings on either side; however, the building has retained most of its original architectural features on the upper levels of its front façade.

The buildings face Gore Park and are integral components to the King Street East streetscape and the character of the 'Gore' area. Gore Park is surrounded by largely intact groupings of three to four storey commercial row buildings, many displaying early architectural styles and high levels of craftsmanship in both design and construction.

The City of Hamilton issued a Notice of Intention to Designate 18-22 King Street East, as well as a Notice of Intention to Designate 24-28 King Street East, under Part IV of the *Ontario Heritage Act* on December 13, 2013. The Notices of Intention to Designate had the effect of voiding the Demolition Permit that had been issued on January 25, 2013.

In 2016 - 2017 a redevelopment proposal was submitted through the Heritage Permit process and Site Plan Control application process (SPA-17-087). On January 25, 2017 Council approved Heritage Permits HP2016-027 and HP2016-028 to retain the façade of 18-22 King Street East and to demolish 24 and 28 King Street East, respectively. In 2018, Heritage Permit HP2018-035 was approved for the retention and restoration of the front portions of 24 and 28 King Street East, replacing HP2016-028 for the demolition of those buildings and this permit expired on September 30, 2020 (attached as Appendix "D" to Report PED21195). Heritage Permit HP2016-027 was extended in 2020 and expired on January 31, 2021.

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The current Heritage Permit application (HP2021-037), was received on July 6, 2021 and included a Cultural Heritage Impact Assessment Addendum prepared by Megan Hobson which addressed the current retention and redevelopment proposal (attached as Appendix “C” to Report PED21195). A Notice of Complete Application was issued on July 29, 2021.

The Site Plan application (SPA-17-087) has since lapsed and the new development proposal is being considered under Site Plan Control application SPA-21-116.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Urban Hamilton Official Plan**

Volume 1, Section 3.4 – Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (UHOP) states that the City shall:

- “B.3.4.2.1(a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.
- B.3.4.2.1 (i) Use all relevant provincial legislation, particularly the provisions of the *Ontario Heritage Act*, the *Planning Act* R.S.O., 1990 c. P.13, the *Environmental Assessment Act*, the *Municipal Act*, the *Niagara Escarpment Planning and Development Act*, the *Cemeteries Act*, the *Greenbelt Act*, the *Places to Grow Act* and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton’s cultural heritage resources.
- B. 3.4.5.2 The City shall encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the *Planning Act* and heritage permit applications under the *Ontario Heritage Act*, there shall be a presumption in favour of retaining the built heritage resource in its original location.
- B. 3.4.5.5 Where a significant built heritage resource is to be unavoidably lost or demolished, the City shall ensure the proponent undertakes one or more of the following mitigation measures, in addition to a thorough inventory and documentation of the features that will be lost:
- (a) preserving and displaying of fragments of the former buildings' features and landscaping;
  - (b) marking the traces of former locations, shapes, and circulation lines;

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- (c) displaying graphic and textual descriptions of the site's history and former use, buildings, and structures; and,
- (d) generally reflect the former architecture and use in the design of the new development, where appropriate and in accordance with Section B.3.3 - Urban Design Policies.”

These policies from the Urban Hamilton Official Plan demonstrate Council's commitment to the identification, protection, and conservation of cultural heritage resources, and the recommendations of this Report meet the intent of these policies.

### **Downtown Hamilton Secondary Plan**

Volume 2, Section 6.1- Downtown Hamilton Secondary Plan of the Urban Hamilton Official Plan (UHOP) states that:

- “B 6.1.11.1 (d) Conservation of existing cultural heritage resources shall be a priority in all development. New development shall be compatible with on-site and adjacent cultural heritage resources. Adaptive re-use will be given priority for all built heritage resources;
- (e) The City may require that as part of development proposals that cultural heritage resources be retained on-site and incorporated, used or adaptively re-used, as appropriate with the proposed development. Retention and protection of cultural heritage resources on lands subject to development may be a requirement as a condition of development approval. Specifically, heritage easements under subsection 37(1) of the *Ontario Heritage Act* may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.”

These policies from the Downtown Hamilton Secondary Plan demonstrate Council's commitment to the protection and conservation of cultural heritage resources, as they relate to the Downtown Hamilton area, and the recommendations of this Report meet the intent of these policies.

## **RELEVANT CONSULTATION**

### **Heritage Permit Review Subcommittee**

Pursuant to Sub-sections 28 (1) of the *Ontario Heritage Act* and the Council approved Heritage Permit Process (PED05096), the HMHC advises and assists Council on matters relating to Part IV and V of the *Ontario Heritage Act*.

**SUBJECT: Heritage Permit Application HP2021-037, Under Part IV of the *Ontario Heritage Act*, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2) - Page 10 of 13**

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The Heritage Permit Review Subcommittee of the HMHC reviewed the subject application at a special meeting held on July 27, 2021. After a presentation and question and answer period with the applicant's agent and consultant, the Subcommittee passed a motion to recommend approval of the application as submitted, subject to the following conditions:

- (a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- (b) Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (c) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be submitted to the satisfaction and approval of the Director of Planning and Chief Planner;
- (d) That a Heritage Easement Agreement be reached with the City prior to the commencement of work; and,
- (e) That a Letter of Credit be provided to be held by the City based on the cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of three years and the total cost of restoration and protective enclosure of the retained Designated portions. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Heritage Permit application (HP2021-037) proposes the following alterations:

- Retention and restoration of the front facades of 18-22 King Street East;
- Facade replication of 24 King Street East;
- Facade dismantling and rebuilding of 28 King Street East;
- Removal of the buildings behind the front facades;
- Restoration of the gable roof and dormers of 18-22 King Street East;
- Construction of a six-storey mixed-use building behind the heritage facades; and,
- Installation of store fronts including signage bands.

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**SUBJECT: Heritage Permit Application HP2021-037, Under Part IV of the *Ontario Heritage Act*, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2) - Page 11 of 13**

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A Cultural Heritage Impact Assessment Addendum, prepared by Megan Hobson dated July 6, 2021 (see Appendix “C” attached to Report PED21195) was submitted with the Heritage Permit application (HP2021-037) in support of the proposal and staff deemed it comprehensive and complete.

Key factors that are considered in the evaluation of any change affecting a heritage resource are consideration of:

- **Displacement effects:** those adverse actions that result in the damage, loss, or removal of valued heritage features; and,
- **Disruption effects:** those actions that result in detrimental changes to the setting or character of the heritage feature.

In the consideration of any Heritage Permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law, in this case By-law No. 18-321.

The Designation By-law identifies only the front façade and related elements on the front facades of 18-22, 24, and 28 King Street East such as cornices and parapet walls, window openings and sashes, and original masonry (see Appendix “B” attached to Report PED21195).

Minimal “disruption effects” are expected to the heritage context of the property. The front facades will be retained and when this is not possible, such as with 24 King Street East, the original facade will be replicated. Investigation of the condition of the masonry of 24 King Street East determined that the brick has deteriorated to such an extent that retention of this facade is not feasible, resulting in the proposed replication with new brick and the cornice being repaired and reinstated on the replicated facade. The east pier and upper courses of masonry for 28 King Street East have shifted because the east wall is leaning eastward due to lack of lateral support from 30 King Street East which was demolished in 2012. Due to this current condition, dismantling and rebuilding of this facade is proposed. Recommendations (a) to (c) of Report PED21195 require a Conservation Plan that will contain a demolition and dismantling plan that provides the methodology for labelling, dismantling, re-locating and storing heritage elements, as well as protection and monitoring of the facades and repair methodologies. A Letter of Credit will also be required to ensure the securing, protecting, stabilizing, monitoring and restoring the heritage facades (Recommendation (d) of Report PED21195).

The retained facades will minimize the disruption effects that loss of the entire buildings would entail. Due to the current condition of these buildings, imminent conservation efforts on the front facades are needed to preserve the heritage attributes. The side

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and rear facades of the buildings are not listed as heritage attributes and as the structure is in poor condition, cannot be feasibly retained. The proposed design of the redevelopment will allow the front facades to remain the focal point of the new structure, using a neutral colour and set back from the facades.

There will be minimal “displacement effects” to the subject property as a result of this work. The front facades have been thoroughly documented to identify what can be retained, repaired, reused, or replicated. There is significant water damage to the structures, so removal of the existing structures and retention and repair of the front facades and notable heritage features will prevent continuing damage to the facades. While typically staff would like to see additional retention to further minimize displacement effects, the existing damage to the structure is too severe and staff are satisfied that the applicants have retained and reincorporated as much of the heritage features as possible in order to minimize these negative effects to the greatest extent possible under these circumstances.

In addition to requiring a Conservation Plan and Letter of Credit as conditions of HP2021-037, which is consistent with the previous Heritage Permits for this site, staff have also proposed a condition for the applicant to enter into a Heritage Easement (Recommendation (e) of Report PED21195). This Easement will provide a further legal obligation for the owners to protect and preserve the heritage facades of 18-28 King Street East through requirements to maintain the facades and their features in good condition, have adequate insurance, and provide further protection against demolition. This agreement would be registered on title and would run with the property.

Staff further recommend that minor changes to the plans and elevations can be submitted to the approval of the Director of Planning and Chief Planner (Recommendation (f) of Report PED21195) and that the applicant must obtain a Building Permit within two years after the Heritage Permit is issued, which is expected to be October of 2021 (Recommendation (g) of Report PED21195). The alterations are to be completed within one year of the deadline to obtain a Building Permit (Recommendation (h) of Report PED21195) and an extension to the deadlines noted above can be approved by the Director of Planning and Chief Planner.

### **Conclusions:**

Staff are of the opinion that Heritage Permit application (HP2021-037) can be supported as the proposed alterations are in keeping with Designation By-law No. 18-321 and will minimize any future displacement or disruption effects that may occur if the condition of the building continues to deteriorate.

Additional concerns such as the restoration methods and how the facades will be retained during demolition and construction of a new building can be addressed in a

comprehensive Conservation Plan, as required by Recommendations (a) to (c) of Report PED21195. As such, staff recommend that the Heritage Permit application be conditionally approved.

## **ALTERNATIVES FOR CONSIDERATION**

### **(1) Refuse the Heritage Permit Application.**

HMHC may advise Council to refuse this application. This is not being recommended.

### **(2) Approve the Heritage Permit with Additional or Amended Conditions.**

HMHC may advise Council to approve this application with additional or amended conditions of approval. This is not being recommended.

### **(3) Approve the Heritage Permit with No Conditions.**

HMHC may advise Council to approve this application with no conditions. This alternative is not recommended, as it would not be consistent with municipal and provincial policy that state that the cultural heritage resources shall be preserved. Furthermore, it would prevent staff review of additional details to ensure that the Heritage Permit approval will result in high-quality conservation and the implementation of the appropriate conservation methods.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Built Environment and Infrastructure**

*Hamilton* is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

### **Culture and Diversity**

*Hamilton* is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

## **APPENDICES AND SCHEDULES ATTACHED**

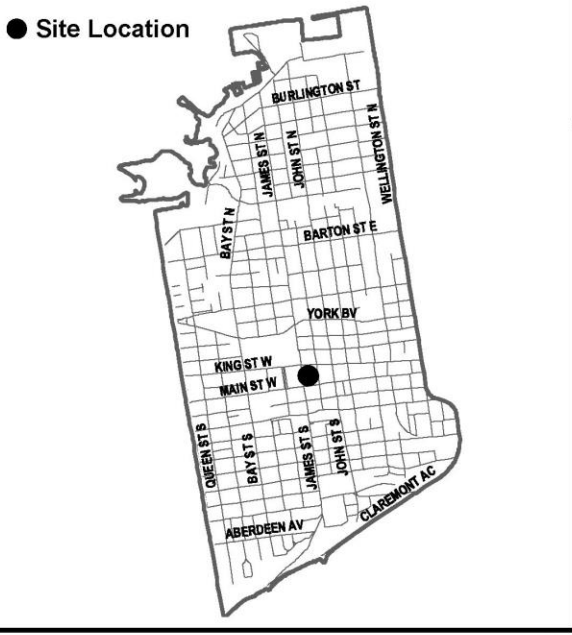
Appendix “A” to Report PED21195 - Location Map

Appendix “B” to Report PED21195 - Designation By-law No. 18-321

Appendix “C” to Report PED21195 - Cultural Heritage Impact Assessment Addendum by Megan Hobson

Appendix “D” to Report PED21195 – Heritage Permit HP2018-035

AK:sd



## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: HP-2021-037	Date: September 9, 2021	
Appendix "A"	Scale: N.T.S	Planner/Technician: AK/VS

**Subject Property**

18-28 King Street East

**Authority:** Item 7.6, Council  
CM: December 11, 2013  
Ward: 2

**Bill No. 321**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-321**

#### **To Designate Lands Located at 18-22 and 24-28 King Street East (Gore Buildings), City of Hamilton, as Properties of Cultural Heritage Value**

**WHEREAS** the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18;

**WHEREAS** no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act; and,

**WHEREAS** it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6) (a) of the said Act.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The properties located at 18-22 and 24-28 King Street East within the City of Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, are hereby designated as properties of cultural heritage value.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with the statements of cultural heritage value or interest and description of heritage attributes set out in Schedules "B(i)" and "B(ii)" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
  - (a) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Trust by personal service or by registered mail; and,
  - (b) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

**PASSED** this 19<sup>th</sup> day of December, 2018.

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F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

Schedule "A"

To

By-law No. 18-321

**The Gore Buildings**  
18-22 King Street East  
24-28 King Street East  
Hamilton, Ontario

**18-22 King Street East:**

PIN: 17167-0074 (LT)

Legal Description: Part Lot 14, Plan 1431, George Hamilton Survey and Part Lot 15, Plan 1431, George Hamilton Survey, as in VM101331; City of Hamilton

**24-28 King Street East:**

PIN: 17167-0112 (LT)

Legal Description: Part Lot 14, Plan 1431, George Hamilton Survey, as in CD156699 & AB124346; City of Hamilton

Schedule "B(i)"  
To  
By-law No. 18-321

**THE GORE BUILDINGS (24-28 King Street East):**

**The Skinner Building  
24 King Street East, Hamilton**

**The Glasco Building  
28 King Street East, Hamilton**

**STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE  
ATTRIBUTES**

**Statement of Cultural Heritage Value or Interest**

The four storey buildings located at 24-28 King Street East, Hamilton possess cultural heritage value due to their historical associations with the growth and commercial prosperity of the City of Hamilton in the nineteenth century and contextual associations with Gore Park and the King Street East streetscape. 28 King Street East also has physical design value as an example of the Victorian Style of architecture.

24 King Street East was constructed in 1875-6 for James A. Skinner. Skinner was a crockery merchant who opened his "China Palace" at another location around 1850 and the current building was built as an expansion. James A. Skinner and Co. was recognized as "the largest importer of crockery, glassware, etc. and largest shippers to Manitoba, British Columbia and the Northwest". Later, Minden's Ladies Wear operated in this location between 1924 and 1951.

The building at 24 King Street East was originally designed and constructed in the Victorian Style of architecture with vertical brick coursing, stone window sills, metal hood mouldings and a metal cornice. Several alterations have been undertaken to the building and only the brick façade (painted), three window openings on the fourth level and the cornice and brackets remain.

28 King Street East was constructed in 1874 for William H. Glassco & Sons to house their furrier business, established in 1843 and first located in a building further to the east along King Street East. The building housed a large cold storage vault that was considered to be advanced at time. G.F. Glassco & Co. operated in this location until 1931 and a succession of other furrier businesses subsequently operated out of the building.

The composition, design and materials of the building at 28 King Street East provide a representative example of Victorian architecture. At the time of its construction, the building was less elaborate than the buildings on either side; however, the building has retained most of its original architectural features on the upper levels of its front façade.

The buildings face Gore Park and are integral components of the King Street East streetscape and the character of the 'Gore' area. Gore Park is surrounded by largely intact groupings of three to four storey commercial row buildings, many displaying early architectural styles and high levels of craftsmanship in both design and construction.

### **Description of Heritage Attributes**

#### **24 King Street East (The Skinner Building):**

The heritage attributes of the four storey building are derived from its historical and contextual value. The heritage attributes include the upper levels of the front façade of 24 King Street East, including, but not limited to:

- The brick façade of the third and fourth levels of the front façade;
- The window openings and stone sills on the third and fourth levels of the front façade;
- The cornice and stone end brackets;
- All surviving original brick and stone materials and features remaining under the existing storefront cladding and signage on the ground and second levels; and,
- The parapet walls.

Notwithstanding the above list of heritage attributes any alterations to the existing storefronts, entrances and signage on the ground and second levels and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.

#### **28 King Street East (The Glasco Building):**

The heritage attributes of the four storey building are derived from its built heritage value as an example of the Victorian Style of architecture. The heritage attributes include the upper levels of the front façades of 28 King Street East, including, but not limited to:

- All stone masonry walls and pilasters on the second, third and fourth levels of the front façade;
- All window openings and sills on the second, third and fourth levels of the front façade;
- The original two-over-two wood window sashes and frames in the third and fourth level window openings;

- The wood framed picture windows and leaded transoms in the second level window openings;
- The projecting stone horizontal mouldings between the second and third levels and the third and fourth levels;
- The cornice and parapet walls;
- A stone pilaster at the northeast corner of the ground level; and,
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level.

Notwithstanding the above list of heritage attributes, any alterations to the existing storefronts, entrances and signage on the ground level and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.



Schedule "B(ii)"  
To  
By-law No. 18-321

**THE GORE BUILDINGS (18-22 King Street East):**

**The Kerr-Thomas Building  
18-20 King Street East, Hamilton**

**The Smith-Thomas Building  
22 King Street East, Hamilton**

**STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE  
ATTRIBUTES**

**Statement of Cultural Heritage Value or Interest**

The three storey buildings located at 18-22 King Street East, Hamilton possess cultural heritage value due to their historical associations with the growth and commercial prosperity of the City of Hamilton in the nineteenth century, their physical design associations with the architect William Thomas and the Renaissance Revival Style of architecture, and contextual associations with Gore Park and the King Street East streetscape.

18-20 King Street East was constructed circa 1840 and early occupants were Archibald and Thomas C. Kerr, who established their successful wholesale dry goods business there as early as 1848. 22 King Street East was constructed circa 1840 for H. E. Smith. By the 1850s, both buildings were under single ownership.

Architect William Thomas was considered a key figure in Canadian architecture, designing important buildings throughout Ontario as well as in other Provinces. The building's composition, design and materials provide a representative example of Renaissance Revival architecture dating to the pre-Confederation period and display a high-degree of craftsmanship. The buildings retain their original architectural features on the upper levels of their front façades and are among very few pre-Confederation stone commercial buildings remaining in Hamilton.

The buildings face Gore Park and are integral components to the King Street East streetscape and the character of the 'Gore' area. Gore Park is surrounded by largely intact groupings of three to four storey commercial row buildings, many displaying early architectural styles and high levels of craftsmanship in both design and construction.

**Description of Heritage Attributes**

The heritage attributes of the three storey buildings are derived from their built heritage value as examples of the Renaissance Revival Style of architecture as designed by William Thomas,

architect. The heritage attributes include the upper levels of the front façades of 18-20 King Street East and 22 King Street East, including, but not limited to:

- All stone blocks, coursing, quoins and voussoirs on the second and third levels of the front façades;
- All window surrounds, sills and hood mouldings on the second and third levels of the front façades;
- The stone cornices and parapet walls of both buildings;
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level; and,
- The gable roof and dormers of 18-20 King Street East.

Notwithstanding the above list of heritage attributes, any alterations to the existing storefronts, entrances and signage on the ground level and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.



Hamilton

Mailing Address:  
71 Main Street West  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 4281  
Fax: 905-540-5611

FILE: HP2018-035

September 7, 2018

Wellings Planning Consultants Inc.  
c/o Glenn Wellings  
513 Locust Street, Unit B  
Burlington, ON L7S 1V3

**Re: Heritage Permit Application HP2018-035:  
Retention and restoration of the front portions of 24 and 28 King Street East, Hamilton and a fifth storey addition (Ward 2) (Notice of Intention to Designate)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2018-035 is approved for the designated property at 24 and 28 King Street East, in accordance with the submitted Heritage Permit Application for the following alterations:

- Retention and restoration of the front portions of 24 and 28 King Street East (approximately half the depth of the site) including:
  - **24 King Street East:** Removal of unsympathetic coatings and application of new rendering where required, new stone lintels and sills and repair of pressed metal cornice; and,
  - **28 King Street East:** Removal of unsympathetic coatings and cleaning of surface, repair pressed metal cornice and projecting horizontal mouldings and replacement of all windows to match original window fenestration.
- Installation of modern storefronts including signage band on buildings including repair and cleaning of original pilasters where remaining; and,
- One-storey addition on top of buildings.

**Re: Heritage Permit Application HP2018-035:  
Retention and restoration of the front portions of 24  
and 28 King Street East, Hamilton and a fifth storey  
addition (Ward 2) (Notice of Intention to Designate)**

**September 7, 2018**

**Page 2 of 4**

Subject to the following conditions:

- a) That the following conditions with respect to cost estimates and a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for removal of portions of the building:
  - i. The owner shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of three years and the total cost of restoration and protective enclosure of the retained Designated portions. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner.
  - ii. The owner shall provide a Letter of Credit to the Director of Planning and Chief Planner for 100% of the total estimated cost as per (i) in a form satisfactory to the City's Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing, monitoring and restoring the retained portions as required by this Heritage Permit:
    1. The Letter of Credit shall be kept in force, whether or not the ownership of 24 and 28 King Street East changes at any time, until the completion of the required restoration of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or to otherwise attach the retained portions to a new building in conformity with the approved design and requirements.
    2. The Letter of Credit may be reduced in accordance with the City's Letter of Credit Policy.
    3. If the Letter of Credit is about to expire without renewal thereof and any part of securing, protecting, stabilizing, monitoring or restoring the retained portions has not been completed in conformity with their approved designs, the City may draw all of the Letter of Credit funds and hold them as security to guarantee completion unless the City's Finance Department (Development Officer, Budget, Taxation and Policy) is provided with a renewal of the Letter of Credit forthwith.
    4. In the event that the Owner fails to complete, to the satisfaction of the Director of Planning and Chief Planner, the required securing, protecting, stabilizing, monitoring or restoring of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or

Re: **Heritage Permit Application HP2018-035:  
Retention and restoration of the front portions of 24  
and 28 King Street East, Hamilton and a fifth storey  
addition (Ward 2) (Notice of Intention to Designate)**

**September 7, 2018  
Page 3 of 4**

attach to a new building in conformity with its approved design within the time required, then the City, in addition to any other remedies that the City may have, may exercise its authority under section 446 of the *Municipal Act* to have its employees, agents or contractors enter 24 and 28 King Street East to complete any one or more of these requirements. The cost of completion of securing, protecting, stabilizing, monitoring or restoring the retained portions shall be paid in full by the Owner from the Letter of Credit. In the event that there is a surplus, the City shall pay the surplus to the Owner upon completion of the requirement(s). In the event that there is a deficit, the City may further exercise its authority under section 446 of the *Municipal Act* including but not limited to adding the deficit to the tax roll and collecting it in the same manner as property taxes.

- b) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be submitted to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- c) That the leaded glass transoms on the second floor of 28 King Street East, Hamilton be salvaged to the satisfaction of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- d) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- e) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than September 30, 2020. If the alteration(s) are not completed by September 30, 2020, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

**Re: Heritage Permit Application HP2018-035:  
Retention and restoration of the front portions of 24  
and 28 King Street East, Hamilton and a fifth storey  
addition (Ward 2) (Notice of Intention to Designate)**

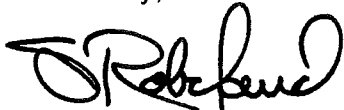
**September 7, 2018**

**Page 4 of 4**

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Chelsey Tyers, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at [Chelsey.tyers@hamilton.ca](mailto:Chelsey.tyers@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Chelsey Tyers, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Loren Kolar, Legislative Coordinator  
Councillor Jason Farr, Ward 2

# CHIA ADDENDUM



## GORE BUILDINGS 18-30 KING STREET EAST HAMILTON, ONTARIO

06 JULY 2021

**MEGAN HOBSON** CAHP  
M.A. DIPL. HERITAGE CONSERVATION  
BUILT HERITAGE CONSULTANT  
[mhobson@bell.net](mailto:mhobson@bell.net)

## INTRODUCTION

This *Heritage Impact Assessment (HIA) Addendum* has been prepared by heritage consultant Megan Hobson on behalf of Hughson Business Space Corporation to assess impacts of a revised development proposal for 18-30 King Street East prepared by David Premi Architects. The purpose of this HIA Addendum is to ensure that heritage attributes identified in the *Designation By-law* are conserved and that the conservation approach is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

The proposal includes a conservation strategy for preserving three architecturally significant stone façades at 18-22 King Street East (Kerr Buildings) and 28 King Street East (Glassco Building) and replicating one severely deteriorated and heavily modified brick façade at 24 King Street East (Skinner Building). The conservation strategy is based on a detailed condition assessment and recommendations provided by heritage engineer Jonathan Dee of John G. Cook & Associates, heritage masonry contractor Jeff Feswick of Historia Restoration and construction manager Henry Schultuis of Shultuis Construction. A summary of the engineer's findings and recommendations are included as an Appendix to this report.

The revised architectural drawings show how the heritage façades will be seamlessly integrated into the proposed 6-storey building. Design measures have been successfully employed so that all new work is visually compatible with the heritage façades. The proposal provides an opportunity to rehabilitate three architecturally significant facades and to maintain an important historic streetwall that defines the south side of the Gore Park Cultural Landscape. Architectural drawings by David Premi Architects are included as an Appendix of this report.

## DEVELOPMENT APPLICATION HISTORY

In December 2012, a demolition permit was issued for 18-30 King Street East and the building at 30 King Street East was demolished under that permit. Due to community interest in the heritage value of the remaining buildings, demolition was halted so that an alternative development proposal could be developed. Discussions included offers of financial assistance from the City of Hamilton under Hamilton Heritage Property Improvement Grant Program and the GORE Building Improvement Grant Program, if the properties were not demolished and/or Designated under Part IV of the *Ontario Heritage Act*. In 2013, the buildings were Designated under Part IV of the *Ontario Heritage Act*.

A revised development proposal was given Conditional Site Plan approval on November 27, 2017 with an addendum containing further conditions being added on August 2, 2018. A *Cultural Heritage Impact Assessment and Conservation Plan* prepared by Goldsmith Borgal Architects was submitted and heritage permits were issued based on recommendations in those reports.

The following Heritage Permits have been issued and reflect the evolution of the proposal in response to heritage interests:

- HP 2016-027
  - for façade retention and penthouse addition to 18-22 King Street East
- HP 2016-028
  - for demolition of the buildings at 24 & 28 King Street East



- HP 2018-035
  - for retention and restoration of the front portion of 24 & 28 King Street East and a 5<sup>th</sup> storey addition
- HP 2020-002
  - for renewal of previously approved HP2016-027 for 18-22 King Street East

In 2019, the building permits and heritage grant offer were extended to allow the applicant more time to complete the requirements of the Conditional Site Plan Approval, with an understanding that all the facades will be conserved and integrated into the proposed development. Since that time, further investigation of the condition of the masonry of 24 King Street East (Skinner Building) has determined that the brick has deteriorated to such an extent that retention of this façade is not feasible. The current proposal provides a strategy for meeting the intent of the earlier agreement through replication of this façade with new brick. This approach is appropriate because the original work and materials can be easily replicated and because it is already understood that this façade does not have architectural value. The ornate cornice that is the only original decorative feature remaining on this façade has architectural value but is in poor condition. This original feature will be repaired and will be reinstated on the replicated façade.

KING E	PHOTO	HERITAGE VALUES	2016 CHIA (GBCA)	2018 REVISED CHIA (GBCA)	2021 HIA ADDENDUM (HOBSON)
18-22 KERR BULDINGS		Historical Architectural Contextual	Façade retention <i>in situ</i>	Façade retention <i>in situ</i>	Façade retention <i>in situ</i>
24 SKINNER BUILDING		Historical Contextual	Demolition	Façade retention <i>in situ</i>	Façade replication
28 GLASSCO BUILDING		Historical Architectural Contextual	Demolition	Façade retention <i>in situ</i>	Façade retention dismantling & rebuilding

TABLE 1.0 – evolution of the conservation strategy

## HERITAGE RECOGNITION

In December of 2013, the City of Hamilton passed *Designation By-law 18-321* to designate lands located at 18-22 and 24-28 King Street East (Gore Buildings). The *Reasons for Designation* are included in the Appendix of this report

The Pre-Confederation stone façade at 18-22 King Street East attributed to William Thomas and the stone façade at 28 King Street East by an unknown architect have historical, contextual and architectural value. The brick façade at 24 King Street East has historical and contextual value but is not Designated for its architectural value, because it has been heavily altered.

The following heritage attributes are identified in the *Designation By-law*:

### Heritage Attributes

#### 18-22 King Street East (Kerr Buildings)

- All stone blocks, coursing, quoins and voussoirs on the second and third levels of the front façades;
- All window surrounds, sills and hood mouldings on the second and third levels of the front façades;
- The stone cornices and parapet walls of both buildings;
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level; and,
- The gable roof and dormers of 18-20 King Street East.

#### 24 King Street East (Skinner Building)

- The brick façade of the third and fourth levels of the front façade;
- The window openings and stone sills on the third and fourth levels of the front façade;
- The cornice and stone end brackets;
- All surviving original brick and stone materials and features remaining under the existing storefront cladding and signage on the ground and second levels; and,
- The parapet walls

#### 28 King Street East (Glassco Building)

- All stone masonry walls and pilasters on the second, third and fourth levels of the front façade;
- All window openings and sills on the second, third and fourth levels of the front façade;
- The original two-over-two wood window sashes and frames in the third and fourth level window openings;
- The wood framed picture windows and leaded transoms in the second level window openings;
- The projecting stone horizontal mouldings between the second and third levels and the third and fourth levels;
- The cornice and parapet walls;
- A stone pilaster at the northeast corner of the ground level; and,
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level.

## REVISED DEVELOPMENT PROPOSAL

The revised development proposal consists of a 6-storey office building with retail on the ground floor and one level of below-grade parking. The new building will be timber frame construction and will have an internal courtyard. Access to the underground parking garage will be located on the alleyway behind the building. The lot where 30 King Street East formerly stood, will remain open as publicly accessible amenity space.

The architecturally significant stone facades of 18-22 King Street East (Kerr Buildings) and 28 King Street East (Glassco Building) will be preserved and integrated into the development. The severely deteriorated and heavily modified brick façade of 24 King Street East (Skinner Building) is too deteriorated to be preserved and will be replicated with new brick.

The two floors to be added above the heritage façades will have a generous setback, so that the ornate cornices of all the buildings and the front roof slope and rounded dormers of the Kerr Buildings can be retained. New storefronts will be introduced so that individual storefronts for each building are maintained and will be framed by the surviving masonry piers on the ground floor.








