



## City of Hamilton

# HAMILTON MUNICIPAL HERITAGE COMMITTEE REVISÉ

**Meeting #:** 23-004

**Date:** April 28, 2023

**Time:** 12:00 p.m.

**Location:** Room 264, 2nd Floor, City Hall (hybrid) (RM)  
71 Main Street West

Matt Gauthier, Legislative Coordinator (905) 546-2424 ext. 6437

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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 March 27, 2023

**5. COMMUNICATIONS**

5.1 Correspondence to the Ontario Heritage Trust, Provincial Heritage Registrar, respecting Notice of Passing of By-law No. 23-045 to Designate 66-68 Charlton Avenue West, Hamilton (Ward 2) Part IV of the Ontario Heritage Act

Recommendation: Be received

5.2 Correspondence respecting Notice of Council Decision for Heritage Permit Application HP2023-005 for 18 Chilton Place, Hamilton (Ward 2), Durand-Markland Heritage Conservation District, Designated under Part V of the Ontario Heritage Act

(By-law No. 94-184)

Recommendation: Be received

- 5.3 Correspondence to Ontario Heritage Trust respecting Notice of Intention to Repeal Designation By-law Number 83-183 for 14 Belvidere Avenue, Hamilton, under Section 31 of the Ontario Heritage Act

Recommendation: Be received

- 5.4 Correspondence to Ontario Heritage Trust respecting Notice of Intention to Repeal Designation By-law Number 01-225 for 14 Mary Street, Hamilton, under Section 31 of the Ontario Heritage Act

Recommendation: Be received

- \*5.5 Correspondence from Margaret Stowe respecting 99 Creighton Rd

Recommendation: Be Received.

- \*5.6 Correspondence from Dr. Sarah Sheehan, Chair, Built Environment Hamilton, respecting an Update on Community-led Neighbourhood Inventory Work (Ward 3)

Recommendation: Be Received.

## 6. DELEGATION REQUESTS

- \*6.1 Chris Uchiyama, LHC Heritage Planning & Archaeology Inc., respecting the Cultural Heritage Impact Assessment for 99 Creighton Road (for today's meeting)

## 7. DELEGATIONS

## 8. STAFF PRESENTATIONS

## 9. CONSENT ITEMS

### 9.1 Delegated Approval: Heritage Permit Applications

- a. Heritage Permit Application HP2023-013: Installation of exterior vents at 232 Highway 8, Flamborough, McKinley-McGinty House (Ward 13) (By-law No. 80-199-H)
- b. Heritage Permit Application HP2023-011: Installation of Municipal Heritage Designation Plaque at 292 Dundas Street East, Flamborough, Maple Lawn (Ward 15) (By-law No. 22-140)
- c. Heritage Permit Application HP2023-015: Repairs and Porch Replacement at 314 Wilson Street East, Ancaster (Part IV, Tisdale House) (Ward 12) (By-law No. 17-264)

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- d. Heritage Permit Application HP2023-017: Renewal of previously-approved Heritage Permit Application HP2022-036 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2)

9.2 Update on the Melville Street Heritage Conservation District Study (PED23083) (Ward 13)

9.3 Education and Communication Working Group Notes - March 1, 2023

\*9.4 Inventory & Research Working Group (IRWG) Meeting Notes - February 27, 2023

\*9.5 Newly Proposed Provincial Planning Statement and its Cultural Heritage Resource Policies (PED23113) (City Wide)

\*9.6 Information Update Regarding Heritage Permit Extension HP2023-017 for 98 James Street South, Hamilton (PED23133) (Ward 2)

\*9.7 Heritage Permit Review Sub-Committee Minutes - March 21, 2023

## 10. DISCUSSION ITEMS

10.1 Monthly Report on Proactive Listings for the Municipal Heritage Register, April 2023 (PED23101) (Wards 3 and 11)

## 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.

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)

Ancaster

- (i) 372 Butter Road West, Andrew Sloss House (D) – C. Dimitry
- (ii) 1021 Garner Road East, Lampman House (D) – C. Dimitry
- (iii) 398 Wilson Street East, Marr House (D) – C. Dimitry

Dundas

- (iv) 2 Hatt Street (R) – K. Burke
- (v) 216 Hatt Street (I) – K. Burke
- (vi) 215 King Street West (R) – K. Burke
- (vii) 219 King Street West (R) – K. Burke
- (viii) 6 Tally Ho Drive, Dundas (I) – K. Burke

Glanbrook

- (viii) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (ix) 80-92 Barton Street East, Former Hanrahan Hotel (R) – T. Ritchie
- (x) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xi) 66-68 Charlton Avenue West (NOID) – J. Brown
- (xii) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – R. McKee
- (xiii) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (xiv) 127 Hughson Street North, Firth Brothers Building (D) – T. Ritchie
- (xv) 163 Jackson Street West, Pinehurst / Television City (D) – J. Brown
- (xvi) 108 James Street North, Tivoli (D) – T. Ritchie
- (xvii) 98 James Street South, Former James Street Baptist Church (D) – J.