GORE BUILDINGS - Rendering of the proposed development for 18-30 King Street East [David Premi Architects]

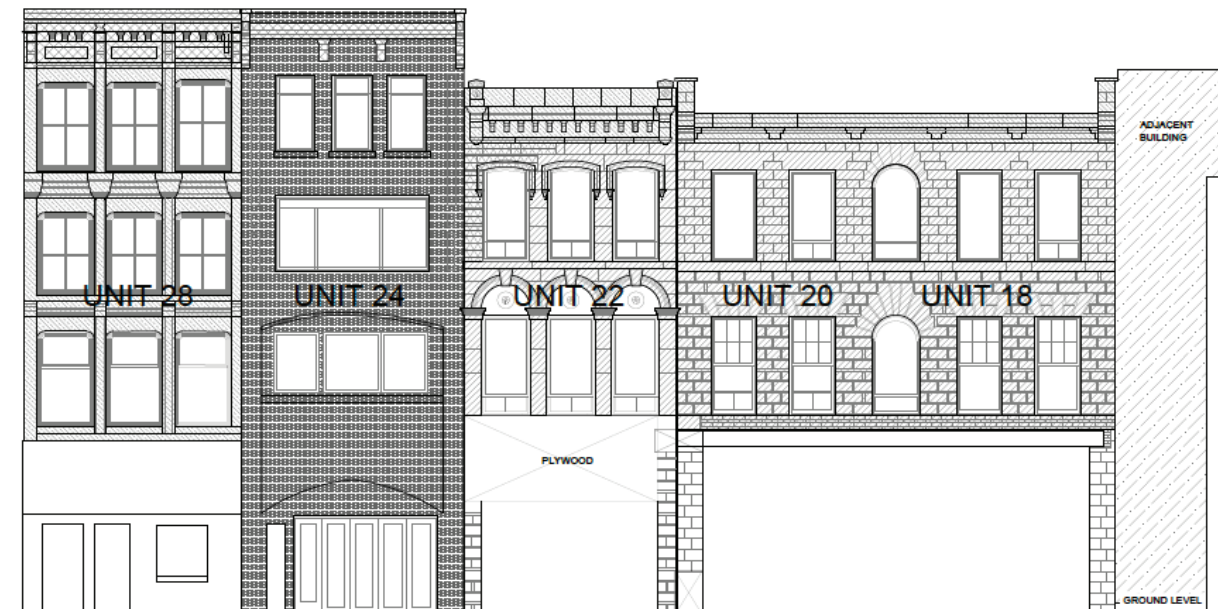
## CONSERVATION STRATEGY

The heritage facades will be integrated into the development according to the following conservation strategy:

- **18-22 King Street East (Kerr Buildings)**
  - the stone façade will be conserved *in situ* and will be temporarily supported on a façade retention frame during construction of the new building
  - the stone cornice will be dismantled and will be reinstated when the façade is secured to the new building
  - the front slope of the roof will be rebuilt with three dormers to restore it to its original appearance
- **24 King Street East (Skinner Building)**
  - the brick façade will be replicated and the original window openings on the 2<sup>nd</sup> & 3<sup>d</sup> floor will be restored
  - the original metal cornice will be dismantled and will be reinstated on the replicated façade
- **28 King Street East (Glassco Building)**
  - the stone façade and metal cornice will be dismantled and rebuilt

### LEGEND

	EXISTING FACADE MASONRY TO BE REBUILT PRIOR TO BEING RETAINED IN-SITU.
	EXISTING FACADE MASONRY TO BE RETAINED IN-SITU.
	EXISTING FACADE MASONRY TO BE DISMANTLED, SALVAGED, REPAIRED AS REQ. OFF SITE, AND RESET.
	EXISTING FACADE TO BE DISMANTLED, REPLACED WITH NEW MATERIAL.
	DECORATIVE ELEMENTS (METAL CORNICE AND SIM.) TO BE REMOVED, SALVAGED AND REINSTATED



GORE BUILDINGS – conservation strategy for heritage facades [John G. Cooke & Associates]

The conservation strategy outlined in this *HIA Addendum* is consistent with guidance in the *Standards and Guidelines for the Conservation of Heritage Places in Canada* pertaining to rehabilitation projects because it is based on an understanding of the current condition of the heritage façades, an appreciation of heritage values associated with each façade and the requirements of the architectural program. The benefits of the proposal include a continuous floor plate from 18-28 King Street East for more flexible interior space, new street level amenity space, new private amenity spaces on the roof terraces and creation of additional frontages for retail spaces along the entire length of the west elevation and opening onto the interior courtyard. Risks associated with the proposed interventions are significant but can be successfully mitigated through a detailed *Conservation Plan* and *Construction Management Plan* that provides a framework for coordination of heritage conservation work, demolition, dismantling and new construction. Risks associated with doing nothing and allowing the buildings to further deteriorate is a significant concern, given that the buildings have been vacant with services disconnected since 2013.

## CURRENT CONDITIONS

The proposed conservation strategy is based on detailed site investigation undertaken by heritage engineer Jonathan Dee of John G. Cooke & Associates, construction manager Henry Schultuis of Schultuis Construction, and heritage masonry contractor Jeff Feswick of Historia Restoration. Previous technical reports were reviewed and several site visits were undertaken to identify condition issues and identify the most feasible approach for integrating the façades into the new development. The roof and masonry façades of 18-22 King Street East (Kerr Buildings) were inspected from a boom lift and the masonry façade of the 28 King Street East (Glassco Building) was inspected from scaffolding. 3-D scanning of the façades was undertaken by John G. Cooke and Associates, to supplement measured drawings already prepared by Goldsmith Borgal Architects.

A summary of the current conditions and the rationale for the conservation approach proposed for each façade is outlined by Jonathan Dee of John G. Cook & Associates and is included in the Appendix of this report.

Since the previous application, non-structural elements have been removed from the interior of the buildings as part of the remediation required prior to issue of a demolition permit for the rear portion of the buildings. Now that the interior partition walls and plaster have been removed, structural elements are fully exposed. This has allowed more detailed investigation of structural components to be undertaken and documentation of newly revealed heritage elements on the interior of the Kerr Buildings. These findings have informed the revised conservation strategy and are outlined below and supporting documentation is attached as an appendix.

### **Significant condition issues identified by heritage engineer Jonathan Dee of John. G. Cooke & Associates:**

- **18-22 King Street East (Kerr Buildings)** – portions of the roof adjacent to the heritage façade have collapsed. This issue was identified in earlier condition assessments and continues to be a major concern. In order to protect the façade from further water damage and facilitate stabilization of the façade on the façade retention frame, dismantling of the stone cornice and the stone parapet walls above the roofline is recommended.

- **24 King Street East (Skinner Building)** - the brick façade is severely deteriorated due to water damage, to the extent that retention of this facade is not feasible.
- **28 King Street East (Glassco Building)** – the east pier and the upper courses of masonry have shifted because the east side wall is leaning eastward due to lack of lateral support provided by 30 King Street East since it was demolished in 2012, to the extent that the upper portion of the building will have to be dismantled and rebuilt. Given the extent of the damage, total dismantling and rebuilding is recommended as a more cost-effective approach.
- **18-22 King Street East (Kerr Buildings)** and **28 King Street East (Glassco Building)** - the windows have deteriorated due to exposure to the elements, to the extent that repair of original wood windows is not feasible.

**Interior heritage elements identified by heritage consultant Megan Hobson:**

- there are **7 Doric columns** on the 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> floors of 18-22 King Street East (Kerr Buildings) that may date from c. 1852 when the building was enlarged by William Thomas. These columns have been identified as elements that have potential for salvage and reuse in the new development.
- there are **ornate plaster cornices**, skylights and an arched window in a room overlooking the courtyard on the 1<sup>st</sup> floor of 18-22 King Street East (Kerr Buildings) that dates from c. 1852 when the building was enlarged by William Thomas. The plasterwork has been identified as a rare example of ornate plasterwork in a Pre-Confederation commercial building. This room will be documented prior to demolition.

## CURRENT DEVELOPMENT PROPOSAL IMPACTS & MITIGATION

The impacts of the current proposal are similar to those evaluated in the 2018 Revised CHIA by GBCA. All of the heritage attributes of the Designated heritage facades will be preserved, with the exception of the parapet walls above the roofline.

### HERITAGE ATTRIBUTES

- TO BE PRESERVED
- TO BE REPLICATED
- TO BE SALVAGED (parapet walls)

#### 18-22 King Street East (Kerr Buildings)

- All stone blocks, coursing, quoins and voussoirs on the second and third levels of the front façades;
- All window surrounds, sills and hood mouldings on the second and third levels of the front façades;
- The stone cornices and parapet walls of both buildings;
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level; and,
- The gable roof and dormers of 18-20 King Street East.

#### 24 King Street East (Skinner Building)

- The brick façade of the third and fourth levels of the front façade;
- The window openings and stone sills on the third and fourth levels of the front façade;
- The cornice and stone end brackets;
- All surviving original brick and stone materials and features remaining under the existing storefront cladding and signage on the ground and second levels; and,
- The parapet walls

#### 28 King Street East (Glassco Building)

- All stone masonry walls and pilasters on the second, third and fourth levels of the front façade;
- All window openings and sills on the second, third and fourth levels of the front façade;
- The original two-over-two wood window sashes and frames in the third and fourth level window openings;
- The wood framed picture windows and leaded transoms in the second level window openings;
- The projecting stone horizontal mouldings between the second and third levels and the third and fourth levels;
- The cornice and parapet walls;
- A stone pilaster at the northeast corner of the ground level; and,
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level.

### 18-22 King Street East (Kerr Buildings)

The façade of 18-22 King Street East will be retained *in situ* on a 'façade retention frame' so that the rear portions of the buildings can be removed, the site can be excavated for the below ground parking level, and the foundation and structural framework for the proposed 6-storey building can be constructed. The heritage façades will then be physically attached to the new building using masonry anchors. Retention *in situ* is the recommended approach for this façade because of its early construction date and method of construction consisting of finely jointed and overlapping ashlar sandstone blocks with a rubble stone backing.



18-22 KING E (KERR BUILDINGS) – significant deterioration of stone cornice due to failure of the roof and gutters



18-22 KING E (KERR BUILDINGS)

Left: further failure of the roof behind the cornice



Right: significant masonry deterioration exposed on the interior now that finishes have been removed

The 'façade retention frame' will be designed by John G. Cooke & Associates, a firm that has experience designing and implementing retention frames for heritage façades. Structural drawing and further details



regarding the design and installation of the retention frame will be provided in a separate *Conservation Plan*. Historia Restoration, the heritage masonry contractor, will work in collaboration with John G. Cooke to ensure that heritage elements are safe and secure at all stages of the project. The exposed top of the wall will be capped and the rubble backing will be covered with plywood and a waterproof membrane to protect them from the elements. Regular monitoring will be carried out with regular reports provided to heritage staff.

Detailed investigation carried out by John G. Cooke and Historia Restoration confirm that the stone cornices and stone parapets on the roof are badly deteriorated. The stone cornices will be carefully dismantled prior to demolition of the rear portions of the buildings. Individual stones will be catalogued and labelled so that they can be reinstated in their original locations when the new roof is constructed. This approach allows for repairs to be made off-site in Historia's climate-controlled workshop over the winter and while site work and new construction are underway. Further details regarding the removal, safe handling and storage of dismantled elements will be provided in a separate *Documentation & Salvage Plan*.

Original masonry on the 1<sup>st</sup> floor of 18-22 King Street East (Kerr Buildings), previously covered with modern cladding, will be preserved and integrated into the new storefront. Further investigation is needed to determine if these elements will be stabilized *in situ* or dismantled and rebuilt. Dismantling may be preferable due to the considerable amount of repairs and cleaning that will be required and to facilitate installation of the new storefronts. Further details will be provided in a separate *Conservation Plan*. If a suitable stone cannot be sourced to restore the large amount of masonry that is missing on the ground floor, then an alternative design has been provided that references the original design and is constructed with wood panelling and glazing set in a metal clad wood frame, similar to the storefront design that was previously approved. Any original stone on the ground floor will be preserved in this option also.

#### **24 King Street East (Skinner Building)**

The brick façade of 24 King Street East is so extensively deteriorated that retention is not feasible. This façade has been extensively and irreversibly altered and most of the original features have been removed. Therefore, this façade will be rebuilt with new brick that replicates all of the original design details. The original cornice will be taken down and repaired off site by Historia Restoration and will be reinstated on the replicated façade. The replication of this façade will provide an opportunity to reinstate the original window openings on the 2<sup>nd</sup> & 3<sup>rd</sup> floor. This is considered an improvement that will restore the original rhythm of the fenestration and be more consistent with the adjacent heritage façades. More detailed information about the current condition of the brick and why repair is not recommended is provided by Jonathan Dee of John G. Cooke & Associates and is included in the Appendix of this report.



24 KING E (SKINNER BUILDING)

Left: cracked and delaminating cement render on the brick façade

Right: severe deterioration of the brick is evident now that finishes have been removed from the interior

### 28 King Street East (Glassco Building)

The stone façade of 28 King Street East has significant condition issues along the full height of the east pier. Investigation undertaken by John G. Cooke Associates and Historia Restoration confirms that there are open joints in the masonry due to eastward movement. The deflection of the east wall was measured using a plumb line and is significant and appears to be ongoing. Given the extent of the damage and the limited amount of masonry on this façade, dismantling and rebuilding is being proposed rather than stabilization *in situ*. Original masonry on the 1<sup>st</sup> floor of 28 King Street East (Glassco Building), previously covered with modern cladding, will be preserved and integrated into the new storefront. More detailed information about the current condition of this façade and the recommended approach to conserving it through dismantling and rebuilding is provided by Jonathan Dee of John G. Cooke & Associates and is included in the Appendix of this report.



28 KING E (GLASSCO BUILDING)

Left: temporary cabling installed to secure the masonry on the northeast corner has not prevented ongoing movement of the east wall

Right: the east pier of the masonry façade has now shifted to the east and separated from the window frame

## New Construction

A new 6-storey timber framed building will be built behind the rehabilitated heritage façades. The new structure will have continuous floorplates to accommodate the proposed layout. The floor plates of the new structure will be consistent with existing masonry openings on 18-22 King Street East (Kerr Buildings) and 24 King Street East (Skinner Building). The only overlap will occur on the 4<sup>th</sup> floor of 28 King Street East (Glassco Building) where the new floor plate crosses the lower portion of the windows. The window opening will not be altered but the floorplate will be visible through the glazing. This is considered a minor visual impact because it is limited to 28 King Street East and occurs on an upper floor that will not be highly visible from ground level.



PROPOSED DEVELOPMENT – King Street East Elevation [DPAI] – yellow line indicates the continuous floor plates of the new building – the only area where the new floorplates are not consistent with existing window sill heights is on the 3<sup>rd</sup> floor of 28 King Street East (Glassco Building)

New windows will be installed that replicate the style and configuration of the original windows. Given the poor condition of the remaining original windows, replacement with a suitable replacement window is an appropriate conservation strategy. Adverse impact will be mitigated through the design of suitable replacement windows. Each façade has unique windows and the replacement windows will replicate the original windows for each building based on physical evidence and historic documentation.

The existing storefronts have been heavily modified in a manner that is not complimentary to the heritage façades. Therefore, the renewal of the storefronts will have a positive impact. Original masonry that survives on the 1<sup>st</sup> floor of 18-22 King Street East (Kerr Buildings) and 28 King Street East (Glassco Building) will be preserved and integrated into a new storefront design.

The proposed setback of the 5<sup>th</sup> & 6<sup>th</sup> floors is respectful of the heritage facades and will allow the ornate roof cornices of the heritage buildings to remain visually prominent from the street. The proposed

alterations and additions will support the new use and will not have a significant impact on heritage value. Adverse impacts have been successfully mitigated by the setback, material and design of the upper floors that includes replication of the roof slope above 18-20 King Street East (Kerr Buildings). The replicated roof offers an opportunity to restore the third dormer that is currently missing that will have a positive impact.

The design of the 5<sup>th</sup> & 6<sup>th</sup> floor and the new storefronts is contemporary and distinguishable in a manner that is complementary and deferential to the heritage façades. These alterations are consistent with design guidelines for buildings adjacent to the Gore Park Cultural Landscape and will support a new use that includes conservation of heritage façades that are currently at risk and in need of significant investment to ensure their long-term conservation.

### COMMEMORATIVE STRATEGY

Adverse impacts due to demolition of the rear portion of the buildings will be mitigated through documentation of the layout and interior features prior to demolition. A number of interior elements have been identified as potential salvage items that could be incorporated into the new development. These artefacts can be used to tell the story of the occupants and commercial activities associated with these buildings. A number of strategies will be considered for integrating salvaged items into the new development including the following:

- Salvaged beams can be used to build landscape features in the outdoor amenity spaces
- Salvaged brick can be installed on the lower portion of the east wall to enhance the outdoor amenity space
- Doric columns can be used as architectural elements in the courtyard area
- Fragments or photographs of ornamental plaster work can be displayed in the interior

Further details will be provided in a separate *Conservation Plan*.

### POTENTIAL SALVAGE ITEMS



18-22 KING E (THE KERR BUILDINGS) – photo-documentation of ornamental plasterwork and Doric columns on the 1<sup>st</sup> floor revealed during remediation work

## RECOMMENDATIONS

In order to mitigate the risks of the proposed conservation strategy, the following conditions of approval are recommended:

- Conservation Plan that includes further details regarding:
  - structural drawings for the façade retention frame
  - demolition and dismantling plan that provides the methodology for labelling, dismantling, re-locating and storing heritage elements and the location and description of the storage location
  - inventory of items to be dismantled and stored
  - masonry key plan that shows the original location and condition of individual stones
  - monitoring plan for regular monitoring of stored elements and providing updates to heritage staff
  - protection and monitoring measures for elements to be retained *in situ* based on the project timeline
  - repair methodologies and materials for heritage fabric including masonry specifications for suitable repair mortars and replacement stone
  - structural and architectural drawings for integration of the heritage façades into the new structure, including detailed drawings and masonry specifications for the method for securing the heritage façade to the new building, wall assembly of the integrated building envelope, roof flashings and gutters by a qualified professional
  - window specifications for replacement windows to be installed in the heritage façades
  - construction management plan that includes protection & monitoring of the façade retention frame and sequencing & co-ordination of conservation work, demolition work and new construction
  - project schedule and cost estimates for the proposed conservation work

It is also recommended that securities be required such as:

- a Heritage Easement Agreement between the owner and the City to ensure that conservation of the heritage façades is carried out in accordance with the Heritage Permit
- a Security Deposit held by the City based on cost estimates for the proposed conservation work. This deposit can be returned in increments, as work is completed to the satisfaction of the Director of Development Planning, but a significant portion should be retained until occupancy has been achieved.

## SUPPORTING DOCUMENTATION

- Appendix A: Gore Buildings: Reasons for Designation  
Appendix B: Engineer's Report, Jonathan Dee, John G. Cooke & Associates  
Appendix C: Architectural Drawings, David Premi Architects

Schedule "B(i)"

To

By-law No. 18-321

**THE GORE BUILDINGS (24-28 King Street East):**

**The Skinner Building  
24 King Street East, Hamilton**

**The Glasco Building  
28 King Street East, Hamilton**

**STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE  
ATTRIBUTES**

**Statement of Cultural Heritage Value or Interest**

The four storey buildings located at 24-28 King Street East, Hamilton possess cultural heritage value due to their historical associations with the growth and commercial prosperity of the City of Hamilton in the nineteenth century and contextual associations with Gore Park and the King Street East streetscape. 28 King Street East also has physical design value as an example of the Victorian Style of architecture.

24 King Street East was constructed in 1875-6 for James A. Skinner. Skinner was a crockery merchant who opened his "China Palace" at another location around 1850 and the current building was built as an expansion. James A. Skinner and Co. was recognized as "the largest importer of crockery, glassware, etc. and largest shippers to Manitoba, British Columbia and the Northwest". Later, Minden's Ladies Wear operated in this location between 1924 and 1951.

The building at 24 King Street East was originally designed and constructed in the Victorian Style of architecture with vertical brick coursing, stone window sills, metal hood mouldings and a metal cornice. Several alterations have been undertaken to the building and only the brick façade (painted), three window openings on the fourth level and the cornice and brackets remain.

28 King Street East was constructed in 1874 for William H. Glassco & Sons to house their furrier business, established in 1843 and first located in a building further to the east along King Street East. The building housed a large cold storage vault that was considered to be advanced at time. G.F. Glassco & Co. operated in this location until 1931 and a succession of other furrier businesses subsequently operated out of the building.

The composition, design and materials of the building at 28 King Street East provide a representative example of Victorian architecture. At the time of its construction, the building was less elaborate than the buildings on either side; however, the building has retained most of its original architectural features on the upper levels of its front façade.

The buildings face Gore Park and are integral components of the King Street East streetscape and the character of the 'Gore' area. Gore Park is surrounded by largely intact groupings of three to four storey commercial row buildings, many displaying early architectural styles and high levels of craftsmanship in both design and construction.

### **Description of Heritage Attributes**

#### **24 King Street East (The Skinner Building):**

The heritage attributes of the four storey building are derived from its historical and contextual value. The heritage attributes include the upper levels of the front façade of 24 King Street East, including, but not limited to:

- The brick façade of the third and fourth levels of the front façade;
- The window openings and stone sills on the third and fourth levels of the front façade;
- The cornice and stone end brackets;
- All surviving original brick and stone materials and features remaining under the existing storefront cladding and signage on the ground and second levels; and,
- The parapet walls.

Notwithstanding the above list of heritage attributes any alterations to the existing storefronts, entrances and signage on the ground and second levels and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.

#### **28 King Street East (The Glasco Building):**

The heritage attributes of the four storey building are derived from its built heritage value as an example of the Victorian Style of architecture. The heritage attributes include the upper levels of the front façades of 28 King Street East, including, but not limited to:

- All stone masonry walls and pilasters on the second, third and fourth levels of the front façade;
- All window openings and sills on the second, third and fourth levels of the front façade;
- The original two-over-two wood window sashes and frames in the third and fourth level window openings;

- The wood framed picture windows and leaded transoms in the second level window openings;
- The projecting stone horizontal mouldings between the second and third levels and the third and fourth levels;
- The cornice and parapet walls;
- A stone pilaster at the northeast corner of the ground level; and,
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level.

Notwithstanding the above list of heritage attributes, any alterations to the existing storefronts, entrances and signage on the ground level and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.



Schedule "B(ii)"  
To  
By-law No. 18-321

**THE GORE BUILDINGS (18-22 King Street East):**

**The Kerr-Thomas Building  
18-20 King Street East, Hamilton**

**The Smith-Thomas Building  
22 King Street East, Hamilton**

**STATEMENT OF CULTURAL HERITAGE VALUE AND DESCRIPTION OF HERITAGE  
ATTRIBUTES**

**Statement of Cultural Heritage Value or Interest**

The three storey buildings located at 18-22 King Street East, Hamilton possess cultural heritage value due to their historical associations with the growth and commercial prosperity of the City of Hamilton in the nineteenth century, their physical design associations with the architect William Thomas and the Renaissance Revival Style of architecture, and contextual associations with Gore Park and the King Street East streetscape.

18-20 King Street East was constructed circa 1840 and early occupants were Archibald and Thomas C. Kerr, who established their successful wholesale dry goods business there as early as 1848. 22 King Street East was constructed circa 1840 for H. E. Smith. By the 1850s, both buildings were under single ownership.

Architect William Thomas was considered a key figure in Canadian architecture, designing important buildings throughout Ontario as well as in other Provinces. The building's composition, design and materials provide a representative example of Renaissance Revival architecture dating to the pre-Confederation period and display a high-degree of craftsmanship. The buildings retain their original architectural features on the upper levels of their front façades and are among very few pre-Confederation stone commercial buildings remaining in Hamilton.

The buildings face Gore Park and are integral components to the King Street East streetscape and the character of the 'Gore' area. Gore Park is surrounded by largely intact groupings of three to four storey commercial row buildings, many displaying early architectural styles and high levels of craftsmanship in both design and construction.

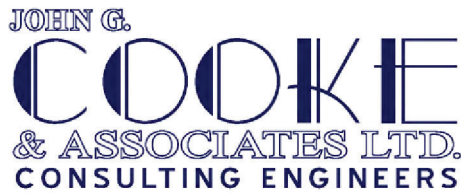
**Description of Heritage Attributes**

The heritage attributes of the three storey buildings are derived from their built heritage value as examples of the Renaissance Revival Style of architecture as designed by William Thomas,

architect. The heritage attributes include the upper levels of the front façades of 18-20 King Street East and 22 King Street East, including, but not limited to:

- All stone blocks, coursing, quoins and voussoirs on the second and third levels of the front façades;
- All window surrounds, sills and hood mouldings on the second and third levels of the front façades;
- The stone cornices and parapet walls of both buildings;
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level; and,
- The gable roof and dormers of 18-20 King Street East.

Notwithstanding the above list of heritage attributes, any alterations to the existing storefronts, entrances and signage on the ground level and any structural changes to the building that are likely to affect the heritage attributes shall be regulated through the City's Heritage Permit process.



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July 5, 2021

Attn: Mr. Jeff Feswick  
(jeff@historiarestitution.ca)

Project No. 21063

**Re: Gore Park Façades  
18 to 28 King St E – Consolidated Approach and Rationale**

Dear Mr. Feswick,

We have previously written three letters with respect to the façades at 18 to 28 King St. E, relaying our initial thoughts and further developing the approach to these façades in line with our scope of work. Given the further developments in our understanding, and pursuant to the request from Megan Hobson for the upcoming heritage permit application she will be making on behalf of the project, we hereby provide this letter which may be considered as a consolidated and updated report, reflecting our present understanding of the façades and the approach for each. This letter is meant to supplement but also replace the letters we have previously issued, and make it unnecessary to read the latter in the context of a heritage application that otherwise provides the broader context. There is some repetition of text from previous letters. The conclusions arrived at herein do not differ significantly from those that we communicated previously.

Accompanied by Historia Restoration staff, the undersigned recently visited the site with Megan Hobson on Friday June 25, 2021, as an opportunity to further review conditions and discuss the approach to the façades further. Your staff was able to remove interior finishes in several areas which advanced our understanding. We are also now in receipt of the 2015 report on conditions at 24 and 28 King prepared by Tacoma Engineers.

The buildings in question include four distinct façades, at 18-20, 22, 24, and 28 King St. E. For each, it is understood that the project intent is to demolish the building behind. Below, each façade is discussed in turn, beginning with a description of the condition and construction, the recommended conservation approach (where we believe this is possible), and some details we have identified to be developed further as the project proceeds to design development.

### **Façade at 18-20 King St E**

#### Construction and Condition

This façade consists of ashlar exterior stone with an interior wythe of squared rubble stone backup built to course. The exterior ashlar appears to consist of sandstone, likely Whirlpool Sandstone which was in apparently common use in the City in the era of construction, though conclusively determining this would require the appropriate laboratory analysis. The facade is load-bearing and includes wood window headers and beam connections set into the backup masonry. The interior wythe includes inset bands of wood, to act as a nailer strip for fastening interior finishes and windows. The exterior wythe is self-supporting, with round arches or lintels (sometimes with false joints to appear as a flat arch) to span window openings. The lower level of masonry is mostly nonexistent, having been removed to presumably accommodate a large storefront opening. During this previous intervention steel beams were introduced below the 2<sup>nd</sup> floor window piers, as well as steel columns to the foundation wall.

The façade is generally intact and plumb but some out-of-plane movement is apparent at the west end. Though the displacement does not register conclusively on the 3D scan, the façade is quite clearly separating from the west return wall and a continuous crack is visible at the interior from the third floor where the return wall is constructed of brick (see Fig. 1). On the most recent inspection, interior finish removals allowed access to view the keying/interface between at the second floor, which at this level

consisted of stone masonry. While at this level keying of the stone was again noted, the continuation of the crack was visible (see Fig. 2). The separation of the façade from the return wall would be a significant concern if left unaddressed. As the conservation intent, described below, is to introduce both temporary and permanent lateral restraint to the faced, and we understand the plan is to move forward with the project promptly, we believe the interim risk posed by this condition is relatively low.



Fig 1: 18-20, 3<sup>rd</sup> floor, West return wall separation



Fig 2: 18-20, 2<sup>nd</sup> floor, West return wall separation

Generally, the wall masonry is in fair-to-good condition, with the notable exception of the upper courses. These are in poor condition, owing to the water entry from the failed roof along the full length of the wall. The roof includes a gutter profile along its edge, which was roofed using the same shingles as the balance of the roof, and which has rotted and failed along the full length. This is directing all water that flows down the roof onto the tops of the cornice stones. These cornice stones and the courses immediately under them have many washed out joints and must be reset. The stones themselves are in better condition than one might otherwise expect, and are repairable. The piers to either side of the upper masonry must also be rebuilt. See Figures 3, 4, and 5.



Fig 3: 18-20, failed roof rotted framing above cornice



Fig 4: 18-20. Failed roof, pier at upper corner of façade

The large amount of water that has been directed at this wall has resulted in areas of efflorescence on the façade. This is caused by moisture within the wall being transported to the surface of the masonry, where it dries. When the water dries it leaves behind any dissolved salts on the surface. We expect that the masonry is currently quite saturated and masonry can take many years to dry fully. As a result,

we would expect that even if removed from the surface today, these salt deposits will quickly return. See Figure 6.



Fig 5: 18-20, cornice and bands of stone below.



Fig 6: 18-20, upper façade, efflorescence noted

The ground level masonry that remains was not treated with much consideration during previous interventions. Generally, stones were chipped or partially cut to receive new material, including the beams. If the intention were to restore this stone to its original appearance, a large number of Dutchman and other similar repairs would be required, introducing new material matching to the old. Paint is also present and ought to be removed. See Figure 7.



Fig 7: 18-20 & 22, example of ground level masonry

It is understood that the round dormers in the roof, set back from the wall are required to be retained for heritage purposes but it is clear that the framing for these is compromised. The roof framing all around them is also compromised and much of it is rotted. While preserving the existing framing and material for these dormers is not feasible, their general profile and position on the building was captured in the 3D laser scanning data and their form could be replicated with new material.

Wood elements that are embedded throughout the backup masonry, such as beam ends, lintels, and nailer strips, are in varying condition. Rot is evident on some. Other elements appear to have fared well. While rotted elements must naturally be addressed, there is also the potential for hidden rot, either internally, or at the side of the member facing the interior of the wall (and so not visible). The nailer strips introduce weak points in the wall and these will be removed.