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

## Brown

- (xviii) 18-22 King Street East, Gore Buildings (D) – W. Rosart
- (xix) 24-28 King Street East, Gore Buildings (D) – W. Rosart
- (xx) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (xxi) 378 Main Street East, Cathedral Boys School (R) – T. Ritchie
- (xxii) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (xxiii) 120 Park Street North (R) – R. McKee
- (xxiv) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (xxv) 100 West 5th Street, Century Manor (D) – G. Carroll

## 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)

## Dundas

- (i) 64 Hatt Street, Former Valley City Manufacturing (R) – K. Burke
- (ii) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (iii) 3 Main Street, Former Masonic Lodge (R) – K. Burke
- (iv) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (v) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – W. Rosart

## Flamborough

- (vi) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (vii) 62 6th Concession East, Hewick House (I) – L. Lunsted

## Hamilton

- (viii) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – T. Ritchie
- (ix) 384 Barton Street East, St. Paul's Ecumenical Church (D) – T. Ritchie
- (x) 134 Cannon Street East, Cannon Knitting Mill (R) – T. Ritchie
- (xi) 52 Charlton Avenue West, Former Charlton Hall (D) – J. Brown
- (xii) 56 Charlton Avenue West, Former Charlton Hall (D) – J. Brown
- (xiii) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (xiv) 54-56 Hess Street South (R) – J. Brown
- (xv) 1000 Main Street East, Dunnington-Grubb Gardens / Gage Park (R) – G. Carroll

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- (xvi) 1284 Main Street East, Delta High School (D) – G. Carroll
- (xvii) 1 Main Street West, Former BMO / Gowlings (D) – W. Rosart
- (xviii) 311 Rymal Road East (R) – C. Dimitry
- (xix) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (xx) 50-54 Sanders Boulevard, Binkley Property (R) - J. Brown
- (xxi) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (xxii) 84 York Boulevard, Philpott Church (R) – G. Carroll
- (xxiii) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xxiv) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll

Stoney Creek

- (xxiv) 77 King Street West, Battlefield House NHS (D) – R. McKee
- (xxv) 2251 Rymal Road East, Former Elfrida Church (R) – C. Dimitry

c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

Dundas

- (i) 104 King Street West, Former Post Office (R) – K. Burke  
Hamilton
- (ii) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (iii) 88 Fennell Avenue West, Auchmar (D) – R. McKee
- (iv) 125 King Street East, Norwich Apartments (R) – T. Ritchie
- (v) 206 Main Street West, Arlo House (R) – J. Brown

d. Heritage Properties Update (BLACK)

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

Ancaster

- (i) 442, 450 and 452 Wilson Street East (R) – C. Dimitry

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated, (NHS) National Historic Site

13.2 Hamilton Wentworth Heritage Association - Heritage Volunteer Recognition Event Update (no copy)

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

**HAMILTON MUNICIPAL HERITAGE COMMITTEE**

**Minutes 23-003**

**12:00 p.m.**

**March 27, 2023**

**Room 264, 2<sup>nd</sup> Floor, City Hall**

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**Present:** Councillor C. Kroetsch  
A. Denham-Robinson (Chair), J. Brown, K. Burke, G. Carroll, L. Lunsted, R. McKee and W. Rosart

**Absent with  
Regards:** C. Dimitry and T. Ritchie

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

- 1. Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2) (Item 8.1)**

**(Kroetsch/Brown)**

That Heritage Permit Application HP2023-005, for the erection of a rear detached accessory structure on the designated property at 18 Chilton Place, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix "A" attached to Report PED23001, be approved, subject to the approval of any required Planning Act applications and the following Heritage Permit conditions:

- (a) That the final details of the windows and garage doors be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (b) 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;
- (c) That construction and site alterations, in accordance with this approval, shall be completed no later than March 31, 2025. If the construction and site alterations are not completed by March 31, 2025, 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**