### Conservation Approach

The proposed approach is to stabilize the façade and to retain it in-situ for eventual permanent attachment to the new building to be constructed on the site. A temporary steel frame would be erected on the sidewalk in front of the building, to temporarily support the façade during demolition and construction. We recommend the installation of a permanent steel “skeleton” at the interior of the existing masonry, following the pier and spandrel lines. This would consist of vertical and horizontal steel members, regularly anchored to the existing masonry. Aside from providing a convenient means by which to attach to the temporary and permanent structures for lateral stability that is independent of existing floor levels, the steel framing would tie together the façade elements. This would help ensure it behaves as a unit during subsequent modifications to remove embedded structural elements or modify load paths for gravity loads.

The conservation work would occur in two phases, with an initial *stabilization* phase and a future *conservation* phase. The final stone repairs, finishpointing, window installation, etc. would occur in the latter.

The intended minimum scope for *stabilization* phase work at the 18-20 King façade is as follows:

- Removal and salvage of cornice and upper level masonry for off-site storage and repairs.
- Repointing of several courses of masonry below the upper level to be removed (to be completed in advance of removals above in order to limit removal extent).
- Install stainless steel helical anchors, located at mortar joint intersections (to minimize damage to stone arrises), at several piers where out-of-plane deformation is apparent.
- Localized rebuilding and separation of return walls, to suit extent of return wall to be retained, which is to be coordinated with new construction.
- Protect the top of the wall (below removals) with a plywood cover and peel-and-stick membrane.
- Removal of all interior finishes to expose interior masonry.
- Selective repointing of interior masonry and of exterior masonry throughout.
- Removal of all wood nailer strips and replacement with masonry.
- Install permanent steel ‘skeleton’ frame anchored to interior of the masonry, following the spandrel and pier lines. This frame will be used to link the façades at 18-20 and 22 King together, ensure integrity of the façade masonry is maintained, as well as provide an attachment point for temporary and permanent restraint of the façade for lateral loads.
- Install temporary steel framing to retain façade prior to demolition of building behind.
- Ensure gravity loads are brought to foundations, or provide new permanent foundation system, depending on coordination with new construction.
- Install survey targets and/or vibration monitors for monitoring façade for movement/vibration during new construction (depending on foundation conditions, soil conditions, construction methodologies).

### Details to be Developed and Other Considerations

While this is not comprehensive, investigations and discussions to date have determined that there are a number of known aspects that require further development by the project team:

- Wall Assembly: The masonry is saturated in many upper areas and we expect this to take many years to fully resolve. While the damage to the stone from observed efflorescence appears to be fairly minimal so far, and we wouldn’t expect this to change, the result of continuing efflorescence would not be very attractive. If this is a serious concern, we believe that providing a means for moisture to dry towards the interior would help mitigate the issue. This could be done formally by having a building science consultant design a dynamic buffer zone, or less so by ensuring the project architects leave an air space with some natural ventilation on the interior side of the masonry wall. Though contrary to sustainability goals in general, the more waste heat that can be allowed to pass through this wall will help with overall drying, and mitigating future deterioration.

- **Embedded Wood:** The wood elements embedded in the wall must be assessed individually and thought put to the potential for future rot (and how to then address) if any wood is to remain embedded in the masonry. We do not believe wholesale replacement of backup masonry lintels with new stainless steel loose lintels is at all inappropriate if desired. The wood nailers will be addressed and replaced with masonry, in order to achieve as much masonry integrity as possible prior to temporarily stabilizing the façades.
- **Ground Level Masonry:** Given the condition of the ground level masonry, a high percentage of stones will require Dutchman or other repair. While this is more of an architectural consideration, we can confidently say that a perfect match between new and existing materials will be very difficult to achieve, and an imperfect result may give a mottled or otherwise unpleasant look. It may be appropriate to leave these stones as an artifact, or integrate them into the new façade material in a way that is complementary, and without expecting them to look perfect.
- **Foundation Wall:** It is understood that a new concrete foundation wall will be constructed below this façade for lower level parking. We believe construction is achievable, and that a methodology can be developed using the existing steel beams and columns at the ground floor level, whereby the existing foundation wall is removed and replaced sequentially. This will need to be coordinated with the new construction details.
- **Construction Monitoring:** For façades conserved in-situ, monitoring is often required depending on soil conditions and construction methodologies. Coordination is required to determine these. For vibrations we often recommend following the limits established in the DIN 4150-3 Standard, per line 3 of Table 1, copied below. While these limits are quite conservative, and are sometimes prone to being exceeded, we could make further determinations on limits based on observations before or during construction.

**Table 1: Guideline values for vibration velocity to be used when evaluating the effects of short-term vibration on structures**

Line	Type of structure	Guideline values for velocity, $v$ , in mm/s			
		Vibration at the foundation at a frequency of			Vibration at horizontal plane of highest floor at all frequencies
		1 Hz to 10 Hz	10 Hz to 50 Hz	50 Hz to 100 Hz*)	
1	Buildings used for commercial purposes, industrial buildings, and buildings of similar design	20	20 to 40	40 to 50	40
2	Dwellings and buildings of similar design and/or occupancy	5	5 to 15	15 to 20	15
3	Structures that, because of their particular sensitivity to vibration, cannot be classified under lines 1 and 2 and are of great intrinsic value (e.g. listed buildings under preservation order)	3	3 to 8	8 to 10	3

\*) At frequencies above 100 Hz, the values given in this column may be used as minimum values.

Building and settlement monitoring may also be advisable depending on excavation, excavation shoring, and soil conditions. Often monitoring of excavation shoring for lateral movement is already a project requirement, and it may be possible to add scope to include targets placed along any retained facades. Depending on soil and foundation conditions it may also be advisable to seek comment from geotechnical consultant regarding the potential for settlement due the lowering of the groundwater table that may be caused by the excavation and/or the future below-grade structure. Some soils are especially prone to this issue.

## Façade at 22 King St E

### Construction and Condition

The façade of 22 King is generally similar to that of 18-20 King, except that it is non-loadbearing and the backup material is brick. Like 18-20, steel framing was introduced to dispense with much of the original ground level masonry. Wood elements are similarly embedded in the interior masonry.

In term of general stability, the façade at 22 King appears to be plumb in the out-of-plane direction. However, the upper level appears to have moved laterally, in-plane, to the east, towards the building at 24 King. This is most evident at the third-floor pier adjacent to that building, where one stone has slid along its bed joint with the stone below (see Figs 8 and 9). The stones above have slid east, towards the building at 24, while the stones below have remained in place. There is a significant crack visible in the interior backup brick at this location.



Fig 8: 22, cornice and bands of stone below. Sliding indicated. Fig 9: 22, sliding at base of 3<sup>rd</sup> flr pier, E side.

The differential movement at the upper level of the façade is due to differences in construction between levels. Within the second level, the third floor framing is visible and is supported by a series of beams and piers along the east and west sides of the building. These piers and the façade backup masonry appear to be independent from the building at 24 King. However, at the roof framing, this condition is different. The roof joists are let into the brick return wall to the east (24 King) and plaster removals revealed keying between the façade backup and the east return wall. We believe this difference in construction and connectivity explains the observed displacement. It suggests that the upper level of 22 King is being pulled eastward by 24 King. The lower levels are structurally separate and are not.



Fig 10: 22, beam and piers underside 3<sup>rd</sup> floor framing



Fig 11: 22, roof framing, connected to adjacent bldg's.



The effect of the movement from 24 King appears is most pronounced at but is not be limited to the easternmost pier. Some stress has been put on the other piers of this façade. For both intermediate piers, finish removals uncovered a very slender brick backup pier, and both were slightly, but visibly rotated. We believe that these intermediate piers may be stabilized in-situ, but not so for the easternmost pier, which would require rebuilding.



Fig 12: Cornice and stones above, at 22 King



Fig 13: Deteriorated stone below cornice.

Aside from the above issue, much of the masonry of the façade is in fairly good condition given the circumstances, and certainly is repairable in-situ, with the notable exception of the cornice and the courses immediately above and below it. As with 18-20 King, the upper courses must be removed and reset, and we again recommend they be removed off-site for repair, with the wall to be capped temporarily. Unlike 18-20 King, the band of stones immediately below the cornice is in very poor condition in this case, and the stones are not repairable. Small corbels set into this band of stone are similarly deteriorated. This has been caused by moisture transmission leading to subflorescence and possibly freeze-thaw damage, resulting in extensive flaking and delamination of the stone. In some places it is possible to remove a delaminated piece of the sandstone and expose a layer of white salt behind it. This band of stone will require replacement with a new stone units, cut from a similar sandstone. See Figures 12 to 14.



Fig 14: Subflorescence and stone flaking

### Conservation Approach

As for 18-20, the proposed approach is to stabilize the façade and to retain it in-situ, with the same overall approach. Given the slender piers and stress from the movement of 24 King, the use of a steel skeleton frame is, in our view, critical in this case. Again, the conservation work would occur in two phases, with an initial *stabilization* phase and a future *conservation* phase, with the upper level masonry to be removed in the former and reinstated in the latter. Like 18-20, the construction would include a

foundation wall replacement, and this would be facilitated by sequencing and making use of the existing storefront beams.

The intended minimum scope for stabilization phase work at the 22 King façade is as follows:

- Removal and salvage of cornice and upper level masonry for off-site storage and repairs.
- Removal of the band below the cornice and eventual replacement with new stone cut to suit.
- Repointing of several courses of masonry below the upper level to be removed (to be completed in advance of removals above in order to limit removal extent).
- Rebuild easternmost pier, for two uppermost storeys, plus selective removal and shoring of masonry above it to accommodate.
- Protect the top of the wall (below removals) with a plywood cover and peel-and-stick membrane.
- Removal of all interior finishes to expose interior masonry.
- Selective repointing of interior masonry and of exterior masonry throughout.
- Removal of all wood nailer strips and replacement with masonry.
- Install permanent steel 'skeleton' frame anchored to interior of the masonry, following the spandrel and pier lines. This frame will be used to link the façades at 18-20 and 22 King together, ensure integrity of the façade masonry is maintained, as well as provide an attachment point for temporary and permanent restraint of the façade for lateral loads.
- Install temporary steel framing to retain façade prior to demolition of building behind. Unlike 18-20 King, this building does not have its own return walls to contribute to lateral stability during construction and this will be taken into account.
- Ensure gravity loads are brought to foundations, or provide new permanent foundation system, depending on coordination with new construction.
- Install survey targets and/or vibration monitors for monitoring façade for movement/vibration during new construction (depending on foundation conditions, soil conditions, construction methodologies).

#### Details to be Developed and Other Considerations

As for 18-20 King.

#### **Façade at 24 King St E**

##### Construction and Condition

The façade of 24 King consists of stuccoed multi-wythe brick. The stucco is failing and has debonded and spalled in many areas. Aside from the ground floor interventions, the intermediate windows piers at levels 2 and 3 have been removed and a steel beam introduced bearing on slender piers that do not appear to be keyed into the adjacent piers. Original pressed-metal window hoods once present at all second through fourth level windows have been removed. It appears as though concrete may have been introduced into the wall in some areas, but this is not confirmed.

The preceding description of differential in-plane movement at 22 King are suggestive of a problem with the building at 24 King. The previous interventions on the façade at 24 King to remove piers and create large window openings at three of the four floors is likely a contributing factor, especially as it looks as though the remaining piers at each end were built with some stack bonded brick to more easily create the reveals in their profile. Notably, the ground level pier at the interface with 28 was also removed once a steel column was installed below storefront beams, despite that pier being present for all levels above. This represents a significant lack of vertical continuity of stiffness in this façade. Overall, the previous interventions with respect to pier removals have significantly impacted the façade's in-plane lateral strength and stiffness. We believe this is a contributing factor to issues observed at 22 King and possibly at 28 King, and we suspect that there could also be some interaction or interdependence between the façades at 24 and 28 King.

Though the uppermost two floor levels were not accessed due to safety concerns about severe water damage at the floor structure (see Fig. 15), the lower two levels were accessed. The interior of the brick

masonry piers in these locations was noticeably saturated throughout. This is causing significant deterioration of the brick – not just spalling, but complete loss of integrity in many cases – likely due to repeated freeze-thaw cycles while in a saturated condition (see Fig. 16).

The exterior brick was noted to have been roughened with a chipper to help with the application of the existing stucco. The piers at either end of the façade include stack-bond masonry over much of their height, affecting their integrity and their resistance to in-plane lateral loads. There is evidence that these stack bond bricks at the piers are delaminating and the continuous vertical mortar joints have opened up.



Fig 15: 24 King, 3<sup>rd</sup> floor level, severe water damage.



Fig 16: 24 King, saturated, deteriorated brick.

### Conservation Approach

We do not believe it is reasonable to retain and conserve this façade in-situ. In fact, it is likely a contributor to the issues on adjacent façades. Similarly, we do not advise salvaging and reusing the existing masonry material given the possibility of introducing saturated or otherwise compromised brick into a new assembly. Previous use of non-permeable cement parging products has retained moisture and resulted in damaged and saturated bricks that may not be suitable for re-use.

It is understood that the project intent is to dismantle the existing façade, salvage the stamped metal cornice at roof level, and rebuild the façade with new material. We support this approach from a technical perspective. We leave the decision on replication of previous conditions more to the architectural and heritage planning members of the project team, though we are confident that this is feasible from a technical point of view.

### Details to be Developed and Other Considerations

New material selection is likely the top priority here, as well as providing a suitable substrate for reattachment of the salvaged and repaired decorative metal elements. This aspect is primarily driven by other members of the project team, including the architect and building structural engineer.

### **Façade at 28 King St E**

#### Construction and Condition

The façade of 28 King is constructed of ashlar stone, again believed to be Whirlpool Sandstone. The façade is non-loadbearing, except for a very small strip of flooring. The stones are generally very large, and stacked. Notably, there is very little interior backup masonry, except for some brick backup around windows. Piers have no backup masonry and interior finishes are affixed directly to the interior face of the pier stones.

The façade at 28 King has an obvious and significant issue with respect to the stability of the masonry, especially at the northeast corner. The east wall of the building is moving outward (towards the east), bringing part of the north façade masonry along with it. It is our understanding that existing risks of

collapse have already been considered by the project engineer and municipality, and mitigated by closing the adjacent laneway (at 30 King St E) and the sidewalk in front of the building, and so we are not commenting further in that regard.

The entire easternmost pier and easternmost spandrel panel of the façade at 28 are displaced and in need of rebuilding. The east pier stones are keyed into the east wall which itself is significantly out of plumb. The east wall has pulled on the façade, causing issues that are most apparent in the east bay (see Figs. 17 and 18). The uppermost level remains a question, and we expect significant rebuilding to be required here too. Finally, there is evidence of racking in this façade.

The uppermost level remains a question, and we expect significant rebuilding to be required here too.



Fig 17: 28 King, E-most pier, looking down, note rotation, and gaps



Fig 18: 28 King, E-most pier/spandrel, looking up note gaps in head joints.

The condition of the masonry units themselves is generally quite good and is generally repairable, with the notable exception of the ground level masonry. The latter is mostly missing and damaged following the previous creation of large storefront openings as was done for other façades here.

### Conservation Approach

While the stone itself is in good condition, the general stability concerns are such that a departure from the in-situ retention approach, as established for 18-22, is recommended in this case. In keeping with the minimal intervention approach to heritage conservation, the next step would be to salvage the existing material, which is of high quality, and to reinstate it. We recommend systematically dismantling the stone façade, identifying and labeling each stone, and transporting these to an off-site storage facility for repairs and to wait until the new construction is ready to receive them back on the site. This approach is not an uncommon one – for example, the stones for the entrance portals of the now-demolished IBM/Celestica buildings at Don Mills & Eglinton in Toronto are presently in storage for eventual reinstatement on an entirely new building.

Given the possibility of inter-reliance between this façade and 24 King, as well as the east return wall, the demolition/dismantling methodology will be such that work proceeds sequentially between the buildings across all levels.

The new construction at this facade would include a new concrete foundation wall built to receive both the new stones and an interior steel framing system, complete with a new anchorage and lateral support system for the existing stone, tied in turn to the new building structure.

It is fortunate that the nature of the construction of 28 facilitates rebuilding, with large ashlar stones and minimal backup material, as opposed to the rubble stone backup present throughout 18-22. The removal and reinstatement will also allow construction with an appropriate system for lateral anchorage and attachment, which we suspect is absent in the existing construction. The large size of the existing

stone units, with stones extending for full pier heights for example, and the lack of backup masonry result in a façade that is particularly well to removal and reinstatement using a crane and slings or even existing lewis pin holes, and working from a lift if to avoid the risks of working from scaffolding.

We are aware that some community members or authorities having jurisdiction may advocate for in-situ retention for this façade as well. We do not believe such an approach is advisable. A significant amount of stone is known to be required to be removed and reset already. However, we believe it is very likely that during the course of work we will find that additional stones have compromised bed joints or have been displaced, and are required to be reset. We can also foresee issues with a mason attempting to rebuild a significant portion of the façade while matching it to the lines of a retained portion, which is out of plumb/level. It will also be awkward working a new permanent framing and anchorage system around and into an existing assembly, especially at inwardly projecting stones and where the tops of stones are not accessible for new anchorage, as discussed in the section below. Finally, though secondary, is our opinion that the alternative, with two partial approaches, would be asking the Owner to carry additional cost and significant additional, and in our view unreasonable, construction risk.

#### Details to be Developed and Other Considerations

- The projecting cornice and sill band stones are noted to have counterbalancing interior cantilevers, to mitigate their tendency to rotate outward. The interior projections will likely conflict with This will need to be addressed when reinstating the stones and in the design. We propose to recut the backs of the stones, and restrain them from rotating by way of the new stainless steel anchorage system. A similar approach was developed by the undersigned at the Sir John A. Macdonald Building and lobby addition to the American Embassy, both in Ottawa, ON.
- Similar consideration to addressing the ground level masonry will be required, as noted for 18-20 King, as the stone at this level has a fair amount of damage.

We trust the above provides a comprehensive description of the approach to the façades at 18-28 King St. E., and that while there certainly remains work to be done, the information and opinions herein are helpful in the team's application for permits and approvals from authorities having jurisdiction. As always, if there are any questions that follow from the above or if there is additional input that you might find helpful, please don't hesitate to contact the undersigned.

Sincerely,

**JOHN G. COOKE & ASSOCIATES LTD.**



Jonathan Dee, P.Eng., ing., CAHP  
Associate

JD/jd  
21063/ltr\_4

SEAL

no.	FOR REVIEW	description	date
1	APR 23, 2021		






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 HAMILTON, ONTARIO  
 RETENTION PROJECT

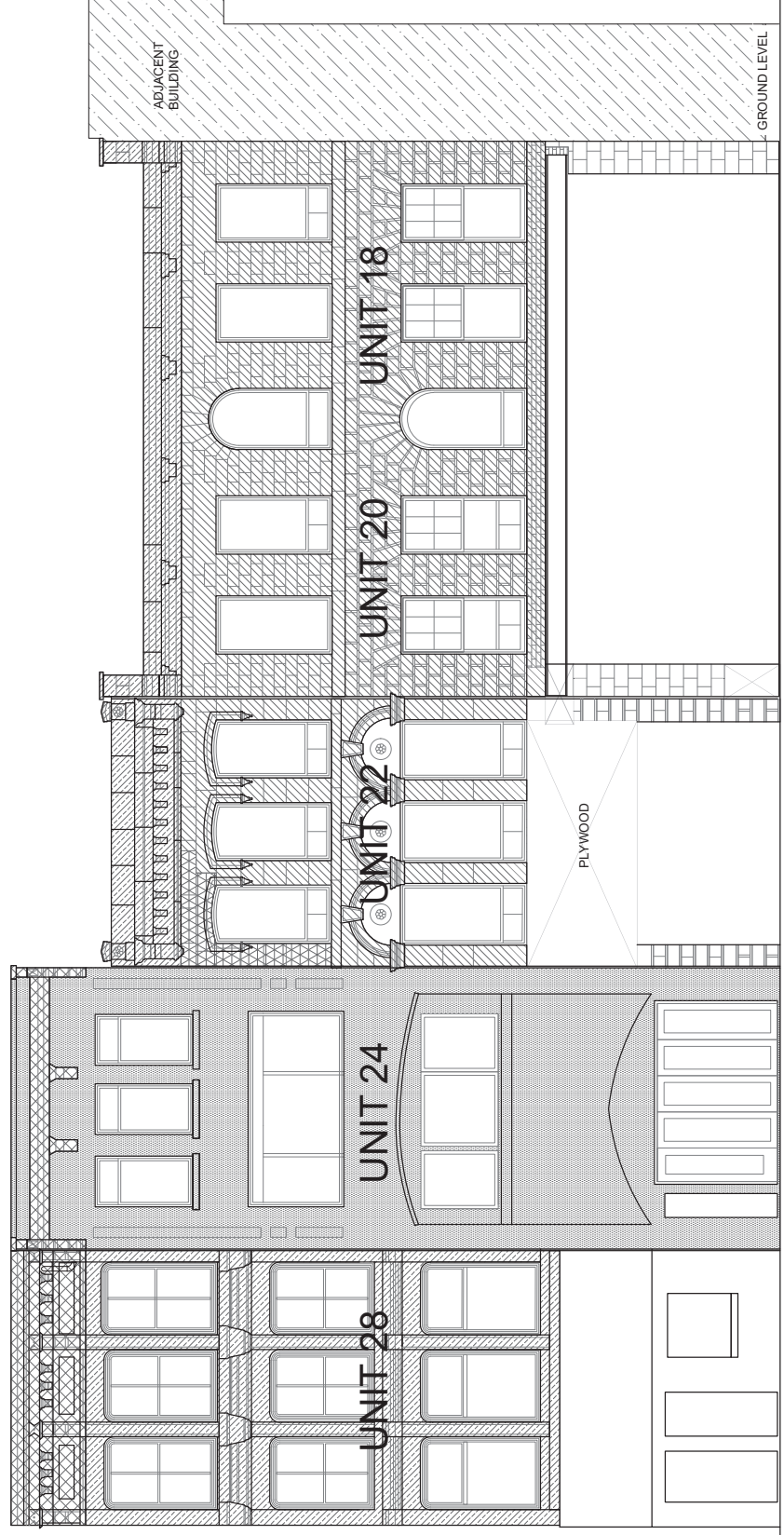
DRAWING:  
 NORTH FACADE ELEVATION

DESIGNED BY: \_\_\_\_\_ ID: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_ RC: \_\_\_\_\_  
 SCALE: NTS DATE: 04-26-2021

PROJECT No: 21063  
 DRAWING No: SK-S1

**LEGEND**

-  EXISTING FACADE MASONRY TO BE REBUILT PRIOR TO BEING RETAINED IN-SITU.
-  EXISTING FACADE MASONRY TO BE RETAINED IN-SITU.
-  EXISTING FACADE MASONRY TO BE DISMANTLED, SALVAGED, REPAIRED AS REQ. OFF SITE, AND RESET.
-  EXISTING FACADE TO BE DISMANTLED, REPLACED WITH NEW MATERIAL.
-  DECORATIVE ELEMENTS (METAL CORNICE AND SIM.) TO BE REMOVED, SALVAGED AND REINSTATED



NTS  
 — NORTH FACADE ELEVATIONS — 1 — SK-S1

Hughson Business Space  
Type 1  
Mixed-Use Building  
15-30 King Street East  
Hamilton, ON L8W 4G4 CANADA

006-522-0220  
6 Wellington Street West  
Hamilton, ON L8W 1H1

CPAI  
civil planning  
infrastructure  
urban design

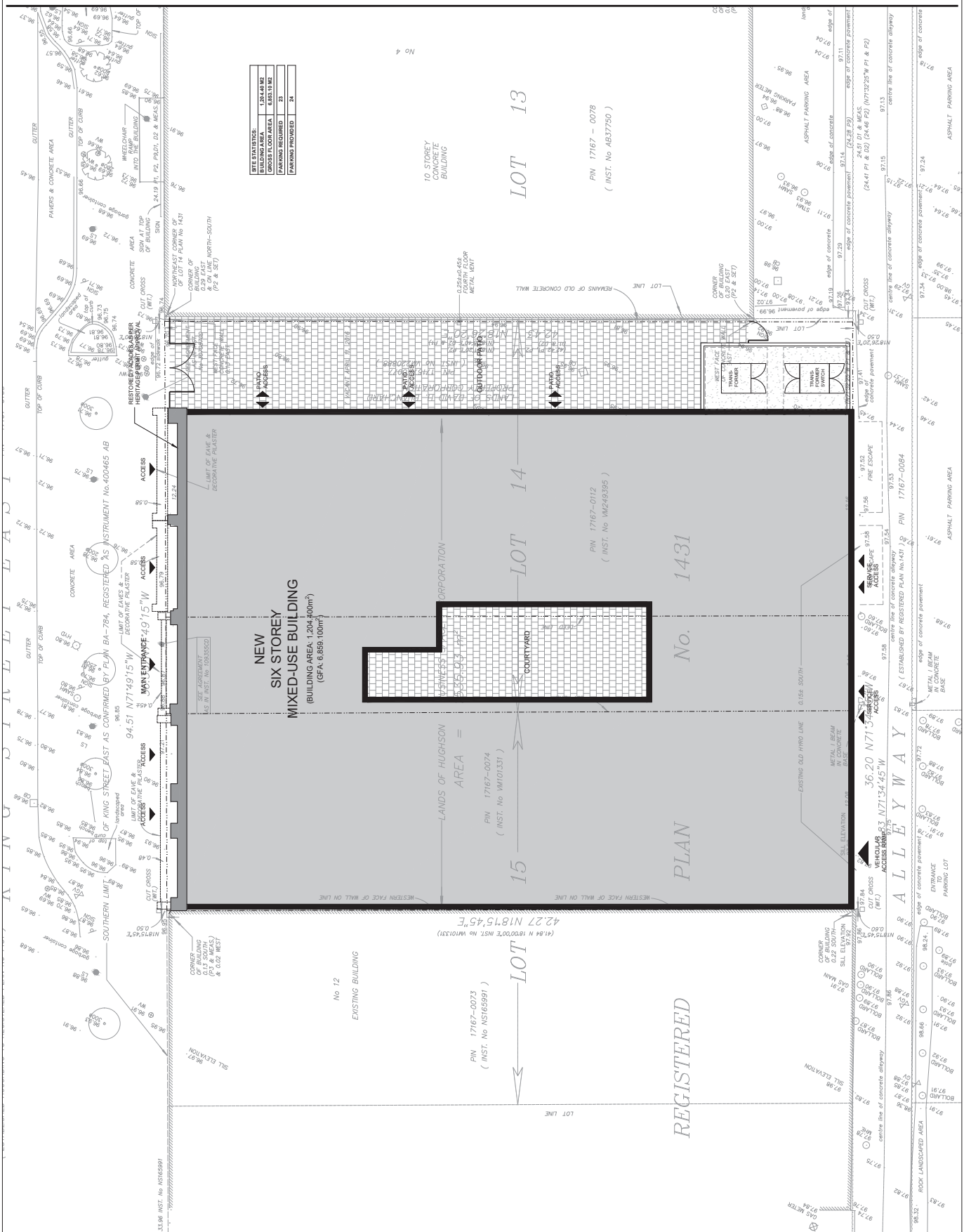
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Scale



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ISSUED FOR INFORMATION	2021-05-11
DATE	2021-05-11
DESIGNED BY	W. H. BROWN
DRAWN BY	W. H. BROWN

PRELIMINARY SITE PLAN

A01



SITE STATISTICS	
BUILDING AREA	1,204.40 M <sup>2</sup>
PROPOSED LOT AREA	6,859.10 M <sup>2</sup>
PARKING REQUIRED	23
PARKING PROVIDED	24

NEW SIX STOREY  
MIXED-USE BUILDING  
(BUILDING AREA: 1,204-400m<sup>2</sup>)  
(GFA: 6,859.10m<sup>2</sup>)

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(INST. No M4249395)

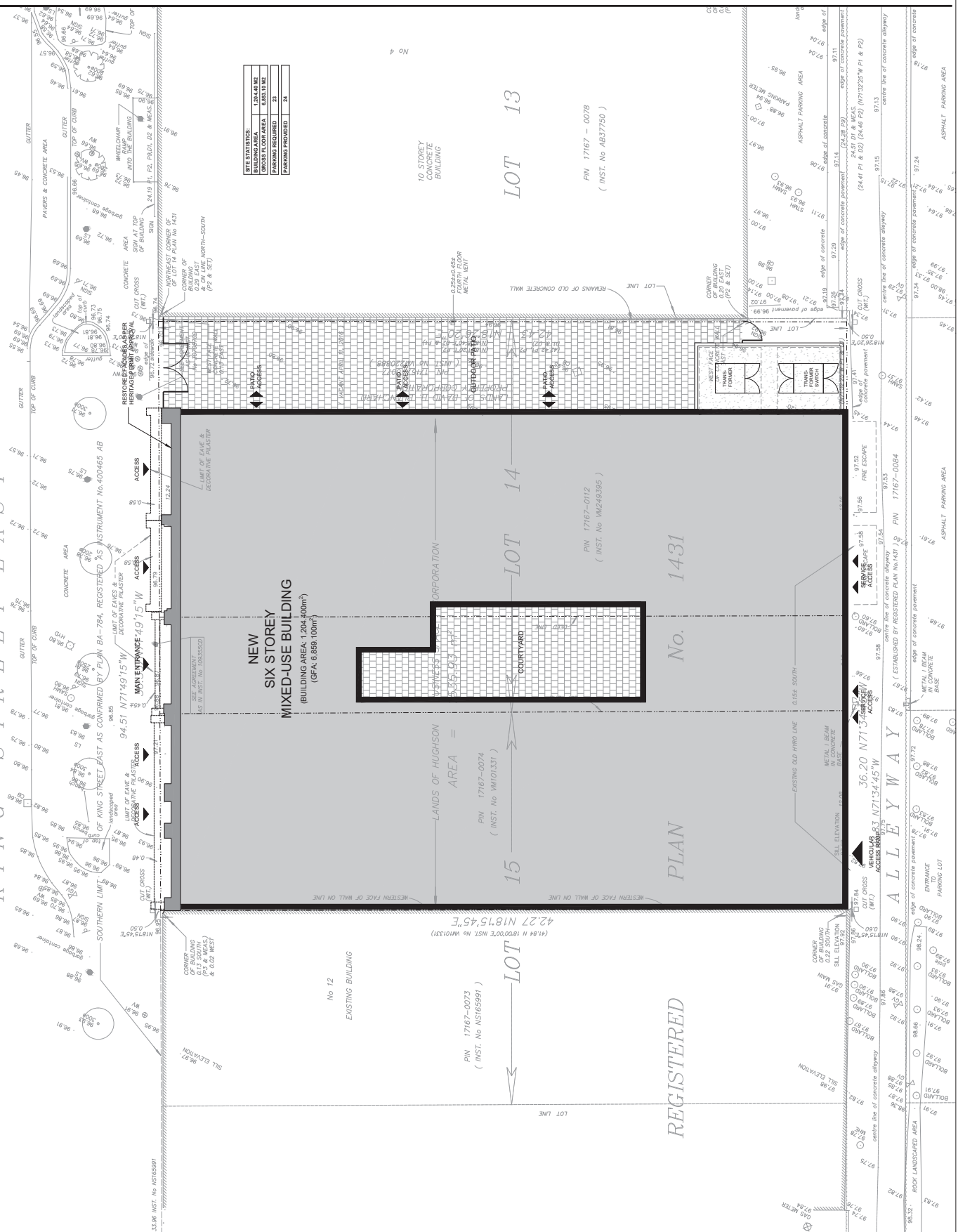
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10 STOREY  
CONCRETE  
BUILDING

REGISTERED PLAN No. 1431

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(INST. No NS165991)

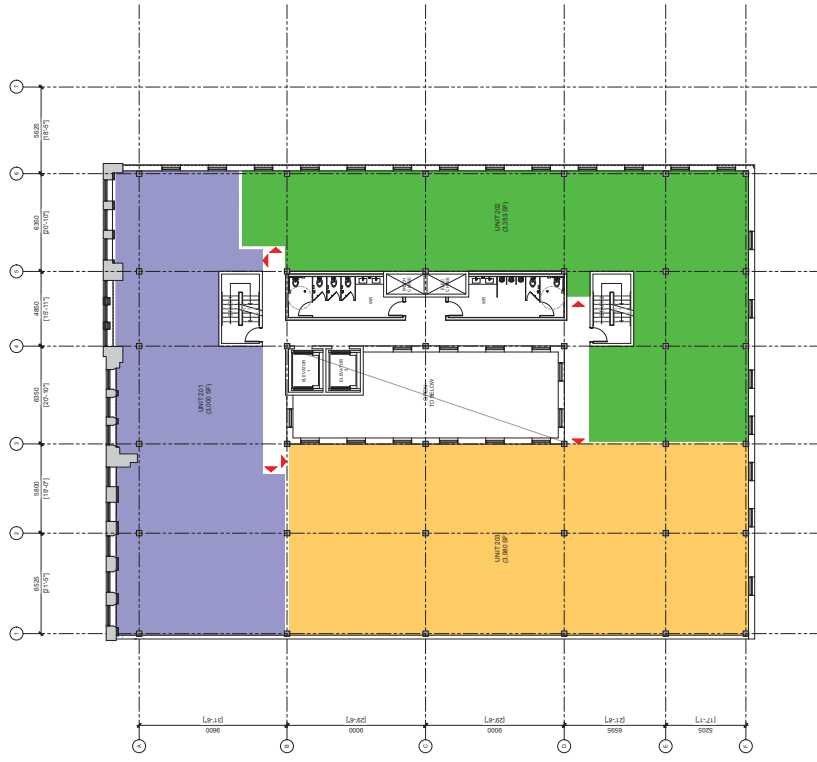
EXISTING BUILDING



Hughson Business Space  
 Commercial Office  
 Mixed-Use Building  
 15-30 King Street East  
 Hamilton, ON L8P 1A5, CANADA

**cpai** | 905-522-0220  
 100 Wellington Street West  
 Suite 1800  
 Hamilton, ON L8P 1H1  
 commercial  
 interiors  
 urban design

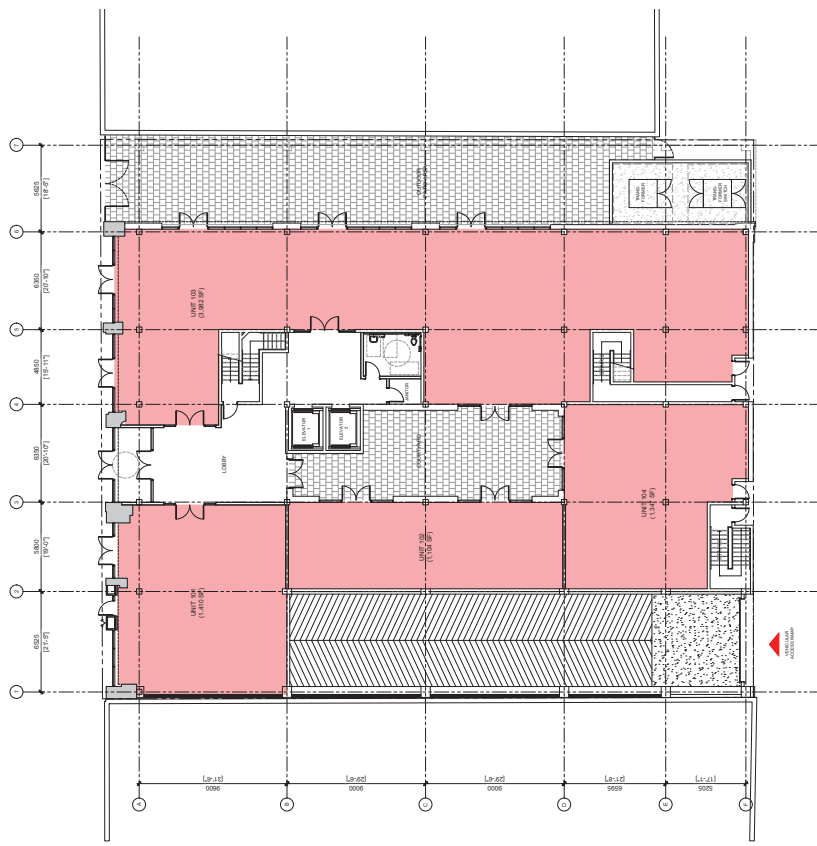
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 Contractor must verify all dimensions on the job and report any discrepancies immediately. Errors in drawings are the responsibility of the architect. The architect shall not be held liable for any errors or omissions in the drawings. This drawing is not to be used for construction without the approval of the architect.



FLOOR PLAN STATISTICS:

UNIT 201	3,000 SF
UNIT 202	3,333 SF
UNIT 203	3,228 SF
<b>TOTAL</b>	<b>9,561 SF</b>
<b>LEASABLE AREA:</b>	<b>960.00 SQ</b>
<b>GFA:</b>	<b>1,214.00 SQ</b>

2 SECOND FLOOR PLAN  
 SCALE: 1/8" = 1'-0"



FLOOR PLAN STATISTICS:

UNIT 101	1,415 SF
UNIT 102	1,166 SF
UNIT 104	1,347 SF
<b>TOTAL</b>	<b>3,928 SF</b>
<b>LEASABLE AREA:</b>	<b>721.60 SQ</b>
<b>GFA:</b>	<b>1,184.75 SQ</b>

1 GROUND FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

02 ISSUED FOR INFORMATION 2021-07-21  
 01 ISSUED FOR INFORMATION 2021-06-21  
 No. Issues/Revisions  
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 Sheet: 13  
 Date: 2021-07-21  
 Checked By: [Signature]  
 Drawn By: [Signature]  
 Project No.: 152102  
 Sheet: 13  
 Date: 2021-07-21  
 Checked By: [Signature]  
 Drawn By: [Signature]





Hughson Business Space  
 Conversion  
 Mixed-Use Building  
 15-30 King Street East  
 Hamilton, ON L8P 1A5, CANADA

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 100 Wellington Street West  
 Suite 1000  
 Hamilton, ON L8P 1H1  
 www.cpaiconsultants.com  
 interior architecture  
 urban design

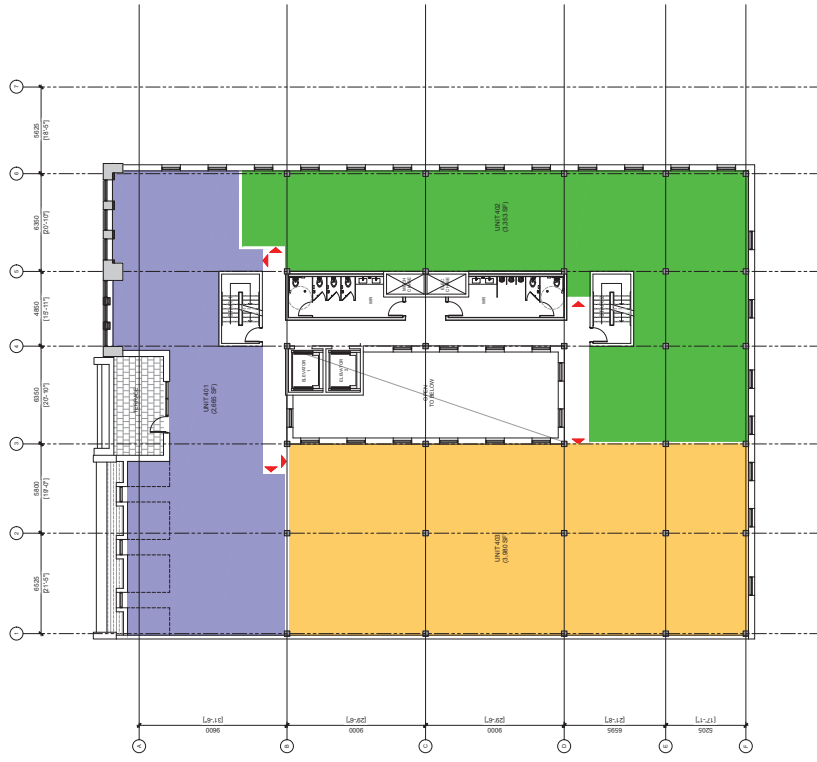
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02 ISSUED FOR INFORMATION 2021-07-05  
 01 ISSUED FOR INFORMATION 2021-06-01  
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 Sheet: \_\_\_\_\_  
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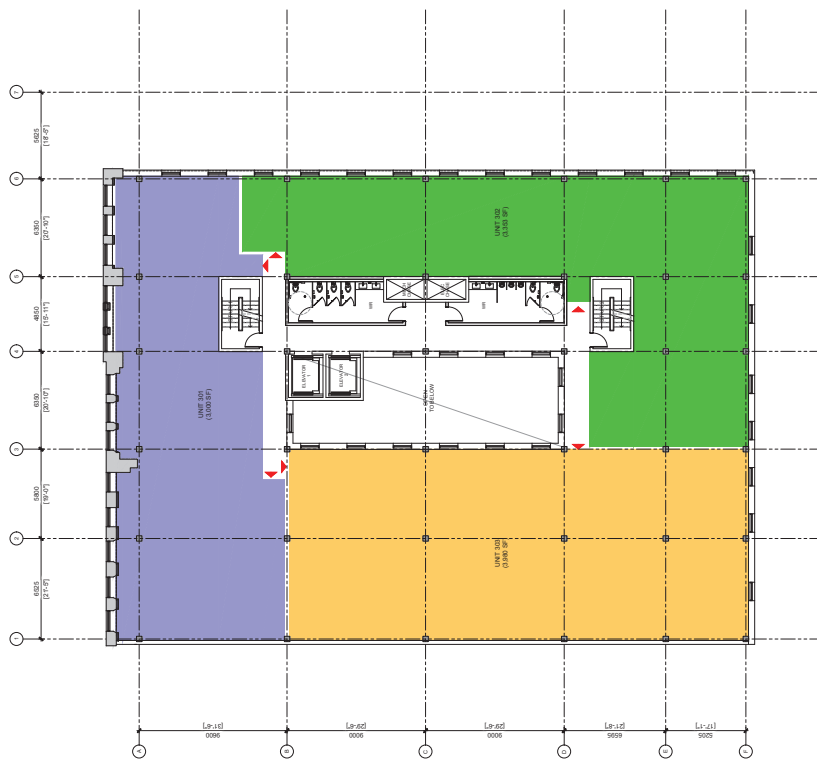
A03.02



FLOOR PLAN STATISTICS:

UNIT 401	2,665 SF
UNIT 402	3,333 SF
UNIT 403	3,254 SF
LEASABLE AREA:	9,252 SF
GFA:	11,000.00 M <sup>2</sup>

2 FOURTH FLOOR PLAN  
 SCALE: 1/32



FLOOR PLAN STATISTICS:

UNIT 301	3,000 SF
UNIT 302	3,333 SF
UNIT 303	3,254 SF
LEASABLE AREA:	9,587 SF
GFA:	11,000.00 M <sup>2</sup>

1 THIRD FLOOR PLAN  
 SCALE: 1/32

Hughson Business Space  
 Conversion of  
 Office Building  
 Mixed-Use Building  
 15-30 King Street East  
 Hamilton, ON L8P 1A5, CANADA

**cpai** | 905-522-0220  
 100 Wellington Street  
 Suite 200  
 Hamilton, ON L8P 1H1  
 info@cpai.ca  
 www.cpai.ca  
 interior architecture  
 urban design

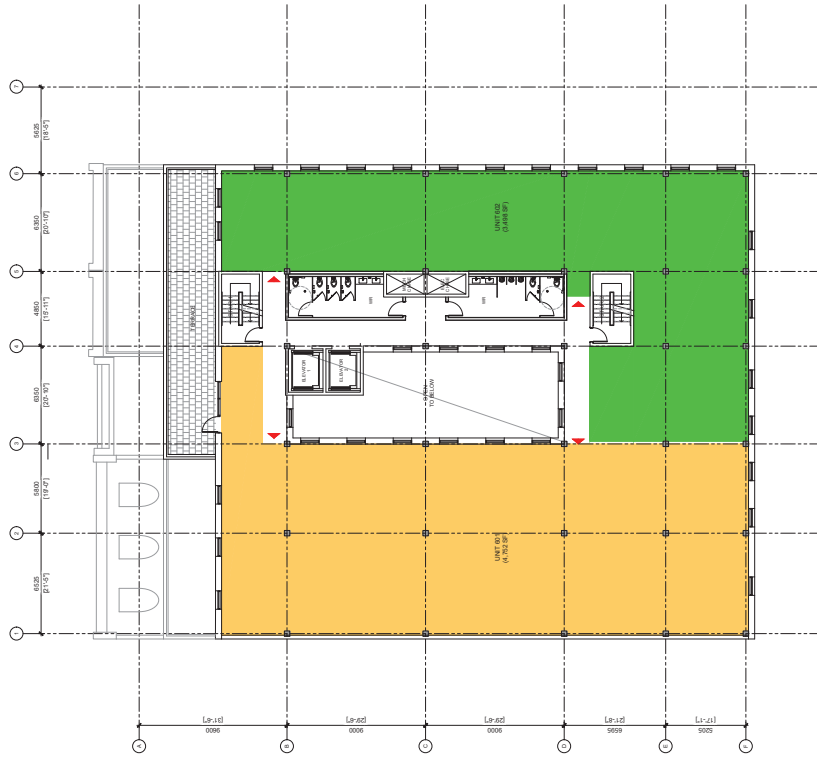
Drawings are not to be scaled.  
 Contractor must verify all dimensions on the job and report any discrepancies immediately. Discrepancies must be reported to the architect immediately upon discovery. The architect shall not be held responsible for any errors or omissions in the drawings. This drawing is not to be used for construction without the architect's approval.  
 Scale: 1/8" = 1'-0"



02	ISSUED FOR INFORMATION (2)	2021-07-05
01	ISSUED FOR INFORMATION	2021-06-01
No.	Issue/Revisions	Date
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Sheet No.:	05	
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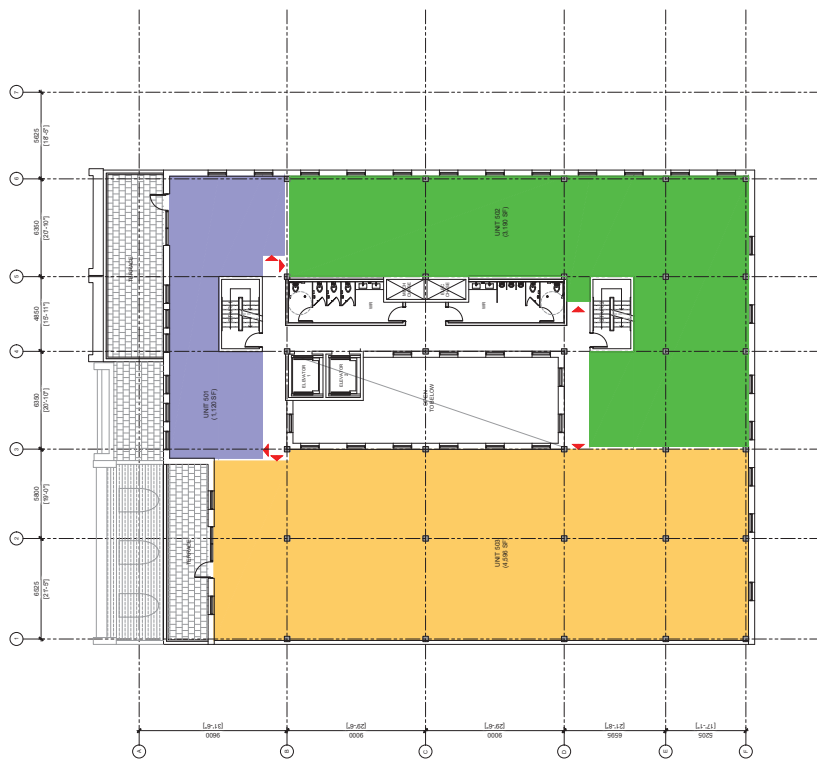


A03.033



FLOOR PLAN STATISTICS:	
UNIT 601	4,792 SF
UNIT 602	3,483 SF
UNIT 603	6,210 SF
UNIT 604	766.45 SF
LEASABLE AREA:	15,251.50 SF
GFA:	15,251.50 SF

2 SIXTH FLOOR PLAN  
 SCALE: 1/8" = 1'-0"



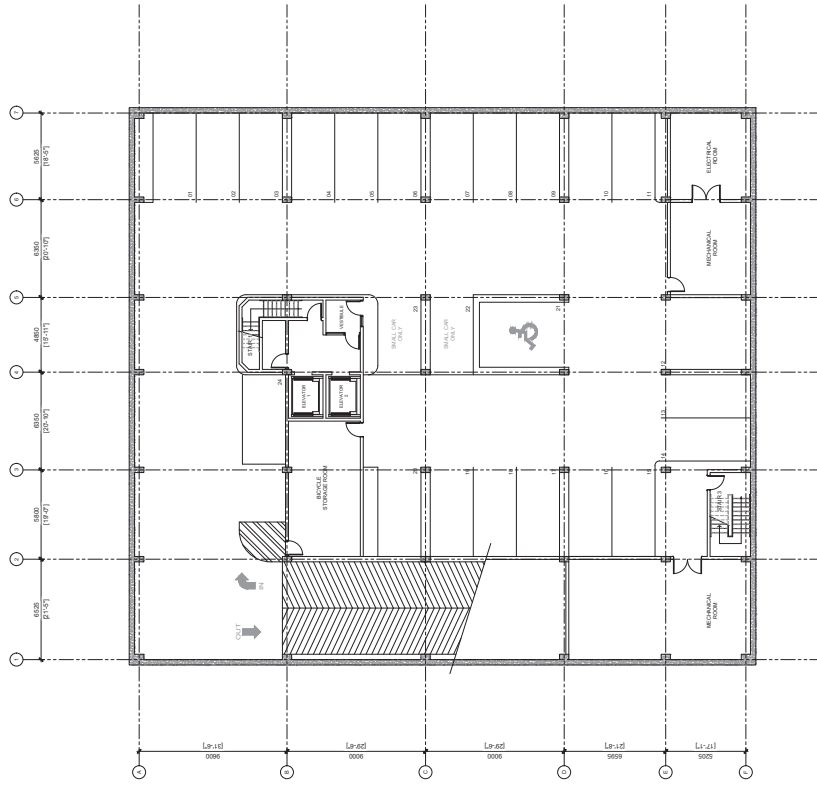
FLOOR PLAN STATISTICS:	
UNIT 501	1,120 SF
UNIT 502	3,120 SF
UNIT 503	6,592 SF
UNIT 504	6,898 SF
LEASABLE AREA:	17,730 SF
GFA:	17,730 SF

1 FIFTH FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

Hughson Business Space  
 Conversion  
 Mixed-Use Building  
 18-30 King Street East  
 Hamilton, ON L8P 1A5, Canada

**cpai** | 905-522-0220  
 100 Wellington Street West  
 Suite 200  
 Hamilton, ON L8P 1H1  
 info@cpai.ca  
 www.cpai.ca  
 interior architecture  
 urban design

Changes are noted in red.  
 Contractor must verify all dimensions on the job and report any discrepancies immediately. Dimensions shown on drawings are for information only and are not to be used for construction without being verified on the job. The contractor is responsible for the accuracy of the information on the drawings. This drawing is not to be used for construction without the approval of the architect.  
 Scale



1 UNDERGROUND PARKING LEVEL  
 SCALE: 1/8" = 1'-0"

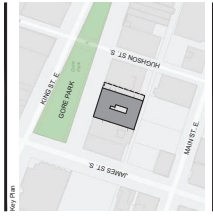
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 01 ISSUED FOR INFORMATION 2021-06-05  
 No. Issues/Revisions  
 Drawing Title  
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 Project No.: 182102  
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 Drawing No.: A03.04

A04.11

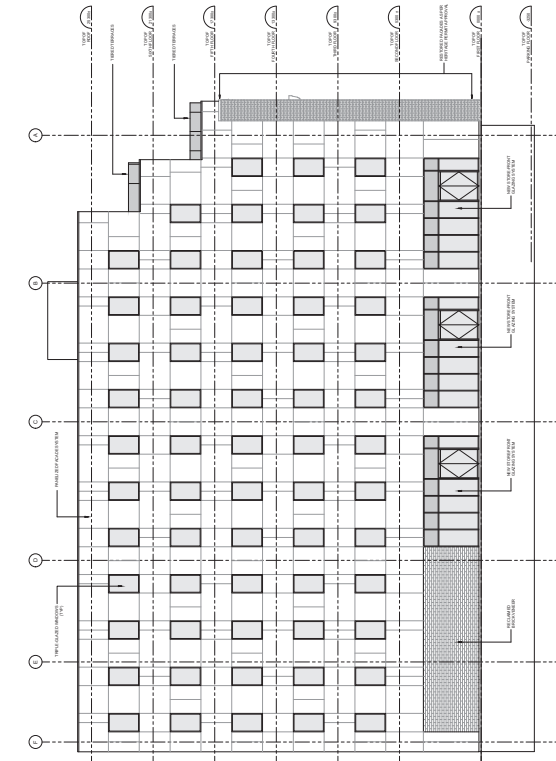
Hughson Business Space  
 Office Building  
 15-30 King Street East  
 Hamilton, ON L8P 1A5, Canada

CPAI  
 905-522-0220  
 25 Wellington Street  
 Hamilton, ON L8P 1H1

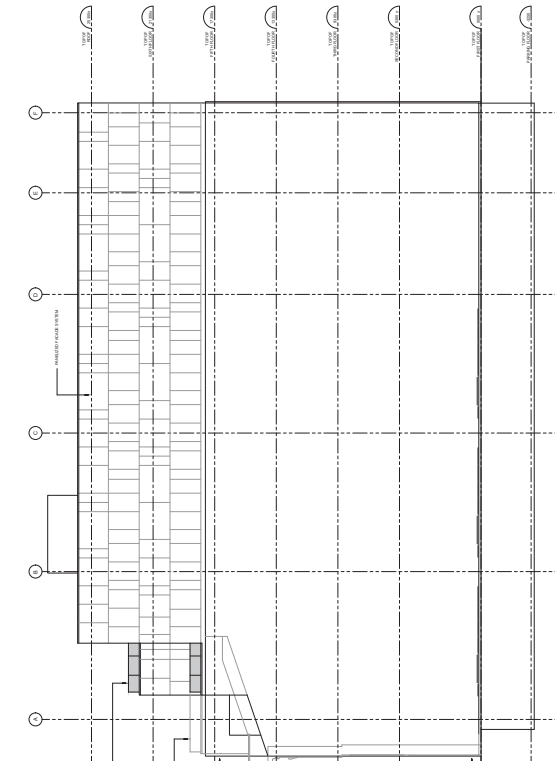
Changes are noted in red.  
 Contractor must verify all dimensions on the job and report any discrepancies immediately to the architect. All work must be in accordance with the Ontario Building Code and all applicable regulations. The architect shall not be responsible for the accuracy of the information provided in this drawing. This drawing is not to be used for construction without the architect's approval.  
 Scale



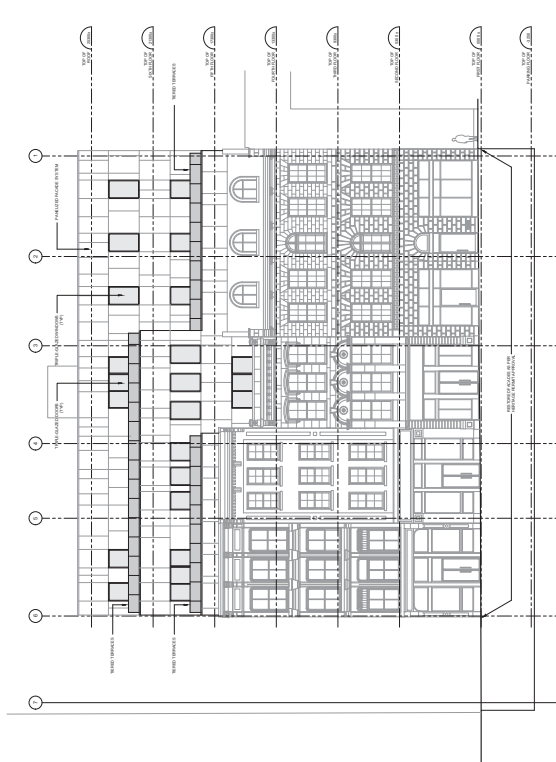
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01	ISSUED FOR INFORMATION	2021-06-01
Drawing Title:		
PRELIMINARY EXTERIOR ELEVATIONS		
Client:	CPAI	Drawn by:
Project No.:	152102	Scale:
Drawn by:	038	Checked by:
Project No.:	152102	Scale:
Drawn by:	038	Checked by:



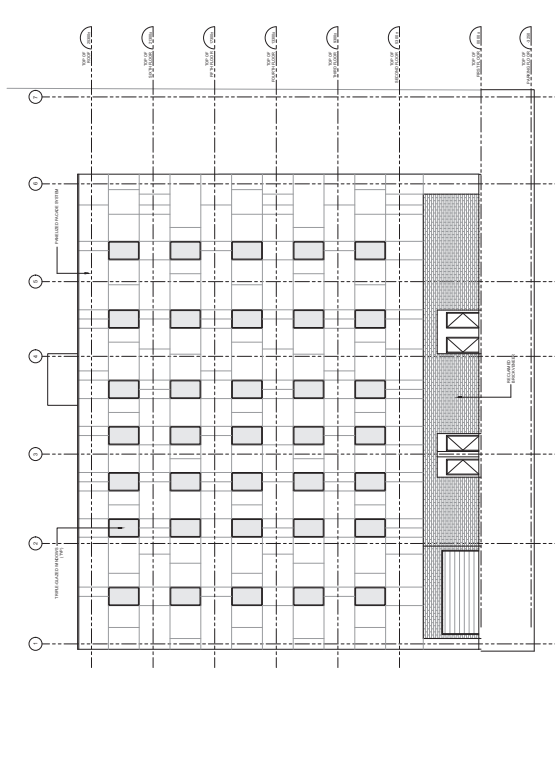
1 FRONT ELEVATION (NORTH)  
 SCALE 1/8" = 1'-0"



2 SIDE ELEVATION (EAST)  
 SCALE 1/8" = 1'-0"



3 SIDE ELEVATION (WEST)  
 SCALE 1/8" = 1'-0"



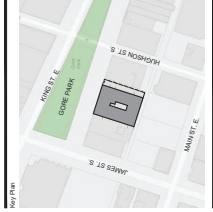
4 REAR ELEVATION (SOUTH)  
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A05.11

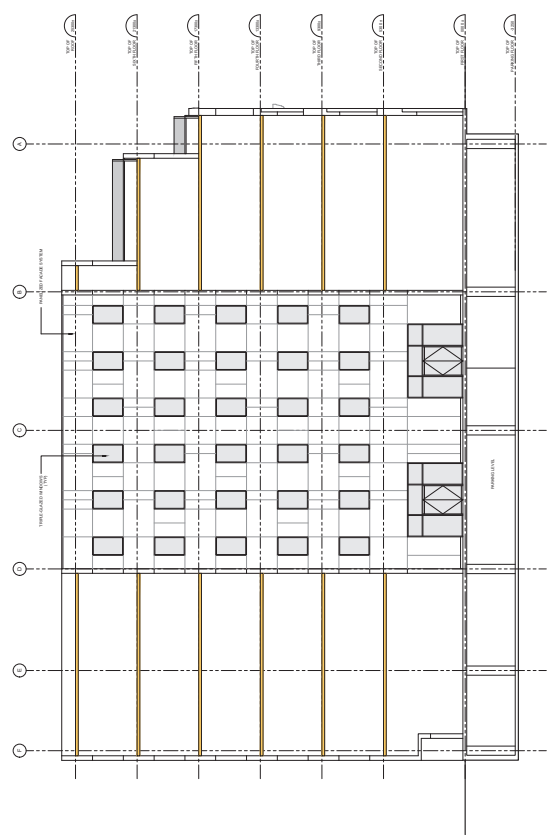
Hughson Business Space  
Conversion of  
Mixed-Use Building  
15-30 King Street East  
Hamilton, ON L8P 1A5, Canada

CPAI  
905-522-0220  
100 Wellington  
C-200  
Hamilton, ON L8P 1H1  
interiors  
urban design

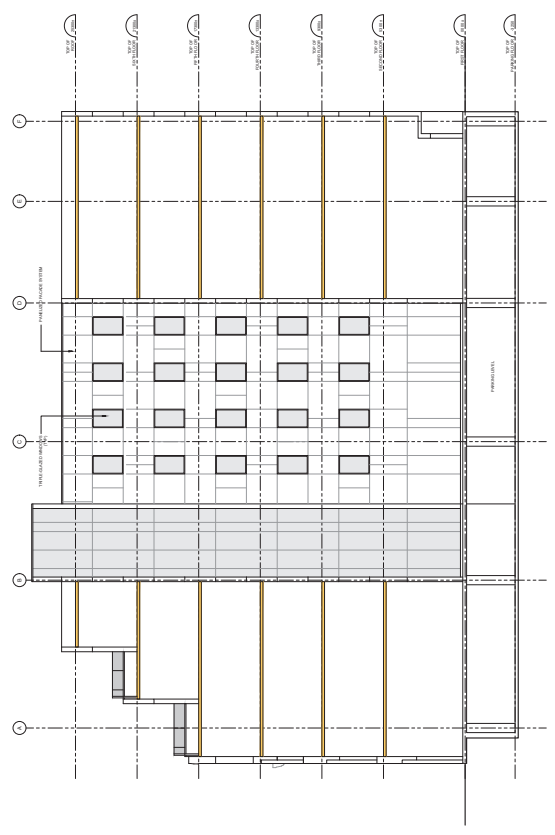
Drawings are not to be used for construction until the drawings are sealed.  
Contractor must verify all dimensions on the job and report any discrepancies immediately to the architect.  
The drawings are not to be used for construction until the drawings are sealed.