**2. Recommendation to Designate 115-117 George Street, Hamilton, under Part IV of the Ontario Heritage Act (PED23027) (Ward 2) (Item 8.2)**

**(Burke/Lunsted)**

- (i) That the City Clerk be directed to give notice of Council's intention to designate 115-117 George Street, Hamilton, shown in Appendix "A" attached to PED23027, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED23027, subject to the following:
- (a) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
  - (b) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council through Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.
- (ii) ***That staff be directed to investigate the addition of a designated heritage plaque to be added by the developer, to the property at 115-117 George Street, Hamilton.***

**Main Motion as Amended CARRIED**

**3. Council Initiative to Repeal Designation By-laws under Section 31 the Ontario Heritage Act for Vacant Properties at 14 Belvidere Avenue and 14 Mary Street, Hamilton (PED23038) (Wards 2 and 8) (Item 10.1)**

**(Brown/McKee)**

That the City Clerk be directed to give notice of Council's intention to repeal By-law No. 83-183, being a by-law designating 14 Belvidere Avenue, Hamilton (Appendix "A" attached hereto to Report PED23038), and By-law No. 01-225, being a by-law designating 14 Mary Street, Hamilton (Appendix "B" attached hereto to Report PED23038), in accordance with the requirements of Section 31(3) of the Ontario Heritage Act, subject to the following:

- (a) For each property that receives no objections to the notice of intention to repeal in accordance with the Ontario Heritage Act, staff be directed to introduce the necessary by-law to repeal to City Council;
- (b) For each property that receives any objection to the notice of intention to repeal in accordance with the Ontario Heritage Act, staff be directed to report back to Council through Planning Committee to allow Council to

consider the objection and decide whether or not to withdraw the notice of intention to repeal.

**CARRIED**

**4. Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 10.2)**

**(Brown/McKee)**

That the non-designated property located at 99 Creighton Road, Dundas, be removed from the Municipal Heritage Register.

**CARRIED**

**FOR INFORMATION:**

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

The Clerk advised the Committee of the following changes to the agenda:

**6. DELEGATION REQUESTS**

\*6.1 Chris Uchiyama, LHC Heritage Planning & Archaeology Inc., respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (for today's meeting)

\*6.2 Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (for today's meeting)

**9. CONSENT ITEMS**

9.2 Working Group Notes

\*9.2.e Policy and Design Working Group - February 13, 2023

\*9.3 Heritage Permit Review Sub-Committee Minutes - February 21, 2023

**(Brown/Carroll)**

That the agenda for March 27, 2023, be approved, as amended.

**CARRIED**

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

A. Denham-Robinson declared an interest in Item 8.1, Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2), as she works for an architecture firm involved with the property.

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

**(i) February 24, 2023 (Item 4.1)**

**(Kroetsch/Carroll)**

That the Minutes of February 24, 2023 of the Hamilton Municipal Heritage Committee, be approved, as presented.

**CARRIED**

**(d) DELEGATION REQUESTS (Item 6)**

**(Brown/Lunsted)**

That the following Delegation Requests be approved for today's meeting:

- (i) Chris Uchiyama, LHC Heritage Planning & Archaeology Inc., respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (for today's meeting) (Added Item 6.1)
- (ii) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (for today's meeting) (Added Item 6.2)

**CARRIED**

**(e) DELEGATIONS (Item 7)**

- (i) Chris Uchiyama, LHC Heritage Planning & Archaeology Inc., addressed Committee respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 7.1)
- (ii) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., addressed Committee respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 7.2)

**(Carroll/Lunsted)**

That the following Delegations, be received:

- (i) Chris Uchiyama, LHC Heritage Planning & Archaeology Inc., addressed Committee respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 7.1)
- (ii) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., addressed Committee respecting the Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 7.2)

**CARRIED**

For further disposition, refer to Item 4.

**(f) STAFF PRESENTATIONS (Item 8)**

A. Denham-Robinson relinquished the Chair for the following item.

- (i) **Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2) (Item 8.1)**

Lisa Christie, Cultural Heritage Planner addressed Committee with a presentation respecting Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2).

**(Kroetsch/Brown)**

That the Presentation respecting Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2), be received.

**CARRIED**

For further disposition, refer to Item 1

A. Denham-Robinson assumed the Chair.

- (ii) **Recommendation to Designate 115-117 George Street, Hamilton, under Part IV of the Ontario Heritage Act (PED23027) (Ward 2) (Item 8.2)**

Chloe Richer, Cultural Heritage Planner addressed Committee with a presentation respecting Recommendation to Designate 115-117 George Street, Hamilton, under Part IV of the Ontario Heritage Act (PED23027) (Ward 2).