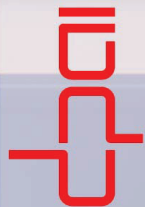
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No.	Issue/Revisions	Date
Drawing Title		
PRELIMINARY BUILDING SECTIONS		
Sheet Name	Checked By	Date
005		
Project No.	152102	Book
1 Drawing No.		



1 BUILDING SECTION THROUGH COURTYARD - EAST  
SCALE: 1/8" = 1'-0"



2 BUILDING SECTION THROUGH COURTYARD - WEST  
SCALE: 1/8" = 1'-0"

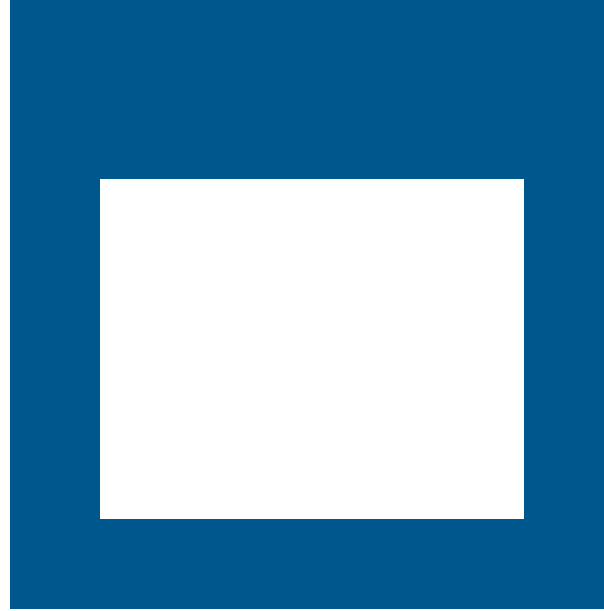












HERITAGE PERMIT APPLICATION HP2021-037,  
UNDER PART IV OF THE *ONTARIO HERITAGE ACT*,  
FOR FACADE INTEGRATION INTO  
REDEVELOPMENT OF 18 - 28 KING STREET EAST,  
HAMILTON (WARD 2)

September 24, 2021

# HP2021-037 - 18-28 King Street East (Hamilton)



# HP2021-037 - 18-28 King Street East (Hamilton)



# HP2021-037 - 18-28 King Street East (Hamilton)

## Scope of work:

- Proposed redevelopment integrating the designated heritage facades into a new 6-storey mixed use building.
- Retention of the Kerr Building (18-22) facades, replication the Skinner Building (24) facade and dismantling and rebuilding the Glassco Building facade (28)
- 30 King St E proposed to be a courtyard

## Reason for work:

- Redevelopment of site

# HP2021-037 - 18-28 King Street East (Hamilton)



# HP2021-037 - 18-28 King Street East (Hamilton)



# HP2021-037 - 18-28 King Street East (Hamilton)

## HERITAGE ATTRIBUTES

- TO BE PRESERVED
- TO BE REPLICATED
- TO BE SALVAGED (parapet walls)

### 18-22 King Street East (Kerr Buildings)

- All stone blocks, coursing, quoins and voussoirs on the second and third levels of the front façades;
- All window surrounds, sills and hood mouldings on the second and third levels of the front façades;
- The stone cornices and parapet walls of both buildings;
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level; and,
- The gable roof and dormers of 18-20 King Street East.

### 24 King Street East (Skinner Building)

- The brick façade of the third and fourth levels of the front façade;
- The window openings and stone sills on the third and fourth levels of the front façade;
- The cornice and stone end brackets;
- All surviving original brick and stone materials and features remaining under the existing storefront cladding and signage on the ground and second levels; and,
- The parapet walls

### 28 King Street East (Glassco Building)

- All stone masonry walls and pilasters on the second, third and fourth levels of the front façade;
- All window openings and sills on the second, third and fourth levels of the front façade;
- The original two-over-two wood window sashes and frames in the third and fourth level window openings;
- The wood framed picture windows and leaded transoms in the second level window openings;
- The projecting stone horizontal mouldings between the second and third levels and the third and fourth levels;
- The cornice and parapet walls;
- A stone pilaster at the northeast corner of the ground level; and,
- All surviving original stone materials and features remaining under the existing storefront cladding and signage on the ground level.



# HP2021-037 - 18-28 King Street East (Hamilton)

Existing conditions:



*Fig 1: 18-20, 3<sup>rd</sup> floor, West return wall separation*



*Fig 2: 18-20, 2<sup>nd</sup> floor, West return wall separation*



*Fig 4: 18-20. Failed roof, pier at upper corner of façade*

# HP2021-037 - 18-28 King Street East (Hamilton)

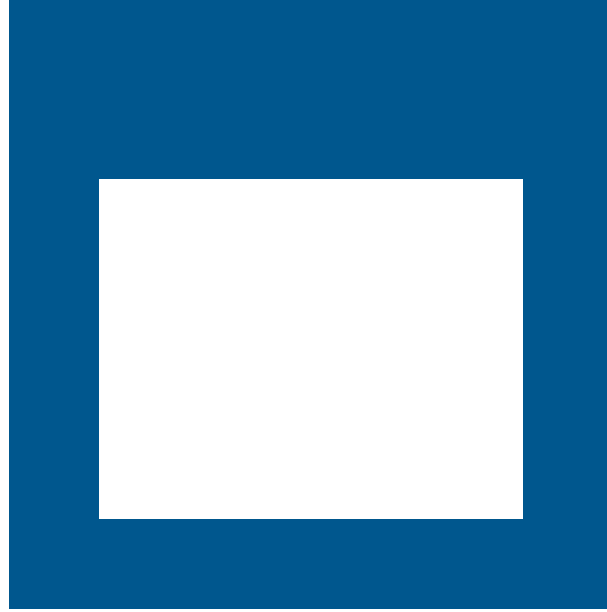
## Proposed Conditions:

- That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be prepared and submitted by the applicant to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- That a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for removal of portions of the building;
- That prior to the issuance of any Building Permit for demolition or new construction, the applicant enters into and registers on title a Heritage Easement Agreement and covenant with the City;
- That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to any application for a Building Permit and / or the commencement of any alterations;

# HP2021-037 - 18-28 King Street East (Hamilton)

## Proposed Conditions:

- That should a Building Permit for the proposed alterations, in accordance with this approval, not be obtained and acted upon by October 31, 2023 then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- That the proposed alterations, in accordance with this approval, shall be completed no later than October 31, 2024. If the alterations are not completed by October 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in the above conditions of this approval, if that request is submitted prior to the expiry and if progress is being made.



THANK YOU



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Planning Division

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	September 24, 2021
<b>SUBJECT/REPORT NO:</b>	Heritage Permit Application HP2021-033, under Part IV of the <i>Ontario Heritage Act</i> for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Stacey Kursikowski 905-546-2424 Ext. 1202
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That Heritage Permit application HP2021-033, for the relocation of the Part IV designated heritage building at 398 Wilson Street East, Ancaster, under section 34 of the *Ontario Heritage Act*, be deemed to be premature and therefore be **denied**;
- (b) That appropriate notice of the Council decision be served on the owner of 398 Wilson Street East, Ancaster, and the Ontario Heritage Trust, as required under Section 34 of the *Ontario Heritage Act*.

### EXECUTIVE SUMMARY

The subject property is located at 398 Wilson Street East on the east side of Wilson Street East, north of Academy Street in the Ancaster Village Core (see Appendix "A" attached to Report PED21196). The property was designated in 1978 under Part IV of the *Ontario Heritage Act* by By-law No. 78-87 (see Appendix "B" to attached Report PED21196). The property is located within the Ancaster Village Core Cultural Heritage Landscape Inventory and is part of an amalgamated parcel of land which is comprised of 392, 398, 400, 406 and 412 Wilson Street East and 15 Lorne Avenue.

**SUBJECT: Heritage Permit Application HP2021-033, under Part IV of the *Ontario Heritage Act* for the relocation of the building at 398 Wilson Street East, Ancaster (PED21196) (Ward 12) - Page 2 of 14**

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The agent representing the owner of 398 Wilson Street East submitted a Heritage Permit application to relocate the two-storey stone building (hereinafter referred to as the 'Marr House'), from the subject property to an alternate location at the rear of the amalgamated parcel of land (see Appendix "C" attached to Report PED21196).

Staff have reviewed the documentation submitted with the application and have concluded that the proposal as submitted is premature as there is insufficient evidence and/or missing information to support the relocation of the building. The Heritage Permit Review Subcommittee of the Hamilton Municipal Heritage Committee (HMHC) were consulted and advised that the application as submitted consider the application to be premature and there be refused.

According to the application and submitted documentation, the requirement for the proposed relocation is to address groundwater and subsurface soil contamination around and below the Marr House as a result of a former gas station that existed adjacent to the site. No additional information or details pertaining to the future use of the site were included with the submission and no *Planning Act* applications have been submitted to date.

Staff concur with the advice of the Heritage Permit Review Subcommittee and recommend that Heritage Permit application HP2021-033 to relocate 398 Wilson Street East, Ancaster be denied.

***Alternatives for Consideration – See Page 12***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None.

Staffing: None.

Legal: Given the properties designation under Part IV of the *Ontario Heritage Act*, this Heritage Permit application has been processed and considered within the context of the applicable legislation, as per the date in which the application was submitted to the City of Hamilton (June 4, 2021). Given the proposal seeks to remove the building and its heritage attributes from the limitations of the designated parcel of land, the proposal would be classified and interpreted as a demolition.

Section 34 (1) of the *Ontario Heritage Act* states that:

"No owner of property designated under section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of

a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal”.

Section 34 (1.2) of the *Ontario Heritage Act* states that  
“The council, on receipt of an application under subsection (1) together with any information it may require under subsection (1.1), shall serve a notice of receipt on the applicant”.

Section 34 (2) of the *Ontario Heritage Act* states that:  
“Within 90 days after the notice of receipt is served on the applicant under subsection (1.2) or within such longer period as is agreed upon by the owner and the council, the council, after consultation with its municipal heritage committee, if one is established,

- (a) may,
  - (i) consent to the application,
    - (i.1) consent to the application, subject to such terms and conditions as may be specified by the council, or
  - (ii) refuse the application;
- (b) shall give notice of its decision to the owner and to the Trust; and,
- (c) shall publish its decision in a newspaper having general circulation in the municipality.”

The *Ontario Heritage Act*, in addition to the Council approved Heritage Permit Process (Report PED05096), does not allow for the delegation of Council’s authority to consent to demolition or removal of a building or structure, nor Council’s authority to deny an application.

The Heritage Permit application was received on June 4, 2021 and the Notice of Receipt was issued on August 6, 2021 following a meeting between City staff and the applicant’s project team. The *Ontario Heritage Act* requires that Council make a decision on a Heritage Permit application within 90 days of the issuance of a Notice of Receipt. If no decision is reached within the 90-day timeframe, Council shall be deemed to consent to the application. The subject application’s 90-day timeframe will be reached on November 4, 2021.

## **HISTORICAL BACKGROUND**

The Marr House is a three-bay, two-storey random rubble stone house with a gabled-roof running north and south (see Appendix “D” attached to Report PED21196). The exterior composition and architecture of the building is significant to the historical value of the property, as is its location on Wilson Street. Schedule “B” – Reasons for Designation as attached to By-law No. 78-87 states that the structure is a:

“well-preserved and charming Georgian stone house dating from circa 1850, although some stylistic details suggest an earlier date. The use of stone as a construction material relates the building to several other important buildings on Wilson Street. For these reasons the building is of great importance to the Wilson Street streetscape”.

An overview of the exterior of the structure as it exists today is summarized below:

- The west façade facing Wilson Street East is symmetrical with a central door recessed into the wall with a five-pane top light/transom. There is a window to either side of the door on the ground floor, while the upper-storey has three windows, slightly smaller than those on the ground floor. Each of the windows on this elevation consist of twelve panes and sit below a stone flat arch, which is also visible over the central door;
- The north façade consists of three windows, each with twelve panes below stone flat arches. In the upper east side of the façade, a remnant fourth window opening is visible however, it was blocked prior to the designation of the building;
- The south façade is blank with no openings; and,
- The east façade originally resembled the west façade however a one-storey tail addition with an east-west gable roof was constructed at some point following designation. Three upper-storey twelve pane windows and one one-over-one window are visible on the rear façade, below stone flat arches. The later addition, clad in board and batten, conceals a minimum of two original openings and extends outwards towards the rear of the property. The addition is not included in the designation by-law or cultural heritage value or significance of the structure.

According to the Cultural Heritage Assessment prepared in support of the 1978 Part IV designation, the building was originally constructed as a residence for Adam Marr, a local cabinet-maker. Following that, John Phillip, a stone-mason, proprietor and village constable resided on the property. Over time, the use of the building has changed to commercial uses which have continued to the present day.



## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement (2020)**

Section 2.6 of the Provincial Policy Statement (PPS) pertains to Cultural Heritage and Archaeology. Subsection 2.6.1 states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”.

The subject property has been recognized as a significant built heritage resource that has been designated under Part IV of the Ontario Heritage Act. The conservation of built heritage resources, as defined in the PPS, relates to their identification, protection, management and use in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*.

Subsection 2.6.2 states that “development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved”.

In response to a 2019 Formal Consultation application, Cultural Heritage staff advised that the subject property met six of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential and required that an Archaeological Assessment be completed for the entirety of the site and submitted with any future application. To date, staff have not received an Archaeological Assessment or confirmation from the Ministry. As such, Municipal interest in the archaeological potential of this site has not been satisfied.

### **Urban Hamilton Official Plan**

Volume 1, Section 3.4 - Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (UHOP) states that the City shall “protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes” (Policy B.3.4.2.1(a)). While establishing a list of goals to ensure the care, protection and management of heritage resources within the City including Policy B.3.4.1.3 that states “all new development, site alterations, building alterations and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources”.

The Official Plan recognizes the importance that location plays on the value of heritage and the many unique districts, communities and neighbourhoods, including historic downtown areas such as Ancaster throughout the City and states that:

- The City shall “conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City” (Policy B.3.4.2.1(h));
- The City shall “recognize and consider these differences when evaluating development proposals to maintain the heritage character of individual areas” (Policy B.3.4.2.2);
- “Within these downtown areas, the City shall conserve individual cultural heritage properties and areas of heritage value, including streetscape features, traditional circulation patterns, and important views, and ensure that new development respects and reflects the design of surrounding heritage buildings” (Policy B.3.4.3.2); and,
- The City shall “encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the *Planning Act*, R.S.O., 1990 c. P.13 and heritage permit applications under the *Ontario Heritage Act*, there shall be a presumption in favour of retaining the built heritage resource in its original location” (Policy B.3.4.5.2).

### **Ancaster Wilson Street Secondary Plan (OPA 24)**

The subject property is located within the Village Core area of the Ancaster Wilson Street Secondary Plan (Volume 2, Section 2.8) within the Urban Hamilton Official Plan (UHOP) which outlines a vision for the picturesque and historic community, one of the oldest in Ontario, rich in history, manifesting itself in a wealth of cultural and natural heritage features and its unique character. The Secondary Plan seeks to create a complete community while continuing to respect the history and character that creates its unique sense of place, while enhancing and protecting heritage and cultural resources. The Secondary Plan encompasses the historic downtown area of Ancaster and recognizes the importance in maintaining and enhancing the overall character of the area, which includes preserving older buildings, varied street fronts, and a distinct look and feel, while ensuring that future development or redevelopment is in keeping with the direction of current planning policy.

These policies demonstrate Council’s commitment to the identification, protection, and conservation of the cultural heritage resources.

## **RELEVANT CONSULTATION**

### **Previous Applications**

In 2019, a Formal Consultation application (FC-19-019) was submitted for the subject property (392-412 Wilson Street East and 15 Lorne Avenue). The applicant proposed to redevelop the lands to include a six-storey, mixed-use building with 122 residential units and 1,256.2 square metres of commercial floor space at grade. A total of 223 parking spaces were proposed, of which, 175 were proposed to be in a single level of below grade parking. All existing buildings on the site were proposed to be demolished, with the exception of the Marr House, which was proposed to be relocated to 15 Lorne Avenue to be used as private amenity space for the redevelopment.

As part of that process, internal staff and external agencies advised the applicants of the requirements and provided initial comments pertaining to the proposed redevelopment. It was noted that several *Planning Act* applications and studies were required in order to assess the proposal (Official Plan Amendment, Rezoning Application and Site Plan Application). To date, no *Planning Act* applications have been submitted for the proposed redevelopment of the entirety of the site, nor has a Site Plan Control application been submitted for the proposed relocation of the Marr House as is required for a commercial building.

### **Heritage Permit Review Subcommittee**

Pursuant to section 34 of the *Ontario Heritage Act* and the Council approved Heritage Permit Process (Report PED05096), the Hamilton Municipal Heritage Committee advises and assists Council on matters relating to Part IV and V of the *Ontario Heritage Act*. The Heritage Permit Review Subcommittee (HPRS) of the Hamilton Municipal Heritage Committee reviewed the subject application at a special meeting held on August 31, 2021.

The HPRS posed a number of questions during the meeting regarding the proposed location, the future intent of the site, the technical components associated with a relocation and contamination and potential risks associated with the proposed relocation given the age and construction of the building. The following is a summary of key questions and/or comments provided by the HPRS:

- The significance of the building's location on Wilson Street as it relates to its cultural heritage value. As a result, the building should not be moved away from Wilson Street;
- The proposed location is a hiding spot away from the streetscape and public view;
- How long is the building safe in its current position/location/state;

- What are the risks associated with relocating the building and impacts it could have on the building;
- Why can the building not be lifted, soil remediated, new foundation built and then set back down? Is there no example in the world where a site has been remediated without relocating or demolishing a building;
- What are alternative options and locations for relocating – further north along Wilson Street or south to the corner of Wilson and Academy;
- What is the scope and timing of the remediation process;
- How was the level of contamination determined;
- Does all the contaminated soil have to be removed? This is not the first time there is contamination below a building;
- Official Plan and Secondary Plan policies as it relates to keeping historic buildings in their original location;
- What is really driving the relocation; and,
- What are the intended future plans for the site and streetscape.

Following a discussion with the applicant and their consultants, the advice of HPRS is that the application, as submitted, be refused.

Staff have provided the applicant with a summary of the questions and comments provided by HPRS, as well as additional questions from staff, as outlined in the Analysis and Rationale for Recommendation Section of this Report.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

### **(1) Heritage Permit Application**

The application is seeking approval to relocate the two-storey stone building and remove the rear wing addition. In support of the application, the following documents were submitted (see Appendix “E” attached to Report PED21196):

- Covering letter prepared by GSP Group, dated June 4, 2021;
- Heritage Building Sketch;
- Remediation Measures and Building Structure Location Letter, prepared by Landtek Limited Consulting Engineers, prepared on April 30, 2021 (the “environmental letter”);
- Preliminary Landscape Sketch, prepared by Whitehouse Urban Design Landscape Architects & Urban Designers, dated February 19, 2021; and,
- Cultural Heritage Impact Assessment, prepared by GBCA Architects Inc., dated June 4, 2021 (the “CHIA”).

The applicant indicated they are requesting to relocate the building to:

- Permit the remediation of the site; and,
- Provide for the comprehensive redevelopment of the site, while providing for the long-term conservation of the building.

Key factors that are considered in the evaluation of any change affecting a heritage resource are:

- **Displacement effects:** those adverse actions that result in the damage, loss, or removal of valued heritage features; and,
- **Disruption effects:** those actions that result in detrimental changes to the setting or character of the heritage feature.

The subject property is designated by By-law No. 78-87, which recognizes the building as a well-preserved and charming Georgian stone house dating from circa 1850, although some stylistic details suggest an earlier date. That along with the use of stone as a construction material relates it to several other important buildings on Wilson Street, making it of great importance to the Wilson Street streetscape.

Additionally, according to By-law No. 78-87 the following features of the premises should be preserved:

- The four façades of the building, including the exposed stonework construction;
- The roof and chimneys (since removed) and return eaves; and,
- The five-pane top light over the front door; the surviving northeast ground-floor window in the east façade with its 12-over-12 sash should be preserved for reference in case the owner should desire to return the present two-over-two sashes to their original organization (since covered by addition).

The subject application would result in the displacement of the entire structure and all features from its designated location. Due to the complexities associated with relocating a random rubble stone structure of this vintage, the potential risk of adverse reactions that could result in damage to the structure is high and could be irreversible. The relocation would result in changes to the setting of the historic building, away from the Wilson Street streetscape which is a defining feature. As such, based on the contents of the designating By-law No. 78-87 and the information submitted, it is in staff's opinion that the cultural heritage value of this significant built heritage resource would not be conserved as a result of the proposal.

**(2) Staff Assessment:**

The applicant has proposed to relocate the Marr House to 15 Lorne Avenue, the northeast corner of an amalgamated parcel of land. Given the building's Part IV designation under the *Ontario Heritage Act*, a Heritage Permit is required for the proposed works.

**(a) Cultural Heritage Impact Assessment (CHIA)**

A Cultural Heritage Impact Assessment (CHIA), prepared by GBCA Architects Inc. (GBCA), was submitted with the subject application. GBCA was retained by the owners to evaluate the impacts on a heritage property from the relocation of a designated heritage property on a newly assembled lot. The CHIA notes that GBCA visited the site in April of 2021 to conduct a high-level visual review of the building's exterior, noting they obtained only limited access to all exterior parts of the building facades. Assessment was limited from the ground level only as no boom lift was utilized for higher areas such as the gables, second floor windows, soffit and roof.

The CHIA:

- Assesses the proposal based on the understanding that the land is contaminated as per the Environmental Letter and the understanding of the desired location in the northeast corner of the property at 15 Lorne Avenue;
- Advises that the building overall remains fairly intact and no major losses of material are visible given the building's robust construction;
- Notes that areas of the south elevation have settled and deteriorated and will continue to do so unless action is taken to resolve the issues;
- Assesses the potential impacts on the heritage resource against resources such as the Ontario Heritage Toolkit, Standards and Guidelines for the Conservation of Historic Places in Canada, and the International Standards for Heritage Conservation;
- Provides a list of anticipated actions required to the exterior for conservation and stabilization following relocation;
- Provides a list of interior features recommended for preservation; and,
- Advises that additional professionals including structural engineers and building mover with experience in heritage structures are required to be consulted to provide specifications and scope of work for the proposed relocation.

The CHIA concluded that the relocation proposal will result in a number of changes to the existing property and its heritage attributes but is considered a necessary intervention for the remediation of the site and for the long-term conservation of the heritage resource, while reducing the impacts from multiple moves.

The CHIA acknowledges that while relocating a heritage structure is not the desired option, this proposal would balance demands for intensification with those of heritage preservation, thereby allowing for the proposed redevelopment of the site.

Based on staff's review, the CHIA is deficient as follows:

- Assessing the building's foundation from the interior or providing interior photographs;
- Assessing the property against the policies of the City of Hamilton's Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan;
- Assessing the proposal against criteria from Ontario Regulation 9/06, as set out by the Province or the City of Hamilton Framework for Cultural Heritage Evaluation;
- Assessing other alternatives or mitigation strategies in detail;
- Assessing the overall impact of the future development of the site; and,
- Providing a draft Statement of Cultural Heritage Value or Interest for the proposal.

### **(b) Environmental Letter**

The Environmental Letter submitted with the application indicates that based on environmental investigations that have been completed to date, there are subsurface soil and groundwater impacts on the subject property, including beneath the Marr House at depths of approximately six to eight metres.

The letter does not provide options to address the contamination or alternative methods for remediation. No Environmental Site Assessment (ESA) was submitted for the property. A City of Hamilton ERASE Grant was previously approved to conduct a Phase II ESA of the subject lands.

The proposal to relocate the Marr House is primarily based on the need to remediate the site due to contamination. However, the submitted documentation does not provide sufficient evidence or justification that would allow staff to make an informed decision or provide alternatives to addressing the contamination or remediation.

### **(3) Conclusions:**

Based on the above review, and the information provided to date, Staff are not supportive of the request to relocate the Marr House to 15 Lorne Avenue as requested through the Heritage Permit. The proposal is not in keeping with the intent of the designation By-law. The submitted documentation does not adequately assess the impact or potential impacts of the relocation on the heritage resource against the required criteria set out by the Province of Ontario and the City of Hamilton. Given the significance of the building's presence on the Wilson Street streetscape and the

applicable Official Plan and Secondary Plan policies, staff are unable to adequately assess the proposal without a wholesome understanding of the implications it may have on the cultural heritage value of the building, or on the surrounding community, the streetscape and the future of the entirety of the site that would normally be done as part of an application for Official Plan Amendment and rezoning.

From a technical perspective, the proposal to relocate a 180-year old random rubble stone structure is complex. Staff are of the opinion that the supporting documentation submitted does not adequately assess the proposal nor provide sufficient justification that the relocation is feasible and/or the most appropriate option. A report assessing the building's current structural stability or technical details on the process to stabilize, lift and relocate the building by qualified personnel (structural engineer and building moving company) was not submitted. Only a high-level overview of the level of contamination was provided. As a result of the limited time frames associated with a Heritage Permit application, peer reviews on the submitted documentation were not conducted to confirm the accuracy or explore alternative options. The proposed relocation could result in impacts to the integrity of the heritage resource, and as such, more extensive supporting documentation should be provided and assessed by qualified experts.

A proposal of this nature requires review, consultation and consideration from other internal departments and external agencies in various fields of expertise. Given the complexities with this proposal, as well as other concerns and requirements previously provided by various departments and agencies during the initial Formal Consultation application in 2019, an application of this magnitude should be reviewed in its entirety through formal *Planning Act* applications in conjunction with the Heritage Permit application.

Staff have reviewed the documentation submitted with the application and have concluded there is insufficient evidence to support the relocation of the building as proposed. Staff recommend that Council deem the application to be premature and deny the application pursuant to subsection 34(2)(a)(ii) of the *Ontario Heritage Act*.

## **ALTERNATIVES FOR CONSIDERATION**

### **(1) Approve the Heritage Permit with no conditions.**

Council may approve the Heritage Permit as submitted with no conditions. This alternative decision would not be consistent with the advice of staff, the HPRS or the HMHC.



**(2) Approve the Heritage Permit with conditions.**

Council may approve the Heritage Permit as submitted with additional conditions. This alternative decision would not be consistent with the advice of staff, the HPRS or the HMHC. Should Council seek to approve the Heritage Permit as submitted, staff would recommend the following conditions:

- That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- Installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- That an Archaeological Assessment for the entirety of the site be submitted to the satisfaction of the Director of Planning and Chief Planner;
- That a full Building Condition Assessment by a qualified professional Structural Engineer with experience in heritage buildings be prepared to the satisfaction of the Director of Planning and Chief Planner;
- That a signed letter from a Professional Engineer with experience in historic stone structures confirming the feasibility of relocation on the site be submitted to the satisfaction of the Director of Planning and Chief Planner;
- That a signed letter from an experienced building moving company with experience in relocating historic stone buildings be submitted to the satisfaction of the Director of Planning and Chief Planner;
- That a full Phase II ESA for the entirety of the site be submitted to the satisfaction of the Director of Planning and Chief Planner;
- That a revised Cultural Heritage Impact Assessment, assessing the proposal against required criteria and a new Statement of Cultural Heritage Value and Interest be submitted to the satisfaction and approval of the Director of Planning and Chief Planner;
- That the designating By-law No. 78-87 be repealed in accordance with the requirements of the *Ontario Heritage Act* at the expense of the owner;
- That a new designation By-law be prepared in accordance with the requirements of the *Ontario Heritage Act* for the building's new location at the expense of the owner;
- That a new Survey be prepared to accompany a new designation By-law indicating the boundaries to which the designation applies;

- That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be submitted to the satisfaction and approval of the Director of Planning and Chief Planner;
- That the applicant enters into a Heritage Easement Agreement with the City to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction, and that this agreement is registered on title;
- That a Letter of Credit be provided to be held by the City based on the cost estimates for 100% of the total cost of securing, protecting, stabilizing, relocating, monitoring for a period of three years and the total cost of restoration. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner;
- That a Site Plan application, and any other relevant *Planning Act* applications for the proposed relocation be submitted and approved for the relocation; and,
- That any technical studies may be subject to Peer Review at the expense of the owner where deemed necessary.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

### **Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" attached to Report PED21196 - Location Map

Appendix "B" attached to Report PED21196 - By-law No. 78-87

Appendix "C" attached to Report PED21196 - Relocation Plan

Appendix "D" attached to Report PED21196 - Site Photographs from GBCA Architects Inc. CHIA

Appendix "E" attached to Report PED21196 - Heritage Permit Submission Documents

SK:sd

## THE CORPORATION OF THE TOWN OF ANCASTER

BY-LAW NO. 78-87

To Designate the Lands and Building Municipally known as 398 Wilson Street East, in the Town of Ancaster, as Lands and Building of Historic Value, Architectural Value and Interest

WHEREAS this Council is empowered under sub-section (6) of Section 29 of The Ontario Heritage Act to enact By-laws to designate real property, including buildings and structures thereon, as described in Schedule "A" attached hereto to be of historic or architectural value or interest, and

WHEREAS this Council has caused to be served upon the owner of the lands and premises known municipally as 398 Wilson Street East, in the Town of Ancaster, and upon the Ontario Heritage Foundation notice of intention to so designate the described property and has caused such notice of intention to be published in a newspaper having a general circulation in this Municipality once for each of three consecutive weeks, and

WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk of this Municipality within the time prescribed by the said Statute, and

WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF ANCASTER ENACTS AS FOLLOWS:

1. In this By-law the word "property" means real property and includes all buildings and structures thereon.
2. There is hereby designated as being of historic value, architectural value and interest the property known municipally as 398 Wilson Street East, in the Town of Ancaster, and more particularly described in Schedule "A" attached hereto.
3. YATES and YATES are hereby authorized and directed to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office for the Registry Division of Wentworth.
4. The Clerk is hereby authorized and directed to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Foundation and to cause notice of this By-law to be published in a newspaper having general circulation in the Town of Ancaster.

ENACTED AND PASSED THIS 11th DAY OF

DECEMBER

1978.

*Alan S. Clark*

\_\_\_\_\_  
Mayor

*J. B. Keenan*

\_\_\_\_\_  
Clerk

THIS AGREEMENT made, in duplicate, the 13th day of April  
1981.

B E T W E E N:

THE CORPORATION OF THE TOWN OF ANCASTER  
(hereinafter called the "Town")

OF THE FIRST PART,

- and -

MARY ELIZABETH McKEON  
(hereinafter called the "Owner")

OF THE SECOND PART.

WHEREAS The Corporation of the Town of Ancaster is the Owner of a  
6 inch x 6 inch plaque, reading "DESIGNATED PROPERTY, ONTARIO  
HERITAGE ACT", with the Crest of the Town of Ancaster thereon, and

WHEREAS Mary Elizabeth McKeon is the registered Owner of the lands  
and premises municipally known as 398 Wilson Street East, in the  
Town of Ancaster, more particularly described as part of Lot Number  
45, Concession 2, in Schedule "A" attached hereto, and

WHEREAS pursuant to By-law No. 78-87 of The Corporation of the Town  
of Ancaster and pursuant to the provisions of The Ontario Heritage  
Act, S.O. 1974, Chapter 122, the lands and premises municipally known  
as 398 Wilson Street East, in the Town of Ancaster, were designated  
as a building or structure of historical or architectural value or  
interest, and

WHEREAS by Section 37(1) of The Ontario Heritage Act, the Town is  
entitled to enter into agreements, covenants and easements with  
Owners of real property or interest therein, for the conservation,  
protection and preservation of the heritage of Ontario, and

WHEREAS by Section 37(3) of The Ontario Heritage Act, such covenants  
and easements entered into by the Town when registered in the proper  
Land Registry Office against the real property affected by them,  
shall run with the real property and may, whether positive or nega-  
tive in nature, be enforced by the Town or its assignee against the  
Owner(s) or any subsequent Owner(s) of the real property, even where  
the Town owns no other land which would be accommodated or benefited  
by such covenants and easements, and

WHEREAS the Owner and the Town desire to conserve the present historical, architectural, aesthetic and scenic character and condition of the building on premises municipally known as 398 Wilson Street East, in the Town of Ancaster.

NOW WITNESSETH this Agreement that in consideration of the sum of TWO (\$2.00) DOLLARS now paid by the Town to the Owner, (the receipt of which is hereby acknowledged) and for other valuable consideration, and in further consideration of the granting of the covenants herein and in further consideration of the mutual covenants and restrictions hereinafter set forth, the Owner and the Town agree to abide and be bound by the following covenants, easements and agreements.

1. Duties of Owner

- (a) The Owner shall and doth hereby allow the Town as Owner of the plaque to attach the said plaque to premises described in Schedule "A" hereto and grant to the Town the privilege of maintaining the said plaque on the premises.
- (b) The Owner does hereby permit the Town servants and agents to enter with material and equipment necessary for the installation, maintenance and inspection of the said plaque and its mountings.
- (c) The Owner shall not, without the prior written approval of the Town, remove the plaque from the premises.

2. Duties of Town

- (a) The Town agrees to install and mount and to maintain a plaque at its own expense on premises municipally known as 398 Wilson Street East, in the Town of Ancaster.
- (b) The Town agrees that, upon the removal of the designation of the premises pursuant to The Ontario Heritage Act, it will remove the plaque from the premises and as far as practicable restore the premises to their same condition as prior to the installation of the plaque.

3. The Owner and the Town agree that at all times the plaque is and remains the property of the Town.

- 4. Nothing contained herein in this Agreement requires the Owner of the premises to open the premises to public viewing.
- 5. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors, administrators and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals under the hands of their officers duly appointed in that behalf.

Signed, sealed, and delivered )  
in the presence of: )

*Maria Peterson*

THE CORPORATION OF THE TOWN OF ANCASTER

*Ann Stout*  
\_\_\_\_\_  
Mayor

*J. H. Hargrave*  
\_\_\_\_\_  
Clerk

MARY ELIZABETH McKEON

*Mary Elizabeth McKeon*  
\_\_\_\_\_  
Registered Owner

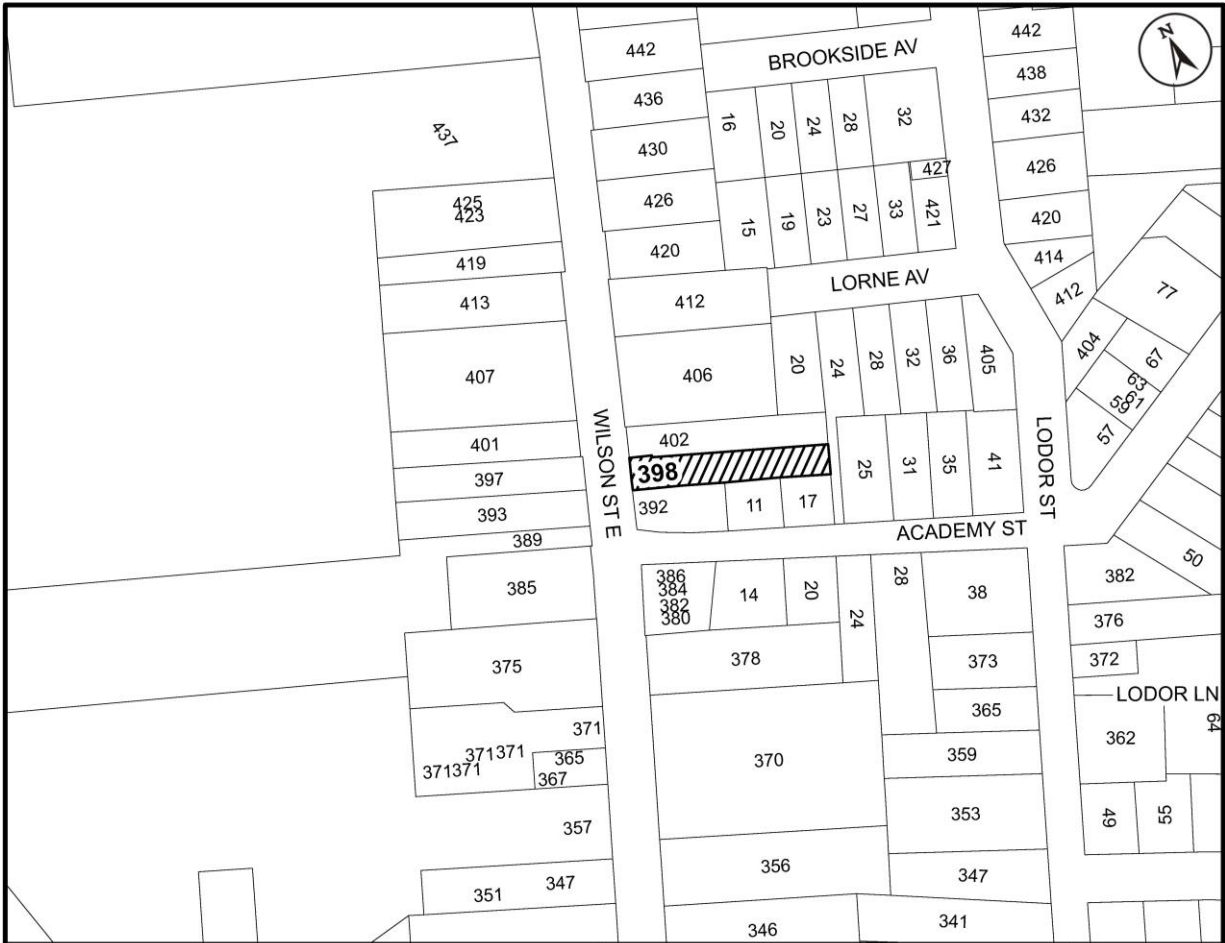
SCHEDULE "B"

Reasons for Designation of 398 Wilson  
Street East, in the Town of Ancaster

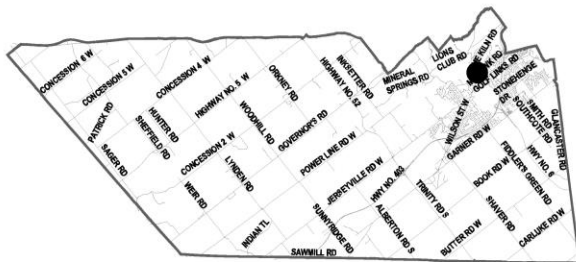
The Marr House/Heritage Bookstore, known municipally as 398 Wilson Street East, in the Town of Ancaster, being of historic and architectural value and interest, is a well-preserved and charming Georgian stone house dating from circa 1850 although some stylistic details suggest an earlier date. The use of stone as a construction material relates the building to several other important buildings on Wilson Street. For these reasons the building is of great importance to the Wilson Street streetscape. Without restricting the generality of the foregoing the reasons for this Council designating the described premises include the intention that the following features of the described premises should be preserved, that is,

- (a) the four facades of the building, including the exposed stonework construction, and
- (b) the roof and chimneys and return eaves, and
- (c) the 5-pane toplight over the front door; the surviving northeast ground-floor window in the east facade with its 12-over-12 sash should be preserved for reference in case the owner should desire to return the present 2-over-2 sashes to their original organization, but

this Council has no intention that any alteration, maintenance, repair, replacement or improvement of elements of the premises requires the prior written consent of this Council unless such affect the reasons for the designation of the premises as described in paragraphs (a) to (c) herein.



● Site Location



Key Map - Ward 12

# Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
HP2021-033

Date:  
August 31, 2021

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SK/NB

### Subject Property



398 Wilson Street East, Ancaster  
(Ward 12)





392-412 WILSON STREET EAST  
& 15 LORNE AVENUE, ANCASTER  
(SUBJECT LANDS)

**Appendix "D" to Report PED21196**  
**Page 1 of 1**

GBCA Project No. 21006 - 392- 412 Wilson Street East and 15 Lorne Avenue Ancaster

4 June 2021



*Marr House, 2021 (GBCA). North Elevation. Top left window opening closed in.*



*Marr House, 2021 (GBCA). South Elevation. Blank wall with tail extending to the east. Foundation issues notable from a distance.*



*Marr House, 2021 (GBCA). East Elevation. Rear tail covers to ground level openings.*

GBCA Architects



*Marr House, 2021 (GBCA). West Elevation 2.4 meters from Wilson Street East. Although the designation by-law notes that chimneys are a contributing heritage attribute, in its current state these are no longer present.*



SHAPING GREAT COMMUNITIES

June 4, 2021

File No. 20139

Planning and Economic Development Division  
Hamilton City Hall  
71 Main Street West - 5th Floor  
Hamilton ON L8P 4Y5

Attn: Anita Fabac  
Manager, Development Planning, Heritage Planning and Design, Planning Division

**Re: Heritage Permit Application  
392, 398, 406, 412 Wilson Street East and 15 Lorne Avenue, Ancaster  
Request to Relocate 398 Wilson Street East, Ancaster**

Dear Ms Fabac

The owners of the above noted lands (the "Site"), Wilson Street Ancaster Inc., request approval to relocate a designated heritage property to a newly assembled lot as illustrated on the attached Heritage Building Sketch (Appendix A). The subject building, known as the "Phillip Marr House" is currently located at 398 Wilson Street on the east side of Wilson Street East, north of Academy Street in Ancaster. With the exception of the Phillip Marr House, the Site contains no other buildings or structures.

In April 2021, Landtek Limited completed an environmental investigation related to a former gas station located immediately south of and adjacent to 398 Wilson Street on the Site. The investigation identified subsurface soils and groundwater contamination on the Site (refer to Appendix B Landtek Remediation Correspondence) and recommended the relocation of the Phillip Marr House to permit the remediation of the Site. The Phillip Marr House is proposed to be relocated 100 metres to the north where it will be incorporated within a landscaped garden as an amenity space (as illustrated in Appendix C) for a future redevelopment on the Site. The relocation of the Marr House as proposed will provide for the comprehensive redevelopment of the Site, while providing for the long-term conservation of the heritage dwelling.

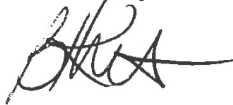
In order to assess the impacts on the heritage attributes of the relocation of the Marr House, Goldsmith Borgal & Company Ltd. Architects (GBCA) were retained to complete a Cultural Heritage Impact Assessment (CHIA) to evaluate the impacts on the heritage property arising from the relocation of the house. Appendix D includes the CHIA report for your review and consideration.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9  
162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9  
[gspgroup.ca](http://gspgroup.ca)

On the basis of the information provided, the owners respectfully request the City's approval of the relocation of the Marr House. Should additional information or clarification be required with regard to the information provided, please do not hesitate to contact the undersigned by email at [bkhes@gspgroup.ca](mailto:bkhes@gspgroup.ca) or by phone 289-778-1428.

Sincerely,  
**GSP Group Inc.**

A handwritten signature in black ink, appearing to read 'BKhes', written over the company name.

Brenda Khes, MCIP, RPP  
Associate – Senior Planner



Attachment No. 2 of 2

**LANDTEK LIMITED**

Consulting Engineers

205 Nebo Road, Unit 3  
Hamilton, Ontario  
Canada  
L8W 2E1Phone: 905-383-3733  
Fax: 905-383-8433  
engineering@landteklimited.com  
www.landteklimited.com

April 30, 2021

File: 17476

To Whom it may Concern,

**Re: Remediation Measures and Building Structure Location  
(Existing Heritage Structure)  
392 - 406 Wilson Street East, Hamilton (Ancaster), Ontario**

---

Based on the environmental investigations completed to date at the above site which previously included the location of a gas station, subsurface soil and groundwater impacts due to historical operations have been identified/confirmed. Impact plumes have migrated throughout several areas of the site and include areas beneath existing structures. Contamination has been found to depths of up to approximately 6 m to 8 m in some areas.

**Remediation Measures**

The redevelopment remedial option is expected to be a 'dig and dump' methodology which will focus on the removal/disposal of the impacted materials. For this remediation, it is essential that safe physical access for excavation activities can be maintained. Additionally, given the significant depths and lateral extents of impact in some areas, it is Landtek's opinion that the structural integrity of on-site structures will be jeopardized.

With regards to the above conditions, it is our recommendation that demolition/removal or relocation of the building structures be completed to allow for safe and effective environmental remediation to proceed in accordance with the Ministry of the Environment, Conservation and Parks (MECP) regulation for filing/acceptance of a Record of Site Condition (RSC).

If you have any questions, please do not hesitate to contact our office.

Yours truly,

**LANDTEK LIMITED**

Paul Blunt., P.Eng., QP<sub>ESA</sub>  
Senior Environmental Engineer

---

■ FOUNDATION INVESTIGATIONS ■ ENVIRONMENTAL SITE ASSESSMENTS AND CLEANUP ■ GROUNDWATER STUDIES ■ SLOPE STABILITY STUDIES  
■ ASPHALT TECHNOLOGY ■ ASPHALT MIX DESIGNS ■ PAVEMENT PERFORMANCE ANALYSIS ■ CONSTRUCTION MATERIALS TESTING & INSPECTION  
■ ANALYSIS OF SOIL CORROSION POTENTIAL ■ PAVEMENT REHABILITATION & TENDER SPECIFICATIONS ■ CONCRETE QUALITY ASSURANCE TESTING  
■ ROOF INSPECTIONS ■ INFRASTRUCTURE NEEDS STUDIES ■ FAILURE ANALYSIS AND EXPERT WITNESS SERVICES ■ AGGREGATE EVALUATION



Estimated extent of on-Site groundwater contamination

Estimated extent of on-Site soil contamination

Estimated groundwater flow direction





Wilson and Academy Preliminary Sketch  
Optional Building location



# CULTURAL HERITAGE IMPACT ASSESSMENT (CHIA)

for  
**392, 398, 406, 412 Wilson Street East and 15  
Lorne Avenue**  
Ancaster, Ontario

GBCA Project No: 21006

prepared for:

**Wilson Street Ancaster Inc.**  
1 James Street South, 8th Floor  
Hamilton, ON. L8P 4R5

prepared by:

**Goldsmith Borgal & Company  
Ltd. Architects**  
362 Davenport Road, suite 100  
Toronto, ON, M5R 1K6



Date of issue: Friday, June 4, 2021

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## APPENDICES

APPENDIX I -	Standards and Guidelines for the Conservation of Historic Places in Canada
APPENDIX II -	Designation By-Law 78-87
APPENDIX III-	Remediation Measures and Building Structure Location - Memo by Landtek Limited.

## EXECUTIVE SUMMARY

Goldsmith Borgal & Company Ltd. Architects (GBCA) was retained by Wilson St. Ancaster Inc. to prepare a Cultural Heritage Impact Assessment (CHIA) to evaluate impacts on a heritage property arising from the relocation of a Designated heritage property to a newly assembled lot.

The subject site is located on the east side of Wilson Street East, which runs through the former township of Ancaster. This main street is characterised by a mix of early 19th century stone buildings, adaptively reused historic structures, some newer commercial infill and vacant lots used for parking. The development site totals 1.9 acres and will comprise (6) six smaller lots (392, 398, 406, 412 Wilson Street East and 15 Lorne Avenue) bound irregularly by Lorne Avenue to the north-west and Academy Street to the south. The site includes 398 Wilson Street East, a two-story neo-classical style residence, built c.1840, and known as the Phillip Marr House (herein the "Marr House"). The property is designated under Part IV of the Ontario Heritage Act, under by-law 78-87.

With the exception of the Marr House, all former buildings have been cleared from the site. The southern-most corner of the site has a surface level parking lot over a property that was previously used as a Petrofina gas station. To the east of this is a residential street (Academy Street) that contains a number of early-20th century homes, and a prominent corner heritage property at 380 Wilson Street, the Old Ancaster Hotel (1847).

In April 2021, an environmental investigation identified subsurface soil and groundwater contamination on the site. As a result, the report recommended relocation of the Marr House to permit the undertaking of remediation in compliance with the Ministry of the Environment, Conservation and Parks regulation for filing of a Record of Site Condition. This will require excavation of site soils, and as a consequence, the necessary relocation of the Marr House to a new location on the development site. As such, the subject property, with a current lot frontage of approx. 2.4 metres from Wilson Street East, is proposed to be permanently relocated to a residential lot 100 meters north, and 50 to the east of Wilson Street East (to current day 15-Lorne Avenue). Here, the Marr

House is proposed to be incorporated within a landscaped garden as an amenity space for a future development on the lands to the south.

The proposed relocation will have impacts on the heritage attributes of the Marr House. Although relocation is not typically favoured, in this case, relocation can be seen as a mitigation strategy for the building's long-term preservation. These elements along with mitigation strategies are discussed in more detail throughout the report.

This HIA has been prepared in accordance with CHIA Guidelines (April 2018) as required by the City of Hamilton and evaluates the impact of the proposed development on existing heritage resources.

## 1. INTRODUCTION

### 1.1 Description of the property

The property at 392 - 406 Wilson Street East is located on the east side of Wilson Street East, and comprises (6) six smaller lots bound irregularly by Lorne Avenue to the north-west and Academy Street to the south. The new 1.9 acre site is located north-east of the core of the Village of Ancaster within an area that is characterised by low-rise single-detached residences adapted for commercial use with small, street facing lots. Many buildings along this Main Street are fine-grained commercial, retail, adaptively reused historic buildings, with some newer commercial buildings. Several listed heritage buildings are in the immediate vicinity.

The site includes a two-story neo-classical style residence, built c.1840, and known as the Phillip Marr House. The property is designated under Part IV of the Ontario Heritage Act, under by-law 78-87. More detail on this designation is provided under Section 3 of this CHIA, and in Appendix II.

### 1.2 Present Owner and Contact Information

Owner: Wilson Street Ancaster Inc.  
1 James Street South, 8th Floor  
Hamilton, ON. L8P 4R5

Contact: Giovanni Fiscaletti  
giovanni@spallaccigroup.com

### 1.3 Location Plan



Heritage Register Map of Wilson Street in the Township of Ancaster, with the development site highlighted in red.

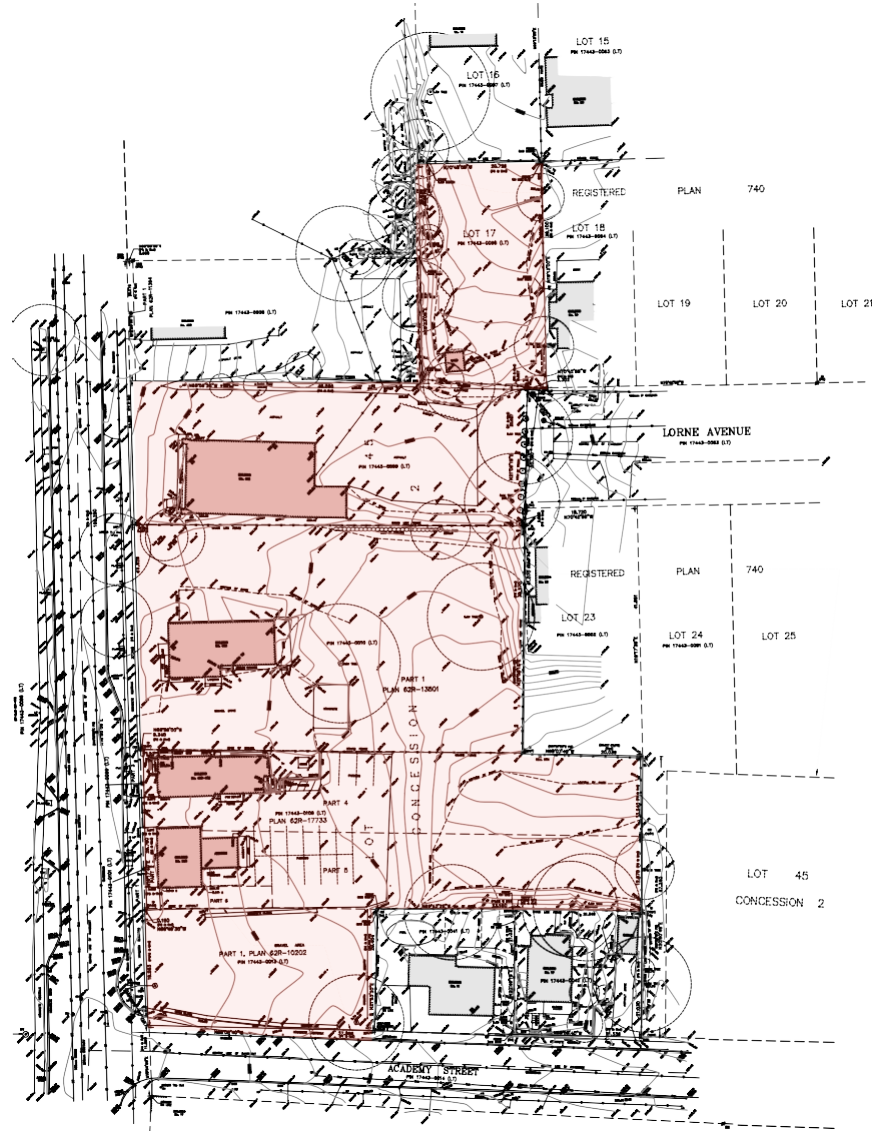
Heritage properties on the development site include:

1. 389 Wilson Street East- Phillip Marr House (1840). (the "Marr House"). Designated under Part IV of the Ontario Heritage Act, under by-law 78-87.

Adjacent Heritage resources:

2. 11 Academy Street (1907) - Residence. Listed on City's Heritage Register in 2021
3. 380 Wilson Street (1847) - Old Ancaster Hotel. Listed on City's Heritage Register in 2020
4. 420 Wilson Street East (1823) - The Needle Emporium. Listed on City's Heritage Register in 2020.
5. 426 Wilson Street East (1921) - Residence. Listed on City's Heritage Register in 2020
6. 413 Wilson Street East (1867) - Commercial building. Listed on City's Heritage Register in 2020

1.4 Property Survey



Topographic Survey- Part of Lot 45 Concession 2, Township of Ancaster and Lot 17 Registered Plan 740 in the City of Hamilton.(A.T McLaren)

## 1.5 Site Photographs



*A view from the west side of Wilson Street East looking towards the property at 392 - 406 Wilson Street East looking south. The Marr House is visible here, and is adjacent to a surface level parking lot to the south. This is the location of the former gas station.*



*A view from the west side of Wilson Street East looking towards Academy Street and 380 Wilson Street (1847) - Old Ancaster Hotel, list on the Municipal Heritage Register.*



*Looking south from the corner of the subject site towards 385 Wilson St. East, a professional/commercial building with pre-cast moulded concrete blocks that appears to be a scaled version of a Italianate style house. To the south of this is 375 Wilson Street East - the Rousseau house (1848).*



*View looking north along Wilson Street East directly in front of the subject site to the east. The opposing properties have residences constructed in various styles with contemporary additions, and on smaller lots. In the distance 420 Wilson Street East (1823) - The Needle Emporium, listed on City's Heritage Register in 2020, is visible at the north edge of the subject site.*





*View from the southern corner of the subject site, looking west across Wilson Street East.*



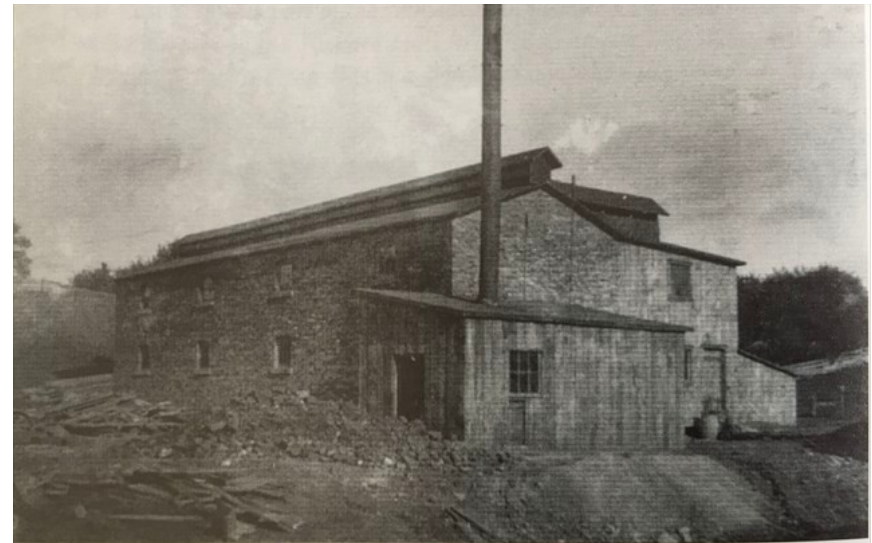
*View from the subject site directly north across Wilson Street East.*

## 2. BACKGROUND RESEARCH

The subject property is located on what is historically known as Part of Lot 45, Concession 2 within the former Township of Ancaster, Wentworth County, Ontario. It is now part of the City of Hamilton and is located on the east side of Wilson Street East, on the northeast corner of Wilson Street East and Academy Street. Currently the site contains one structure – the two-storey stone house dating circa 1840 - 1850.

The land constituting the Township of Ancaster (part of the Niagara Peninsula) was acquired by the British Crown from the Mississauga Nation in 1784. There is evidence of Euro-Canadian settlement in the Ancaster area as early as 1789 when land clearance was undertaken by several families squatting on the land. The first township survey was undertaken in 1793 by Augustus Jones and the first legal settlers came to occupy their land holdings within two years of the survey being completed. The township is said to have been named by Lieutenant Governor John Graves Simcoe after a town in Lincolnshire, England – the name Ancaster was used from about 1800 onward.

Ancaster was initially settled by disbanded soldiers, mainly Butler's Rangers, and other United Empire Loyalists following the end of the American Revolutionary War. James Wilson is probably the most important historically because he built the first mills in the township, and gave Ancaster Village its first name, "Wilson's Mills." In 1800, James Wilson was granted the Crown Patent for Lot 45, Concession 2, which included most of today's Village of Ancaster. Wilson's name appears in the 1808 Ancaster voter's list, and on the 1816 Ancaster Assessment Roll. Wilson built his grist mill in 1791 and his saw mill in 1792 on the small creek just east of Rousseau Street. This location was a strategic one because it was only a few yards from the junction of three "roads" or trails of the Indigenous peoples. Eventually the town grew at the convergence of several roadways - near where Sulphur Springs Road, the Old Dundas Road, the Mohawk Road and Wilson/Main Street came together.



*The Ancaster Evaporator, (circa 1899) stood where Wilson's original gristmill was located at the north-east corner of Wilson and Rousseau St. (190-, Hamilton Public Library)*



*A view from just out on the street (Old Dundas Rd). The water is the old mill pond. The building in the foreground is a the old tollhouse at the corner of Wilson St and Old Dundas Rd. A white fence runs along the side of Wilson St. East. The long dark building at the left edge of the picture is the Ancaster Evaporator pictured above. (190-, Hamilton Public Library)*

Wilson's Mills were the first mills west of Grimsby, and the only ones for many years. These mills were later sold to Jean Baptiste Rousseau in 1794, a Montreal-born fur trader, interpreter, businessman, militia officer and office holder. Jean Baptiste Rousseau had a home and general store on Wilson Street. His Ancaster general store was involved in frequent trading with Joseph Brant's Mohawks and other Iroquois people from the Six Nations confederacy located at the Grand River. For a time after this, the area was briefly known as "Rousseau's Mills." (The mills were eventually sold to the Union Mill Company.)

In 1797, Rousseau built a hotel on Wilson Street, beginning a trend towards building on the meandering route that became Wilson Street. When the village's first school was built on Wilson Street in 1799, the trend was firmly established.

Rousseau would become a leading citizen of the village, owning a general store and hotel, building a brewery and distillery, and holding bureaucratic positions such as magistrate, tax collector and school teacher.

Wilson built not only the mills but also an inn, and a blacksmith shop and at the turn of the century, the modest collection of buildings in "Wilson's Mills" included a general store, blacksmith shop, distillery and tavern. The first citizens of the village were Wilson's employees – his miller, sawyer, innkeeper and blacksmith, plus three or four assistants, all of whom would live in houses which Wilson built for them.

In 1805, D'Arcy Boulton noted that this township contained land that was, in part, excellent and by the 1840s, the township was well-known for its fine farms. The area had natural advantages including fertile soil, abundant fast flowing streams ideal for mills and a strategic position at a break in the Niagara Escarpment where a well-known and used aboriginal trail (eventually known as the "Mohawk Road") existed. By 1823, due largely to its easily accessible hydro power located at the juncture of already existing historical trading routes, Ancaster had become Upper Canada's largest industrial and commercial centre. Additionally, Ancaster had at that time attracted the 2nd largest populace (1,681) in Upper Canada trailing only Kingston (population 2,500), but surpassing the populations of nearby Toronto (1,376) and Hamilton (1,000).



*Rousseau House, 1995 (Ancaster - A Pictorial History)*

By the 1830s, Ancaster was the commercial centre for the area, but soon suffered several setbacks. In 1832, the opening of the Desjardin Canal in the neighbouring town of Dundas had a negative economic impact on Ancaster. Similarly, the town was bypassed by the railway, which went to Hamilton. While its role as a commercial hub was over, local agriculture ensured Ancaster remained a vibrant community.

The 200-acre Lot 45, Concession 2 was subdivided and sold off in quarter-to-half-acre lots early in the nineteenth century. It is not known when Wilson Street was first subdivided into building lots, but it was probably about 1815 if one were to judge from the land sales registered in the Registry Office.