**(Brown/Lunsted)**

That the Presentation respecting Recommendation to Designate 115-117 George Street, Hamilton, under Part IV of the Ontario Heritage Act (PED23027) (Ward 2), be received.

**CARRIED**

**(Burke/Lunsted)**

That the City Clerk be directed to give notice of Council's intention to designate 115-117 George Street, Hamilton, shown in Appendix "A" attached to PED23027, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED23027, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (b) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council through Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**(McKee/Carroll)**

That the following sub-section be added to the recommendations:

- (ii) *That staff be directed to investigate the addition of a designated heritage plaque to be added by the developer, to the property at 115-117 George Street, Hamilton.***

***Amendment CARRIED***

- (i) That the City Clerk be directed to give notice of Council's intention to designate 115-117 George Street, Hamilton, shown in Appendix "A" attached to PED23027, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED23027, subject to the following:
  - (a) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
  - (b) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff

to report back to Council through Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

- (ii) ***That staff be directed to investigate the addition of a designated heritage plaque to be added by the developer, to the property at 115-117 George Street, Hamilton.***

**Main Motion as Amended CARRIED**

For further disposition, refer to Item 2

**(f) CONSENT ITEMS (Item 9)**

**(Brown/Carroll)**

That the following be received:

- (i) Delegated Approval: Heritage Permit Applications (Item 9.1)
- (a) Heritage Permit Application HP2023-007: Exterior and interior renovations at 56 Charlton Avenue, West, Hamilton (Ward 2) (By-law No. 15-152) (Item 9.1(a))
  - (b) Heritage Permit Application HP2023-008: Construction of fence at 128 St. Clair Avenue, Hamilton (Ward 3) (St. Clair Avenue Heritage Conservation District, By-law No. 86-125) (Item 9.1(b))
- (ii) Working Group Notes (Item 9.2)
- (a) Inventory and Research Working Group Notes - January 23, 2023 (Item 9.2(a))
  - (b) Education and Communication Working Group Notes - July 6, 2022 (Item 9.2(b))
  - (c) Education and Communication Working Group Notes - September 7, 2022 (Item 9.2(c))
  - (d) Education and Communication Working Group Notes - December 6, 2022 (Item 9.2(d))
  - (e) Policy and Design Working Group - February 13, 2023 (Added Item 9.2(e))
- (iii) Heritage Permit Review Sub-Committee Minutes - February 21, 2023 (Added Item 9.3)

**CARRIED**

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

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

Updates to properties can be viewed in the meeting recording.

**(Rosart/Brown)**

(a) That the property located at 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton, be added to the Buildings and Landscapes of Interest (YELLOW); and

(b) That G. Carroll monitor the property.

**CARRIED**

**(Burke/Carroll)**

(a) That the property located at 6 Tally Ho Drive, Dundas (I), be added to the Endangered Buildings and Landscapes (RED);

(b) That K. Burke monitor the property located at 6 Tally Ho Drive, Dundas; and

(c) The investigation of the property be referred to the Inventory and Research Working Group.

**CARRIED**

**(Carroll/Burke)**

That the following updates, be received:

(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)

Ancaster

(i) 372 Butter Road West, Andrew Sloss House (D) – C. Dimitry

(ii) 1021 Garner Road East, Lampman House (D) – C. Dimitry

(iii) 398 Wilson Street East, Marr House (D) – C. Dimitry  
Dundas

(iv) 2 Hatt Street (R) – K. Burke

(v) 216 Hatt Street (I) – K. Burke

(vi) 215 King Street West (R) – K. Burke

(vii) 219 King Street West (R) – K. Burke

(viii) 6 Tally Ho Drive, Dundas (I) – K. Burke

Glanbrook

(viii) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (ix) 80-92 Barton Street East, Former Hanrahan Hotel (R) – T. Ritchie
- (x) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – R. McKee
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- (xii) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – R. McKee
- (xiii) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (xiv) 127 Hughson Street North, Firth Brothers Building (D) – T. Ritchie
- (xv) 163 Jackson Street West, Pinehurst / Television City (D) – J. Brown
- (xvi) 108 James Street North, Tivoli (D) – T. Ritchie
- (xvii) 98 James Street South, Former James Street Baptist Church (D) – J. Brown
- (xviii) 18-22 King Street East, Gore Buildings (D) – W. Rosart
- (xix) 24-28 King Street East, Gore Buildings (D) – W. Rosart
- (xx) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (xxi) 378 Main Street East, Cathedral Boys School (R) – T. Ritchie
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- (xxiii) 120 Park Street North (R) – R. McKee
- (xxiv) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (xxv) 100 West 5th Street, Century Manor (D) – G. Carroll