Registered plans of the subdivision for this village exist from 1867. By 1875, the village contained the Town Hall, four churches, two cemeteries, three hotels, one school, one blacksmith shop, a knitting factory, iron foundry, carding and woollen mills, an agricultural implement factory, several stores, and a telegraph office. At that time the population was around 600 to 800 people. The 1875 Illustrated Historical Atlas of the County of Wentworth reveals that both sides of Wilson Street were filled with structures, between present day Jerseyville Road East and Rousseaux Street.

Many of the early structures in Ancaster were built of stone from the nearby Niagara Escarpment. Overall there were more stone buildings in the greater Hamilton area than in most other parts of Ontario (with an exception of Cambridge/Waterloo region). In 1851 there were 16 domestic stone houses in Ancaster Township and by 1891 there were 61.

One of the houses in the village at that time was the subject building at 398 Wilson Street East. Most historical accounts report that the house was built for cabinet-maker Adam Marr (1809-1894). Marr conducted a furniture making and undertaking business in Ancaster from 1840 (or maybe as early as 1834) with his brother David, and later with his son, Thomas Ward Marr. Later the building served as the home of John Phillip (1838-1912), a stone-mason (later stage proprietor) and village constable until the turn of the century. John Phillip's brother or son, Charles Phillip was one of the proprietors of the neighbouring Ancaster/Union Hotel. The stone hotel building at the corner of Wilson and Academy streets was originally built by the Rousseau family and was leased to Phillip in 1865.

Throughout the decades, the building at 398 Wilson Street East has served a number of commercial purposes. For example, in 1965 the building housed Albert Boers and his barber shop.

In 1974, Ancaster was incorporated as a town in the Regional Municipality of Hamilton-Wentworth. In 2001, it was merged into the new city of Hamilton.



*Marr House, c.1900 (Ancaster Archives)*



*Marr House, 1995 (Ancaster - A Pictorial History)*

GBCA Project No. 21006 - 392- 412 Wilson Street East and 15 Lorne Avenue Ancaster



*Marr House, 2021 (GBCA). North Elevation. Top left window opening closed in.*



*Marr House, 2021 (GBCA). South Elevation. Blank wall with tail extending to the east. Foundation issues notable from a distance.*



*Marr House, 2021 (GBCA). East Elevation. Rear tail covers to ground level openings.*

GBCA Architects



*Marr House, 2021 (GBCA). West Elevation 2.4 meters from Wilson Street East. Although the designation by-law notes that chimneys are a contributing heritage attribute, in its current state these are no longer present.*

### 3. HERITAGE STATUS

The subject property is currently designated under Part IV, Section 29 of the Ontario Heritage Act, through By-law 78-87.

The By-law is provided under Appendix II and includes the full Statement of Significance.

In summary, the following have been noted as heritage attributes:

*The Marr House/Heritage Bookstore, known municipally as 398 Wilson Street East, in the Town of Ancaster, being of historic and architectural value and interest, is a well-preserved and charming Georgian stone house dating from c. 1850 although some stylistic details suggest an earlier date. The use of stone as a construction material relates the building to several other important buildings on Wilson Street. Without restricting the generality of foregoing the reason for this Council designation the described premises include the intention that the following features of the described premises should be preserved, that is:*

- *The four facades of the building, including the exposed stonework construction*
- *The roof and chimneys\* and return eaves, and;*
- *The 5-pane top-light over the front door; the surviving northeast ground-floor window in the east facade with its 12-over-12 sash should be preserved for reference in case the owner should desire to return the present 2-over-2 sashes to their original organization*

*\* Although the designation by-law notes that chimneys are a contributing heritage attribute, in its current state, these are no longer present.*

#### 3.1 Adjacencies

'Adjacency' in this context refers to lands that are directly across from and near to a property on the Heritage register.

The subject site assembly is currently occupied by vacant lots, and a surface level parking lot to the south, and is also considered adjacent to/ across the street from numerous low-rise buildings, including five listed heritage properties. These include:

##### Adjacent:

- 11 Academy Street (1907) - Residence. Listed on City's Heritage Register in 2021.
- 380 Wilson Street (1847) - Old Ancaster Hotel. Listed on City's Heritage Register in 2020.
- 420 Wilson Street East (1823) - The Needle Emporium. Listed on City's Heritage Register in 2020.
- 426 Wilson Street East (1921) - Residence. Listed on City's Heritage Register in 2020.
- 413 Wilson Street East (1867) - Commercial building. Listed on City's Heritage Register in 2020.

##### Notable stone buildings in surrounding area, not included above:

- 375 Wilson Street East (1848) - village house built by George Brock Rousseau.
- 343 Wilson Street East (1860) - Richardson-Ashworth Italianate style House
- 419 Wilson E. (1820) - Seymour Lodge

**4. CONDITION REVIEW**

GBCA visited the site in April 2021 to conduct a high level visual review of the building’s exterior. This visual review is based on the condition of the building on that date. Any alterations, damage or improvements occurring after the date of assessment have not been updated as part of this report.

GBCA obtained only limited access to all exterior parts of the building facades (north, east, south and west elevations). Assessment was limited from the ground level only as no boom lift was utilised for higher areas such as the gable, 2nd floor windows, soffit and roof.

**4.1 Exterior Walls**

The rubble stone is considered a key heritage attribute of this property and is entirely exposed to the public realm.

The elevations are built of random coursed rubble stone from the nearby Niagara Escarpment. Even the quoins, which have squared tails at the side elevations, are irregular at the rear. The pointing is coarse and cementitious with wide joints in a similar in colour to the masonry. The front elevations feature voussoirs built in coursed squared rubble.

The masonry is in fair repair, with several areas of open joints and evidence of movement. Given the uneven nature of the face mortar and applied cementitious parging there may be voids in the cavity and deep re-pointing or micro-fine grouting may be required. Test pits should be dug below the low-level course to examine the below-grade mortar conditions.

On all elevations there are signs of water infiltration, evidence of improper mortar repairs and patches, staining of stone – including efflorescence, unsympathetic parging, atmospheric staining, rust from metal fasteners, etc.



*West elevation: ground level showing cementitious parging applied at the northern edge of the building.*



*South elevation: ground level showing open joints, and repair work.*



#### 4.2 Foundation Masonry at Grade

Of particular concern is the masonry immediately at grade where the stone units and mortar joints are highly susceptible to deterioration. Eroded mortar joints further promote water entry and accelerate deterioration and mould growth. Numerous instances of stepped, horizontal and vertical cracking were noted in the visible foundation walls. In addition to this, efflorescence was noted sporadically on all elevations.

The lower areas of walls at grade level are mostly in fair condition given their proximity to ground water, snow, ice and de-icing salts; all of these contribute to extensive masonry and mortar deterioration. Localised damage was noted with large openings on the southern elevation.

Stepped cracking was observed at the corners of the windows. Minor cracking near window corners is a common occurrence since the windows act as a weak area in the masonry wall. Recent repair and pointing work, parging and entire sections of stone removed suggest possible impact as a result of vertical settlement.

Settlement cracking and movement lines are present at the midpoints of the north and south facades consistent with the rotation of the rear part of the building. Other cracking and displacement is found on the east end of the north and south walls and the base of the east wall which is consistent with the slow-motion rotation of half of the house.



*South elevation: ground level failed and open joints with previous repair work also visible.*



*North elevation: failed and open joints, oxidization and metal anchors near foundation.*



*South elevation: failed and open joints at foundation. Movement lines are present at the midsection of this elevation.*



*West elevation: Recent repair and pointing work, parging and entire sections of stone removed below the 2nd storey window.*

### 4.3 Windows and Doors

#### 4.3.1 Windows

The front elevation contains five, symmetrically placed, rectangular window apertures, with a central door. The rear elevation has the same configuration, although a later tail-extension has been constructed and two openings have been removed. The south elevation is blank, while the north elevation features two pairs of symmetrically spaced windows, the top left having been closed in.

Condition of the current wood frames appears to be good although better access via lift or scaffold would be required for a more thorough assessment, especially at the upper level. The wood frames show some paint checking and minimal, intermittent areas of rot and/or damage. The lower portions of stone sill components are more deteriorated than the upper portions due to water/ice exposure that has settled on the sills requiring repair.

Generally, the window perimeter sealants and glazing seals were observed to be in fair condition. Failed seals will allow water ingress and cause more damage to the surrounding area. Loose window seals exist in most of the windows. Loose or missing seals allow air movement through the windows, reducing efficiency and allow for deterioration inside the walls due to condensation.



*West elevation: window frames on 2nd storey appear to be in good repair upon visual review..*



*North elevation: eastern-most window opening on 2nd storey has been closed in.*

**4.3.2 Doors**

The central door and five-pane transom window is set within a deep recess lined by wooden panels with modest mouldings. The current door with 12-over-12 sash appears to be in good condition although of much later design than the date of the building. As is typical with most entry doors, they are repetitively used and will have incurred wear and tear from normal use.

Seals and weatherstripping may be worn and/or missing, allowing air infiltration/exfiltration, with normal signs of wear and tear due to usage, particularly at the door frames.

**4.4 Summary**

The visual review of the building reveals that there have been various progressions of deterioration in certain areas of the building. The overall building remains fairly intact and there has been no major loss of material (ie. collapsed walls, roofs etc.) given that the building is of very robust construction. However, the areas at the south elevation of the building that have settled and deteriorated will continue to do so unless action is taken to resolve the issues. Side wall cracks corresponding to the "bending " or rotation of the structure due to soil conditions, compounded by settlement cracking due to the deformation of the structure, will continue to progress without intervention.



*West elevation: Central door with with 12-over-12 sash and five-pane toplight is in good repair.*



*East elevation: Openings at rear elevation have been obscured by the later addition of a one-storey tail.*

## 5. ASSESSMENT OF PROPOSED RELOCATION

### 5.1 Description of Proposed Strategy

The proposed relocation strategy is primarily in response to subsurface soil conditions adjacent to, and below, the Marr House. An environmental investigation undertaken by Landtek Limited (Appendix III) identified subsurface soil and groundwater contamination from historical gas station operations on the adjacent site.

Due to the heritage building's proximity to the pre-existing contamination plume, relocation is necessary in order to permit excavation works. The proposed relocation strategy consists of moving the Marr house approximately 100 meters north, and 50 meters to the east of Wilson Street East (to current day 15-Lorne Avenue). This permanent relocation is driven by a need to excavate the site for soil remediation, and limit any unnecessary impacts on the building's fabric arising the excavation work, and from multiple moves.

While there is no direct correlation with the soil contamination, the building's long-term stability is also in question. Portions of the south elevation have begun to show evidence of failure, which may be a result of settlement. Excavating nearby can generate vibrations that may highly compromise the structural and heritage integrity of the small structure. Although it is acknowledged that relocation is not typically favoured, in this particular case, relocation can be seen as a mitigation strategy for the building's long-term preservation. Relocation to a properly designed foundation will ensure the conservation of the building.

The relocation is proposed to occur in a single stage. The site receiving the Marr House will have to be partially excavated and new foundations provided. Once this new site is prepared with its new foundations, the House will be partly excavated so to install necessary moving supports and wheeled bogies. The building will require substantial stabilisation before such a move. Restoration work on the heritage building would be carried out after it is moved to its final location.



*The (6) six lots comprising 392, 398, 406, 412 Wilson Street East and 15 Lorne Avenue will be assembled for a future development. With the exception of 398 Wilson Street East, the site is vacant.*

### 5.1.2 General Procedures for Relocation:

While every building is different and each project must be assessed on a case-by-case basis, there are general procedures that are followed in the moving process. The engineer working for the moving company will factor into the calculations the building dimensions, weights and materials (and their characteristics).

The area around the structure would be excavated and a crib, consisting of lengthwise and cross beams, would be designed and installed in the basement of the house. Then, the area at grade will be cut through to separate the house from its foundation. Extensions to the carrying frame will be inserted below the walls and secured to the exterior. Windows will be framed with solid panels to prevent "racking". Additional cross bracing may be installed in the interiors to reduce potential for structural deformation. The engineer would factor in the building's dimensions, weight, and materials. The frame carrying the Marr House would then be raised by hydraulic lifts or jacks and lowered onto hydraulically self-levelling wheels or "bogies".

While the above work is under way, the new foundation will be created for the house then filled to allow the house to roll over it into position. The steel support/crib would be used as the base of the building during the move until the perimeter of the house is supported on the foundation, then removed with the bogies. The house is then lowered into position onto the foundation and restoration work will then commence.

The best route to the new location – in this case roughly 150 meters north-east of its present site – would be determined by the building mover who would be responsible for analysing telephone cables, wires, utility poles and topography. The proper authorities would be consulted in relation to permits for the removals or reinforcement of any elements.

### 5.1.3 Technical Issues of Marr House Relocation

Moving heritage buildings, if not well considered, could result in physical endangerment of the resource. In any project that proposes relocation of heritage buildings, a detailed feasibility study should be undertaken and approved by a structural engineer and the best method for moving be determined. The engineer would be employed by a qualified moving contractor.

GBCA is able to provide examples of successful relocations of heritage buildings. In 2008, GBCA worked with Tridel Developments for the relocation of the Cooper Mansion, a 950 ton, three-storey Second Empire brick building. Laurie McCulloch undertook this move. In 2009, GBCA worked with Pinnacle Developments for the relocation of a two-storey Georgian brick building, undertaken by Danco. Both of these relocations took place in urban environments, in downtown Toronto.



*Richard West House relocation in downtown Toronto (2009)*



*James Cooper Mansion relocation in Toronto (2008)*



Plan showing the proposed relocation area for the Marr House, at present day 15 Lorne Avenue. A patio, lawn and garden area have been designed around the heritage building, which will be repurposed as an amenity space for a future development on the lands to the south. The new site is located directly to the east 420 Wilson Street East (1823) - The Needle Emporium, and a residence at 426 Wilson Street East (1921) both of which were added to the City's Heritage Register in 2020. For reference, the lotting pattern of the adjacent residences on Lorne Avenue are shown with a red line. The proposed relocation has nearly double to lot frontage as the adjacent properties. The proposed relocation site for the Marr House is oriented in the same direction as its original location, but 50-meters east of Wilson Street East.



## 5.2 Impacts on Heritage Resources

The proposed building relocation will result in the following impacts on the property:

- New lot pattern;
- Relocation of building to north-east part of site;
- Removal of rear tail of building;

An assessment of possible effects of the proposed development on the property is presented opposite. The table lists possible effects based on the Ontario Heritage Tool Kit - Heritage Resources in the Land Use Process.

While there is no means of reducing the impact from moving the house in order to remediate the grounds beneath it, the preservation of the Marr House and the conservation of the majority of the heritage attributes is important to acknowledge this existing heritage resource on this site. The sequencing of events will be discussed in more detail through a Conservation Plan.

The building will require substantial stabilization before relocation, which is also an opportunity to provide necessary intervention and provide long-term conservation of the heritage resource. Restoration work on the heritage building would be carried out after it is moved to its final site.

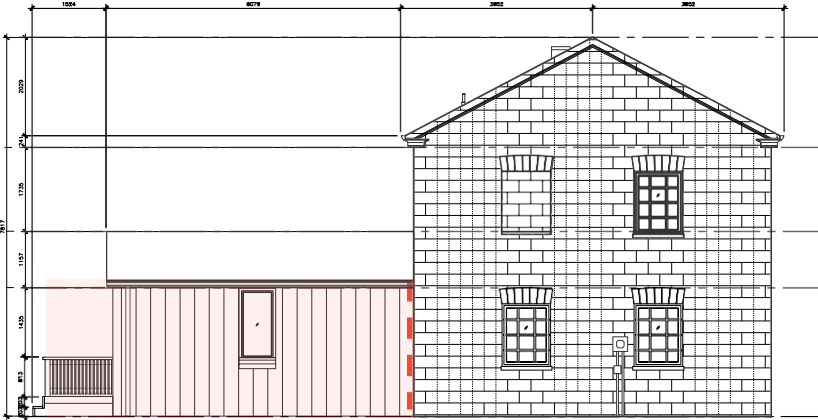
Possible Effect - (from Ontario Heritage Tool Kit-Heritage Resources in the Land Use Process) <b>Assessment (Considered Alternative Development and Mitigation Measures)</b>
<p>Destruction of any, or part of any, significant heritage attributes or features</p> <p><i>Character-defining elements (heritage attributes) identified for the property include the ‘the four facades of the building, including the exposed stonework construction; the roof and chimneys (now missing) and return eaves; the 5-pane toplight over the front door; the surviving northeast ground-floor window in the east facade with its 12-over-12 sash should be preserved for reference. The Standards and Guidelines asks to not “substantially alter its intact or repairable character-defining elements”.</i></p>
<p>Alteration not sympathetic, or incompatible, with the historic fabric and appearance</p> <p><i>The land assembly proposes the creation of additional parcel on the property, build a permanent foundation, relocated the extant Marr House, excavate the former site and prepare lands for a new development. The house will lose its original quality and contextual fit with Wilson Street East as a result of being moved to a new location.</i></p>
<p>Shadows created that alter the appearance of a heritage attribute or change the viability of an associated natural feature or plantings, such as a garden</p> <p><i>Shadow studies are not relevant to the proposed building relocation strategy.</i></p>
<p>Isolation of a heritage attribute from its surrounding environment, context or a significant relationship</p> <p><i>The building relocation will isolate the Marr House from its former context. It has been proposed to be moved to a lot with similarly scaled housing. However, the visual setting of Wilson Street East is considered a character attribute, and relates to the cultural significance of the Marr House. Mitigation strategies are listed in Section 5.2 of this report.</i></p>
<p>Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features.</p> <p><i>The building relocation will not impact any identified views or vistas.</i></p>
<p>A change in land use (such as rezoning a church to a multi-unit residence) where the change in use negates the property’s cultural heritage value</p> <p><i>The land assembly will change through merging six properties into one lot. Additionally, the property will be rezoned to multi-unit residence. Although originally a residence, the Marr House has since been adaptively reused for commercial use.</i></p>
<p>Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archaeological resources</p> <p><i>Land disturbances as a result of this development will have impacts on local cultural heritage resources. However, the proposed redevelopment will address subsurface soil contamination so is considered beneficial in this case.</i></p>

**5.2.1 Removal of the rear tail of the building:**

This removal will not impact the original scale of the house and will not alter the original appearance of the rear elevation.

Mitigation strategies/Recommendations:

- The removal of the tail from the main residence will require repair, infill of new stone, reinstatement of original openings, refinishing and repainting upon removal of the extension. Restoration and conservation of the former Marr House will involve rehabilitating the rear facade based on archival material, in keeping with the original design intent which would be further explored in a forthcoming Conservation Plan.



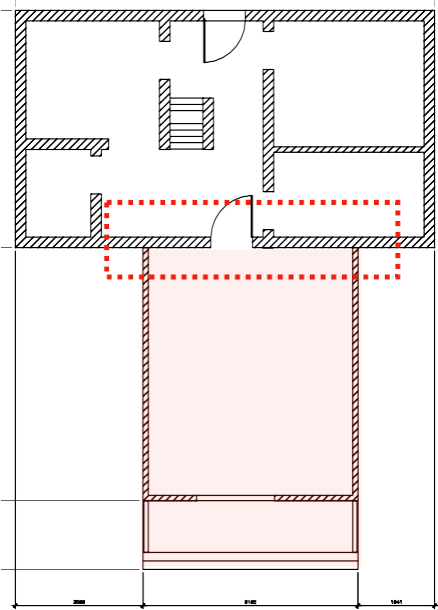
**5.2.2 Physical relocation from Wilson Street East location:**

The current location of the Marr House was based largely on the early settlement patterns of the village Main Street provided by Wilson Street East. It visually connects with the character of several local stone buildings of the same vintage. The contribution of the building’s front elevation and character-defining attributes will no longer be maintained by relocating the building away from Wilson Street East.

It is acknowledged that relocation is not typically favoured. However in this case, permanent relocation can be seen as a mitigation strategy for the building’s long-term preservation, and for the remediation of the site. While every building is different and each project must be assessed on a case-by-case basis, there are general procedures to be followed in the moving process. Details of the relocation will be provided under a separate Conservation Plan.

Mitigation strategies/Alternate Strategies:

- Leaving the stone building for a long period of time during construction poses risks to the stability of a fragile structure such as the Marr House. A permanent move is seen as the best course of action. This is driven by a need to excavate the site for soil remediation, and limit any unnecessary impacts on the building’s fabric arising the excavation work or from multiple moves to sites without a solid foundation.



*The above plan and elevation illustrate the proposed tail to be removed from the Marr House. Areas with a dashed line will require infilling of new stone and reinstatement of original openings upon removal of the extension.*

### 5.2.1 New lot pattern and location

Currently, the Marr House is located at 398 Wilson Street East. The proposed assembly of properties will see a change in the lot pattern and the proposed relocation of the existing building footprint to the north of its present location. The proposed lot does not front a street, and the relocated house is set-back approximately double the lot frontage compared to adjacent properties fronting Lorne Avenue. While the Marr House today fits in with the scale of the historic properties on Wilson Street East, moving it behind any new development and on a lot that is not fronted by a street will diminish its presence.

The *Standards and Guidelines for the Conservation of Historic Places in Canada*, heritage conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place. New construction, demolition, intrusions or other changes that would affect the setting or relationships are not encouraged.

The proposed relocation site is characterised by the modest scale of its environs, with post-war bungalows that have window and door openings facing the public realm. In the proposed relocation scenario, the south elevation of the Marr House (a blank wall) will be oriented to the public realm. This will have an impact on the ability to view the character defining attributes of this Designated heritage property from the public realm although the benefits of its relocation and conservation are clear.

In addition, the recipient site at current day 15 Lorne Avenue is directly adjacent to 420 Wilson Street East (1823) - The Needle Emporium, and a residence at 426 Wilson Street East (1921) both of which were listed on City's Heritage Register in 2020. The front entrance of the Marr House will face the rear yards of these properties and not be visible from Wilson Street East.

### Mitigation strategies/Alternate Strategies:

- The visual setting of Wilson Street East is considered a character attribute, and relates to the cultural significance of the Marr House. Moving the house to another property along Wilson Street East and within the Village Core of Ancaster could be considered.
- Given the site circumstances, if Lorne Avenue remains the most viable site for permanent relocation, how the Marr House relates to its new setting and interacts with any proposed development to the south will be important. Allowing its character attributes (primary facade) to be viewed from the street, and borrowing compatible lotting patterns from adjacent properties (ie, locating the house using the same lot orientation, and same setback as adjacent houses) are two considerations to bear in mind.

## 7. CONSERVATION STRATEGIES

A variety of options are typically available for the redevelopment of sites with buildings of heritage value due to proposed developments, and options must be weighed with other decisive factors, the most common are time and costs. In the case of 389 Wilson Street East (The Marr House) a number of options have been considered and are discussed.

In this instance, the Marr House, which is of heritage value, is at risk if left in its current location on the property and will prevent the development of vacant sites the north and south. The house will be preserved, rehabilitated, and restored. Details regarding repair, stabilisation, preservation and long term conservation will be explored in a detailed Conservation Plan at a later date.

**Preservation** involves the protection, maintenance and stabilisation of the existing form, material and integrity of a historic place or of an individual component, while its heritage value is protected.

**Rehabilitation** is the sensitive adaptation of an historic place or of an individual component for a continuing or compatible contemporary use, while protecting its heritage value. In this instance, the heritage building will be rehabilitated and with a new use related to the proposed development.

**Restoration** is the revealing, recovering or representing the state of a historic place or of an individual component as it appeared at a particular period in its history, as accurately as possible, while its heritage value is protected. In this instance, the Marr House will have reinstated its original exterior finishes by removing any non-original cladding, restoring masonry, and reinstating original window designs and details.

### 7.1 International Standards for Heritage Conservation

Beginning in 1931, various heritage charters have been drafted and subsequently recognized internationally as part of a consistent and objective approach to issues being faced by all countries in addressing heritage conservation.

The concept of setting was addressed in the 1960s in the Venice Charter, the seminal text that underpinned the foundation of ICOMOS (the International Council of Monuments and Sites). Many national charters, including Canada's Appleton Charter (1983), further developed the importance of setting.

The **Venice Charter** is the first of the modern charters (1964) to tackle heritage conservation, codifying acceptable universal principles and practices for the conservation of historic monuments. Of particular relevance for this assessment are the following Articles:

*ARTICLE 1: The concept of a historic resource embraces not only the single architectural work, but also the urban or rural setting in which is found the evidence of a particular history.*

*ARTICLE 6: The conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and colour must be allowed.*

*ARTICLE 13: Additions cannot be allowed except in so far as they do not detract from the interesting parts of the building, its traditional setting, the balance of its composition and its relation with its surroundings.*

The **Appleton Charter** was established in Ottawa in 1983 and adapted the principles of the Venice Charter to a Canadian context. This charter recognizes that the sound management of the built environment is an important cultural activity.

*C. Principles (Protection): Any element of the built environment is inseparable from the history to which it bears witness, and from the setting in which it occurs. Consequently, all interventions must deal with the whole as well as with the parts.*

## 7.2 Exterior conservation and stabilisation

The building would require substantial reconstruction and stabilisation before it is relocated. Anticipated actions once the to the Marr House reaches its final location are as follows:

- Repair, replacement and painting of windows, and sills where required;
- Repair and replacement of awnings;
- Reinstate blocked in window openings;
- Repairs to exterior stone masonry;
- Repairs to exterior woodwork – fascia, soffits, etc.;
- Removal of unsympathetic cladding;
- Repairs or replacement to - metal railing, eaves and troughs;
- Replacement of visible roof area with new high quality shingles.

As excavation work is proposed on the site, which will be adjacent to existing heritage buildings, a structural engineer with proven knowledge and experience in heritage conservation, will need to be consulted. Prior to the execution of the work, the engineer will need to verify if adjacent properties will not be impacted by the excavation work.

As the Marr House is proposed to be relocated, specifications and scope of work for moving the building should be prepared by a qualified building mover in conjunction with a structural engineer. Refer to the International Association of Structural Movers and Ontario Structural Movers Association for qualified companies. Since the practice of professional engineering is regulated by provincial laws, qualified engineering advice must be obtained from a licensed professional engineer.

## 7.3 Interior conservation

The mitigative options for the interior spaces and features will need to be worked out in conjunction with the project architect as the plans are developed in more detail.

At this time, it is possible to assert that the proposed reuse of the Marr House will be associated with a future development to the south which will be sympathetically inserted within the existing heritage building. Attention will need to be paid to the required program needs, with the plans being adjusted according to existing building, if need be. Consideration of new use should begin with respect for existing and traditional patterns of the layout.

The following interior features should be preserved:

- Original hard wood flooring
- The central plan layout with stairs at centre
- The wood window frames
- All original wood doors (along with any original hardware)
- Original wood trim and baseboards

## 8. CONCLUSION

The proposed land assembly, excavation, relocation and site preparation for a future development will result in a number of changes to the existing property and its heritage attributes.

Due to existing site conditions, the proposed building relocation is considered a necessary intervention for the remediation of the site, and for the long-term conservation of the heritage resource. This permanent relocation will limit any unnecessary impacts from multiple moves.

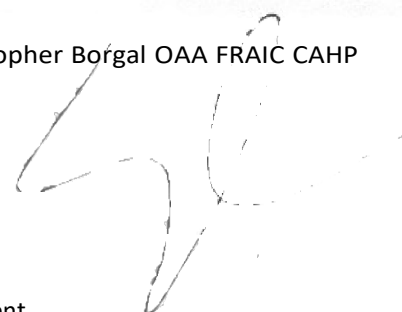
By considering the recommendations contained in this report, the proposed development at 392-412 Wilson Street East can be accomplished in accordance with accepted conservation principles.

In our view, and in light of mitigating strategies to reduce impacts to heritage properties, this proposal balances demands for *intensification* with those of *heritage preservation* in a manner that allows both objectives to be appreciated as a part of a complex and changing urban environment.

## 9. CLOSURE

The information and data contained herein represents GBCA's best professional judgment in light of the knowledge and information available to GBCA at the time of preparation. GBCA denies any liability whatsoever to other parties who may obtain access to this report for any injury, loss or damage suffered by such parties arising from their use of, or reliance upon, this report or any of its contents without the express written consent of GBCA and the client.

Christopher Borgal OAA FRAIC CAHP



President  
Goldsmith Borgal & Company Ltd. Architects

## APPENDIX I

### Standards and Guidelines for the Conservation of Historic Places in Canada

#### THE STANDARDS

The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

#### 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.

**APPENDIX II**  
Designation By-Law 78-87



THE CORPORATION OF THE TOWN OF ANCASTER

BY-LAW NO. 78-87

To Designate the Lands and Building Municipally known as 398 Wilson Street East, in the Town of Ancaster, as Lands and Building of Historic Value, Architectural Value and Interest

WHEREAS this Council is empowered under sub-section (6) of Section 29 of The Ontario Heritage Act to enact By-laws to designate real property, including buildings and structures thereon, as described in Schedule "A" attached hereto to be of historic or architectural value or interest, and

WHEREAS this Council has caused to be served upon the owner of the lands and premises known municipally as 398 Wilson Street East, in the Town of Ancaster, and upon the Ontario Heritage Foundation notice of intention to so designate the described property and has caused such notice of intention to be published in a newspaper having a general circulation in this Municipality once for each of three consecutive weeks, and


WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk of this Municipality within the time prescribed by the said Statute, and

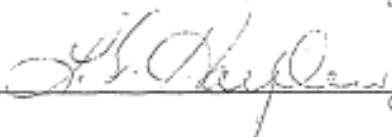
WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF ANCASTER ENACTS AS FOLLOWS:

1. In this By-law the word "property" means real property and includes all buildings and structures thereon.
2. There is hereby designated as being of historic value, architectural value and interest the property known municipally as 398 Wilson Street East, in the Town of Ancaster, and more particularly described in Schedule "A" attached hereto.
3. YATES and YATES are hereby authorized and directed to cause a copy of this By-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office for the Registry Division of Westworth.
4. The Clerk is hereby authorized and directed to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Foundation and to cause notice of this By-law to be published in a newspaper having general circulation in the Town of Ancaster.

ENACTED AND PASSED THIS 11th DAY OF DECEMBER 1978.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

THIS AGREEMENT made, in duplicate, the 13th day of April  
1981.

B E T W E E N:

THE CORPORATION OF THE TOWN OF ANCASTER  
(hereinafter called the "Town")

OF THE FIRST PART,

- and -

MARY ELIZABETH McKEON  
(hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS The Corporation of the Town of Ancaster is the Owner of a  
6 inch x 6 inch plaque, reading "DESIGNATED PROPERTY, ONTARIO  
HERITAGE ACT", with the Crest of the Town of Ancaster thereon, and

WHEREAS Mary Elizabeth McKeon is the registered Owner of the lands  
and premises municipally known as 398 Wilson Street East, in the  
Town of Ancaster, more particularly described as part of Lot Number  
45, Concession 2, in Schedule "A" attached hereto, and

WHEREAS pursuant to By-law No. 78-87 of The Corporation of the Town  
of Ancaster and pursuant to the provisions of The Ontario Heritage  
Act, S.O. 1974, Chapter 122, the lands and premises municipally known  
as 398 Wilson Street East, in the Town of Ancaster, were designated  
as a building or structure of historical or architectural value or  
interest, and

WHEREAS by Section 37(1) of The Ontario Heritage Act, the Town is  
entitled to enter into agreements, covenants and easements with  
Owners of real property or interest therein, for the conservation,  
protection and preservation of the heritage of Ontario, and

WHEREAS by Section 37(3) of The Ontario Heritage Act, such covenants  
and easements entered into by the Town when registered in the proper  
Land Registry Office against the real property affected by them,  
shall run with the real property and may, whether positive or nega-  
tive in nature, be enforced by the Town or its assignee against the  
Owner(s) or any subsequent Owner(s) of the real property, even where  
the Town owns no other land which would be accommodated or benefited  
by such covenants and easements, and

WHEREAS the Owner and the Town desire to conserve the present historical, architectural, aesthetic and scenic character and condition of the building on premises municipally known as 398 Wilson Street East, in the Town of Ancaster.

NOW WITNESSETH this Agreement that in consideration of the sum of TWO (\$2.00) DOLLARS now paid by the Town to the Owner, (the receipt of which is hereby acknowledged) and for other valuable consideration, and in further consideration of the granting of the covenants herein and in further consideration of the mutual covenants and restrictions hereinafter set forth, the Owner and the Town agree to abide and be bound by the following covenants, easements and agreements.

1. Duties of Owner

- (a) The Owner shall and doth hereby allow the Town as Owner of the plaque to attach the said plaque to premises described in Schedule "A" hereto and grant to the Town the privilege of maintaining the said plaque on the premises.
- (b) The Owner does hereby permit the Town servants and agents to enter with material and equipment necessary for the installation, maintenance and inspection of the said plaque and its mountings.
- (c) The Owner shall not, without the prior written approval of the Town, remove the plaque from the premises.

2. Duties of Town

- (a) The Town agrees to install and mount and to maintain a plaque at its own expense on premises municipally known as 398 Wilson Street East, in the Town of Ancaster.
- (b) The Town agrees that, upon the removal of the designation of the premises pursuant to The Ontario Heritage Act, it will remove the plaque from the premises and as far as practicable restore the premises to their same condition as prior to the installation of the plaque.

3. The Owner and the Town agree that at all times the plaque is and remains the property of the Town.

- 3 -

- 4. Nothing contained herein in this Agreement requires the Owner of the premises to open the premises to public viewing.
- 5. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors, administrators and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals under the hands of their officers duly appointed in that behalf.

Signed, sealed, and delivered )  
in the presence of: )

THE CORPORATION OF THE TOWN OF ANCASTER

*Alan Stark*

Mayor

*B. Hughes*

Clerk

MARY ELIZABETH McKEON

*Mary Elizabeth McKeon*  
Registered Owner

*Alida Peterson*

SCHEDULE "B"

Reasons for Designation of 398 Wilson  
Street East, in the Town of Ancaster

The Marr House/Heritage Bookstore, known municipally as 398 Wilson Street East, in the Town of Ancaster, being of historic and architectural value and interest, is a well-preserved and charming Georgian stone house dating from circa 1850 although some stylistic details suggest an earlier date. The use of stone as a construction material relates the building to several other important buildings on Wilson Street. For these reasons the building is of great importance to the Wilson Street streetscape. Without restricting the generality of the foregoing the reasons for this Council designating the described premises include the intention that the following features of the described premises should be preserved, that is,

- (a) the four facades of the building, including the exposed stonework construction, and
- (b) the roof and chimneys and return eaves, and
- (c) the 5-pane toplight over the front door; the surviving northeast ground-floor window in the east facade with its 12-over-12 sash should be preserved for reference in case the owner should desire to return the present 2-over-2 sashes to their original organization, but

this Council has no intention that any alteration, maintenance, repair, replacement or improvement of elements of the premises requires the prior written consent of this Council unless such affect the reasons for the designation of the premises as described in paragraphs (a) to (c) herein.

**APPENDIX III**  
**Remediation Memo**  
as prepared by Landtek Limited



## LANDTEK LIMITED

Consulting Engineers

205 Nebo Road, Unit 3  
Hamilton, Ontario  
Canada  
L8W 2E1

Phone: 905-383-3733  
Fax: 905-383-8433  
engineering@landteklimited.com  
www.landteklimited.com

April 30, 2021  
File: 17476

To Whom it may Concern,

**Re: Remediation Measures and Building Structure Location  
(Existing Heritage Structure)  
392 - 406 Wilson Street East, Hamilton (Ancaster), Ontario**

---

Based on the environmental investigations completed to date at the above site which previously included the location of a gas station, subsurface soil and groundwater impacts due to historical operations have been identified/confirmed. Impact plumes have migrated throughout several areas of the site and include areas beneath existing structures. Contamination has been found to depths of up to approximately 6 m to 8 m in some areas.

### Remediation Measures

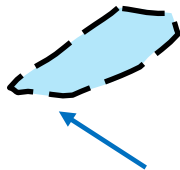
The redevelopment remedial option is expected to be a 'dig and dump' methodology which will focus on the removal/disposal of the impacted materials. For this remediation, it is essential that safe physical access for excavation activities can be maintained. Additionally, given the significant depths and lateral extents of impact in some areas, it is Landtek's opinion that the structural integrity of on-site structures will be jeopardized.

With regards to the above conditions, it is our recommendation that demolition/removal or relocation of the building structures be completed to allow for safe and effective environmental remediation to proceed in accordance with the Ministry of the Environment, Conservation and Parks (MECP) regulation for filing/acceptance of a Record of Site Condition (RSC).

If you have any questions, please do not hesitate to contact our office.

Yours truly,  
**LANDTEK LIMITED**

Paul Blunt., P.Eng., QP<sub>ESA</sub>  
Senior Environmental Engineer

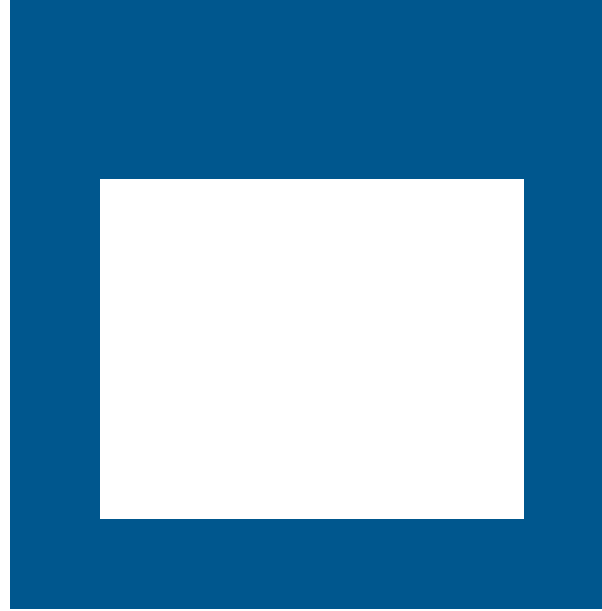


Estimated extent of on-site groundwater contamination  
Estimated groundwater flow direction



Estimated extent of on-site soil contamination





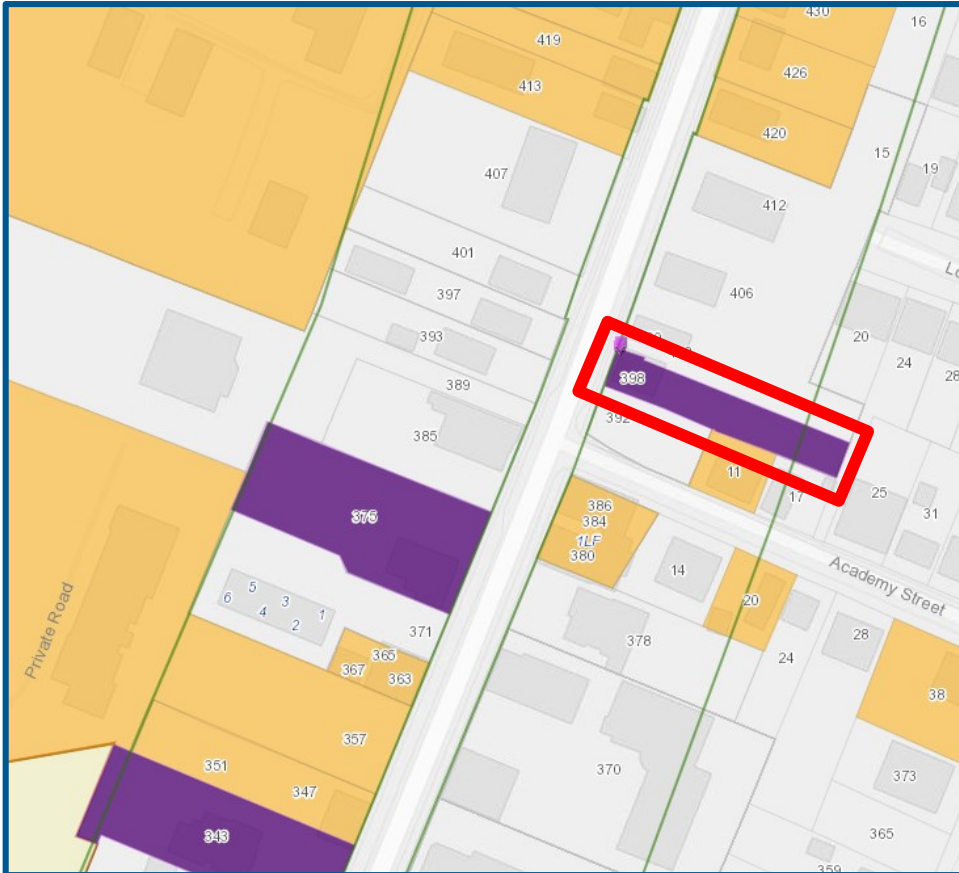
HERITAGE PERMIT APPLICATION HP2021-033  
DESIGNATED UNDER PART IV OF THE  
*ONTARIO HERITAGE ACT* FOR PROPOSED  
RELOCATION OF 398 WILSON STREET EAST,  
ANCASTER

September 24, 2021

# HP2021-033 – 398 WILSON STREET EAST, ANCASTER



# HP2021-033 – 398 WILSON STREET EAST, ANCASTER



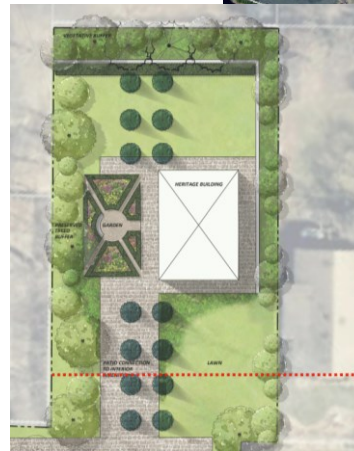
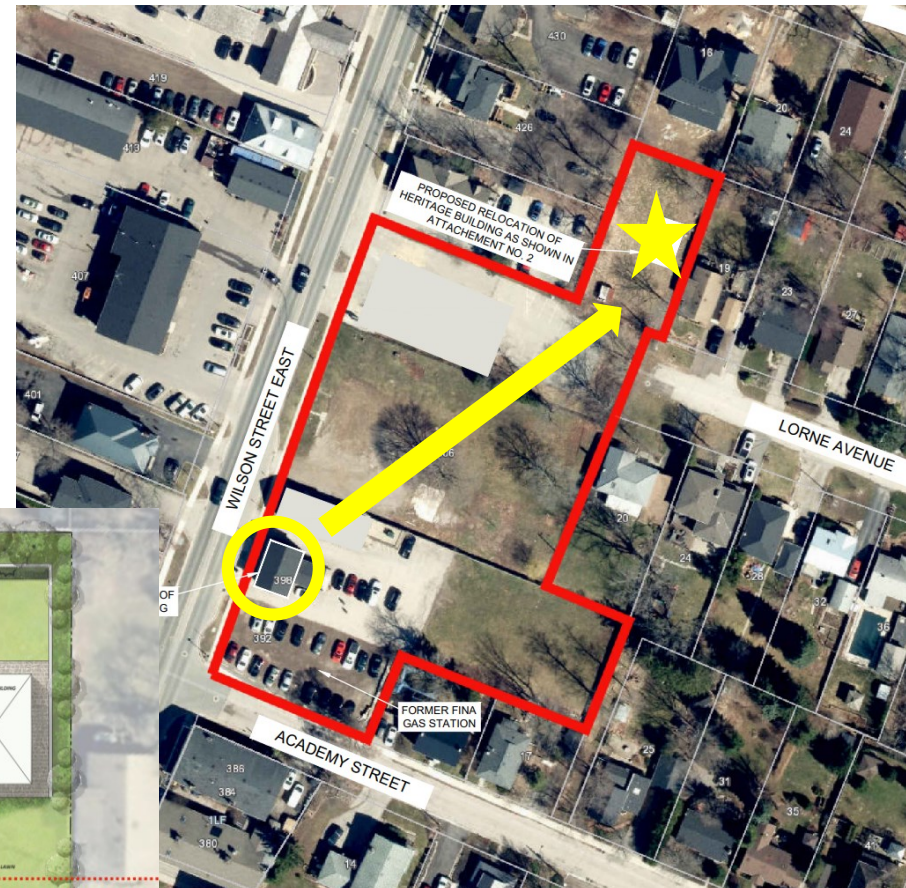
# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## Proposal:

- Relocate the existing stone structure (Marr House) to the NE corner of amalgamated parcel (15 Lorne Avenue);
- Removal of rear wing addition;
- Extensive restoration work following relocation;
- Conceptual plan shows use as amenity space/garden for future redevelopment.

## Applicant's Reason for Relocation:

- Decontaminate soil and groundwater below/adjacent to structure;
- Future comprehensive redevelopment of the site.



# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

GBCA Project No. 21006 - 392- 412 Wilson Street East and 15 Lorne Avenue Ancaster

4 June 2021



*Marr House, 2021 (GBCA). North Elevation. Top left window opening closed in.*



*Marr House, 2021 (GBCA). South Elevation. Blank wall with tail extending to the east. Foundation issues notable from a distance.*



*Marr House, 2021 (GBCA). East Elevation. Rear tail covers to ground level openings.*

GBCA Architects



*Marr House, 2021 (GBCA). West Elevation 2.4 meters from Wilson Street East. Although the designation by-law notes that chimneys are a contributing heritage attribute, in its current state these are no longer present.*

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# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## SCHEDULE "B"

### Reasons for Designation of 398 Wilson Street East, in the Town of Ancaster

The Marr House/Heritage Bookstore, known municipally as 398 Wilson Street East, in the Town of Ancaster, being of historic and architectural value and interest, is a well-preserved and charming Georgian stone house dating from circa 1850 although some stylistic details suggest an earlier date.

Without restricting the generality of the foregoing the reasons for this Council designating the described premises include the intention that the following features of the described premises should be preserved, that is,

this Council has no intention that any alteration, maintenance, repair, replacement or improvement of elements of the premises requires the prior written consent of this Council unless such affect the reasons for the designation of the premises as described in paragraphs (a) to (c) herein.

### **Property Overview:**

- Part IV of OHA in 1978 by By-law No. 78-87;
- Constructed circa 1850 for Adam Marr, local cabinet maker;
- Random rubble stone structure consistent with others along Wilson St;
- Initially a residence, converted to commercial uses.

### **Previous Applications:**

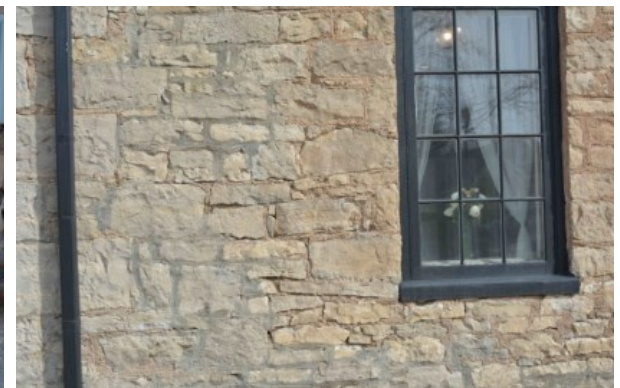
- Formal Consultation in 2019 for redevelopment including relocation of Marr House – no formal *Planning Act* applications submitted to date.

# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## **Cultural Heritage Impact Assessment (CHIA) prepared by GBCA Architects:**

### Conclusions & Recommendations:

- Recognition of the location on Wilson St E being considered character attribute;
- Due to site conditions, relocation is considered necessary intervention for remediation of site and for long term-conservation of resource;
- Permanent relocation will limit unnecessary impacts to building from multiple moves;
- Advises a Structural Engineer with heritage knowledge needs to be consulted;
- Advises specifications & scope of relocation should be prepared by qualified Building Mover in conjunction with Structural Engineer;
- Proposal balances demand for intensification with those of heritage preservation in a manner that allows both objectives to be appreciated as a part of a complex and changing urban environment.



# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

**Environmental Letter prepared by Landtek Limited Consulting Engineers:**

**Contamination:**

- Site previously contained gas station
- Subsurface soil and groundwater impacts have been confirmed
- Impact plumes migrated to several areas including beneath the Marr House
- Contamination has been found to depths of up to 6-8m

**Proposed Remediation:**

- Redevelopment remedial option is expected to be a 'dig and dump' method
- Focus on remove/dispose impacted materials
- Landtek's opinion that the structural integrity of on-site structures will be jeopardized.
- Recommend demolition/removal or relocation to allow for remediation to get an accepted Record of Site Condition



Estimated extent of on-Site groundwater contamination

Estimated extent of on-Site soil contamination

Estimated groundwater flow direction



# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## Policy & Design Working Group:

- Reviewed CHIA at the **August 23, 2021** and had several concerns about the CHIA, deemed it to be incomplete.

## Heritage Permit Review Subcommittee Consultation (HPRS):

- Reviewed application at a special meeting on **August 31, 2021** and recommended that the application as submitted be **denied**.
- Several concerns and questions raised about the proposal including:
  - Significance of its location;
  - Associated risks given complex nature of relocating stone structure;
  - Other alternatives (location and remediation methods);
  - Future intention for property;
  - Scope and timing of remediation;
  - Case studies;
  - Conformity with policy.

# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## Staff Analysis:

- Key Factors Considered for Evaluating Change Affecting Heritage Resource:
  - Displacement Effects:
    - Entire structure and all features proposed to be removed from its designated and prominent location along Wilson St E.
  - Disruption Effects:
    - Complex relocation given random rubble stone construction and age – high potential risks that could be irreversible;
    - Changes to the setting of the historic building from streetscape (defining feature).
- Ontario Heritage Act:
  - Interpreted as a demolition as all attributes proposed to be removed from limitations of designated parcel.
- Archaeology:
  - Amalgamated site meets six of ten criteria used by MHSTCI;
  - No Stage 1&2 Archaeological Assessment submitted with application.

# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

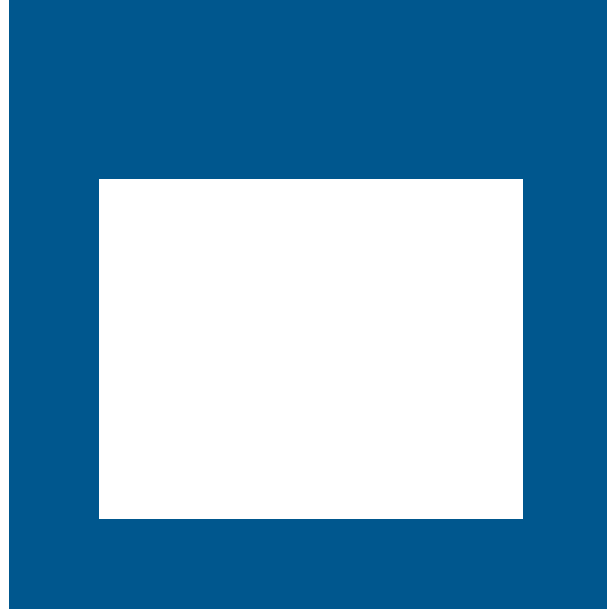
## Staff Conclusions:

- Does not meet the intent of the designation By-law - value of building's setting;
- Not in keeping with the policies of the PPS, UHOP, Ancaster Wilson Street Secondary Plan;
- Potential mitigation measures or alternatives are not adequately assessed;
- Supporting documentation does not provide sufficient justification or technical information;
  - CHIA is deficient in its assessment, alternatives and overall impact;
  - Environmental Letter had minimal information on contamination or options;
  - No documentation provided by qualified Structural Engineer;
  - No documentation provided by qualified building moving company;
  - No technical information on scope or specifications of building.
- Formal Consultation in 2019 identified concerns and requirements from other departments – should be reviewed in its entirety through appropriate *Planning Act* applications;
- Application cannot be adequately assessed, insufficient evidence to support relocation as proposed;
- In agreement with recommendation of HPRS.

# HP2021-033 – 398 WILSON STREET EAST, ANCASTER

## **Staff Recommendation:**

- (a) That Heritage Permit application HP2021-033, for the relocation of the Part IV designated heritage building at 398 Wilson Street East, Ancaster, under section 34 of the *Ontario Heritage Act*, be deemed to be premature and therefore be **denied**;
  
- (b) That appropriate notice of the Council decision be served on the owner of 398 Wilson Street East, Ancaster, and the Ontario Heritage Trust, as required under Section 34 of the *Ontario Heritage Act*.



THANK YOU

Designation Work Plan Priorities as of September 14, 2021

Work Plan Year	Name	Address	Community	Designation Request Date	HMHC Buildings & Landscapes List	Status
2021	Residence	105 FILMAN RD	Ancaster	1/28/21		Shifted from low to high priority in 2021
	Desjardins Canal	COOTES DR	Dundas	2/25/09		
	Former Blacksmith Shop	2 HATT ST	Dundas	8/17/17	Red	
	Dundas Post Office	104 KING ST W	Dundas	9/23/09	Green	
	Lennard House	7 ROLPH ST	Dundas	3/25/19		
	Maple Lawn	292 DUNDAS ST E	Flamborough	8/13/19	Yellow	Draft CHA (WVBHI)
	Former Kirk Hotel; Royal Coachman	1 MAIN ST N	Flamborough	6/17/19		Draft CHA (WVBHI)
	Village Fish and Chips	9 MAIN ST N	Flamborough	7/08/19		Draft CHA (WVBHI)
	Cannon Knitting Mill	134 CANNON ST E	Hamilton	8/20/14		
	Auchmar Gatehouse	71 CLAREMONT DR	Hamilton	5/27/09	Red	
	W.H. Ballard Public School	801 DUNSMURE RD	Hamilton	4/08/14		
	Residence	105 ERIE AVE	Hamilton	5/01/13		
	King George School	77 GAGE AVE N	Hamilton	5/13/14		NOID Issued
		54 HESS ST S	Hamilton	5/28/21	Red	COUNCIL RATIFIED JUNE 23 2021
		56 HESS ST S	Hamilton	5/28/21	Red	COUNCIL RATIFIED JUNE 23 2021
	Gore Park	1 HUGHSON ST S	Hamilton	4/23/08		
	Bell Building	17 JACKSON ST W	Hamilton	8/20/14		
	Oak Hall	10 JAMES ST N	Hamilton	8/20/14		
	Former Hamilton Distillery Company Building	16 JARVIS ST	Hamilton	8/20/14		
	Barton Reservoir	111 KENILWORTH ACCESS	Hamilton	2/25/09		OBL
	Kenilworth Library	103 KENILWORTH AVE N	Hamilton	2/11/14		
	Former Bank of Nova Scotia	54 KING ST E	Hamilton	8/20/14		
	Royal Connaught	82 112 KING ST E	Hamilton	4/08/08	Green	NOID Under Appeal
Residence	215 KING ST S	Dundas	5/28/21			
Jimmy Thompson Memorial Pool	1099 KING ST E	Hamilton	9/02/13		Draft CHA	
Church	1395 1401 KING ST E	Hamilton	8/03/09			

Work Plan Year	Name	Address		Community	Designation Request Date	HMHC Buildings & Landscapes List	Status
	Hambly House	170		LONGWOOD RD N	Hamilton	2/14/11	
	Former County Courthouse	50		MAIN ST E	Hamilton	8/20/14	
	Former Cathedral School	378		MAIN ST E	Hamilton	8/03/13	OBL
	Gage Park	1000		MAIN ST E	Hamilton	3/22/06	Yellow
	Memorial School	1175		MAIN ST E	Hamilton	4/08/14	
	Residence	7		RAVENSCLIFFE AVE	Hamilton	6/09/11	
	Former Union School	634		RYMAL RD W	Hamilton	6/06/13	
	Medical Superintendent's Residence ("Residence 37")	650	672	SANATORIUM RD	Hamilton	22/08/17	
	Regency Cottage	39		LAKEVIEW DR	Stoney Creek	2/11/11	
	Former Elfrida United Church	2251		RYMAL RD E	Stoney Creek	12/19/12	
2022	Ancaster Village – Wilson Street (Collection of 30 properties)	490	454	OLD DUNDAS RD WILSON ST E	Ancaster	4/28/20	
	Stone House	558		WILSON ST E	Ancaster	5/04/20	
	Charlton-Hughson-Forest-John Block	39	49	CHARLTON AVE E FOREST AVE 183 187 HUGHSON ST S	Hamilton	9/23/14	
	Former Mount Hamilton Hospital Maternity Wing	711		CONCESSION ST	Hamilton	1/28/21	
	Copp Block	165	205	KING ST E (Except No. 193)	Hamilton	8/20/14	
2023	Hughson House	103		CATHARINE ST N	Hamilton	8/20/14	
	Hamilton Hydro/ Horizon Utilities	55		JOHN ST N	Hamilton	8/20/14	
	First Pilgrim United Church	200		MAIN ST E	Hamilton	8/20/14	
	St. John's Evangelical Lutheran Church	37		WILSON ST	Hamilton	8/20/14	
2024	Stelco Tower	100		KING ST W	Hamilton	8/20/14	
	Hamilton Club	6		MAIN ST E	Hamilton	8/20/14	
	Landmark Place/ Century 21 Building	100		MAIN ST E	Hamilton	8/20/14	
	Commercial Building	189		REBECCA ST	Hamilton	8/20/14	

Work Plan Year	Name	Address		Community	Designation Request Date	HMHC Buildings & Landscapes List	Status
2025	Gartshore Building	64	HATT ST	Dundas	3/26/17	Yellow	Formal Consultation Application
	Undercliffe	64	ABERDEEN AVE	Hamilton	6/13/17		
	Gateside	131	135 ABERDEEN AVE	Hamilton	6/13/17		
	Former Eastcourt Carriage House	24	BLAKE ST	Hamilton	11/10/20		
	Hereford House	13	15 BOLD ST	Hamilton	6/13/17		
	Royal Alexandra	19	21 BOLD ST	Hamilton	6/13/17		
	George Armstrong School	460	CONCESSION ST	Hamilton	7/29/14		
2026	Residence	192	BOLD ST	Hamilton	6/13/17		
	Henson Court	170	CAROLINE ST S	Hamilton	6/13/17		
	Central Presbyterian Church and Sunday School	252	CAROLINE ST S 165 CHARLTON AVE W	Hamilton	6/13/17		
	Eggshell Terrace	14	24 CHARLTON AVE W	Hamilton	6/13/17		
2027	Residence	99	DUKE ST	Hamilton	6/13/17		
		191	BAY ST S				
	Lakelet Vale and Drive House	50	54 SANDERS BLVD	Hamilton	26/05/2020	Yellow	Shifted from a low to medium priority in 2020
2028	Residence	173	BAY ST S	Hamilton	6/13/17		
	Maple Lawn	254	BAY ST S	Hamilton	6/13/17		
	Widderly	274	BAY ST S	Hamilton	6/13/17		
	Bright Side / Sunny Side	280	BAY ST S	Hamilton	6/13/17		
	Balfour House	282	BAY ST S	Hamilton	6/13/17		
	Residence	41	CHARLTON AVE W	Hamilton	6/13/17		
2029	Residence	72	CHARLTON AVE W	Hamilton	6/13/17		
	Duke Street Double House	14	DUKE ST	Hamilton	6/13/17		
	Residence	98	DUKE ST	Hamilton	6/13/17		
2030	Herkimer Terrace	11	17 HERKIMER ST	Hamilton	6/13/17		
	Herkimer Street Terrace	44	46 HERKIMER ST	Hamilton	6/13/17		
	Kildallan	370	HESS ST S	Hamilton	6/13/17		



Work Plan Year	Name	Address	Community	Designation Request Date	HMHC Buildings & Landscapes List	Status
	Residence	378 HESS ST S	Hamilton	6/13/17		
	Residence	384 HESS ST S	Hamilton	6/13/17		
	HREA Residence	203 MACNAB ST S	Hamilton	6/13/17		
2031	Moodie Residence	37 ABERDEEN AVE	Hamilton	6/13/17		
	Residence	125 ABERDEEN AVE	Hamilton	6/13/17		
	Gibson Residence	311 BAY ST S	Hamilton	6/13/17		
	Residence	312 BAY ST S	Hamilton	6/13/17		
2032	Cartwright Residence	321 BAY ST S	Hamilton	6/13/17		
	Whitton Residence	351 353 BAY ST S	Hamilton	6/13/17		
	Pigott Residence	358 BAY ST S	Hamilton	6/13/17		
	Wood House	64 CHARLTON AVE W	Hamilton	6/13/17		
2033	First Christian Reformed Church	181 CHARLTON AVE W	Hamilton	6/13/17		
	Herkimer Apartments	86 HERKIMER ST	Hamilton	6/13/17		
2034	Residence	880 CENTRE RD	Flamborough	11/26/17		
	The Castle; Amisfield	1 DUKE ST	Hamilton	6/13/17		
	Residence	347 QUEEN ST S	Hamilton	6/13/17		
	Residence	403 QUEEN ST S	Hamilton	6/13/17		
2035	Webster House / Springdale	6 WEBSTERS FALLS RD	Flamborough	3/25/18		
	Edmonds House	1320 WOODBURN RD	Glanbrook	6/24/18		
	The Powerhouse	21 JONES ST	Stoney Creek	7/18/18		
	Markson / Goldblatt House	45 AMELIA ST	Hamilton	3/25/19		
2036	Residence	65 CENTRAL DR	Ancaster	1/28/21		
	Residence	3819 INDIAN TRAIL	Ancaster	1/28/21		
	Residence	3513 JERSEYVILLE RD W	Ancaster	1/28/21		
	Residence	1032 LOWER LIONS CLUB	Ancaster	1/28/21		
2037	Residence	713 OLD DUNDAS RD	Ancaster	1/28/21		
	Residence	2059 POWERLINE RD	Ancaster	1/28/21		
	Residence	2224 POWERLINE RD	Ancaster	1/28/21		