- (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)

Dundas

- (i) 64 Hatt Street, Former Valley City Manufacturing (R) – K. Burke
- (ii) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (iii) 3 Main Street, Former Masonic Lodge (R) – K. Burke
- (iv) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (v) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – W. Rosart



Flamborough

- (vi) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (vii) 62 6th Concession East, Hewick House (I) – L. Lunsted

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- (viii) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – T. Ritchie
- (ix) 384 Barton Street East, St. Paul's Ecumenical Church (D) – T. Ritchie
- (x) 134 Cannon Street East, Cannon Knitting Mill (R) – T. Ritchie
- (xi) 52 Charlton Avenue West, Former Charlton Hall (D) – J. Brown
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- (xvi) 1284 Main Street East, Delta High School (D) – G. Carroll
- (xvii) 1 Main Street West, Former BMO / Gowlings (D) – W. Rosart
- (xviii) 311 Rymal Road East (R) – C. Dimitry
- (xix) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (xx) 50-54 Sanders Boulevard, Binkley Property (R) - J. Brown
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- (xxiii) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xxiv) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll

Stoney Creek

- (xxiv) 77 King Street West, Battlefield House NHS (D) – R. McKee
- (xxv) 2251 Rymal Road East, Former Elfrida Church (R) – C. Dimitry

- (c) Heritage Properties Update (GREEN):  
(Green = Properties whose status is stable)

Dundas

- (i) 104 King Street West, Former Post Office (R) – K. Burke  
Hamilton
- (ii) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (iii) 88 Fennell Avenue West, Auchmar (D) – R. McKee
- (iv) 125 King Street East, Norwich Apartments (R) – T. Ritchie
- (v) 206 Main Street West, Arlo House (R) – J. Brown

- (d) Heritage Properties Update (black):  
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (i) 442, 450 and 452 Wilson Street East (R) – C. Dimitry

**CARRIED**

A. Denham-Robinson relinquished the Chair to speak to the following items:

**(Kroetsch/Burke)**

That the following updates be received:

**(ii) Heritage Day Update (Item 13.2)**

A. Denham-Robinson addressed Committee with an update of the activities at Heritage Day.

**(iii) Ontario Heritage Conference 2023 (Item 13.3)**

A. Denham-Robinson address Committee with information on the Ontario Heritage Conference 2023.

**CARRIED**

A. Denham-Robinson assumed the Chair.

**(i) ADJOURNMENT (Item 15)**

**(Kroetsch/Lunsted)**

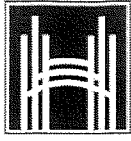
That there being no further business, the Hamilton Municipal Heritage Committee adjourned at 1:21 p.m.

**CARRIED**

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



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. 1291  
Fax: 905-540-5611

April 3, 2023

Ontario Heritage Trust  
Attn: Provincial Heritage Registrar  
10 Adelaide Street East  
Toronto, ON M5C 1J3

Dear Provincial Heritage Registrar:

**Re: Notice of Passing of By-law No. 23-045 to Designate 66-68 Charlton Avenue West, Hamilton (Ward 2) Part IV of the *Ontario Heritage Act***

---

Please take notice that the Council of the City of Hamilton has passed By-law No. 23-045 to designate 66-68 Charlton Avenue West, Hamilton (Ward 2), as being of cultural heritage value under Part IV of the *Ontario Heritage Act*. This property was officially designated by Hamilton City Council on the 29th day of March 2023. Attached please find a copy of By-law No. 23-045.

A Notice of Passing of the By-law was also published in the Hamilton Spectator on April 5, 2023.

Any person who objects to the By-law may, within thirty days after date of publication of the Notice of Passing of the By-law, appeal to the Ontario Land Tribunal by giving the Tribunal and the clerk of the municipality a notice of appeal setting out the objection to the By-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal, in accordance with Section 29(8) of the *Ontario Heritage Act*.

If you have any questions regarding this Notice of Passing, please contact: Lisa Christie, Cultural Heritage Planner, Phone: (905) 546-2424 ext. 1291, Email: [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

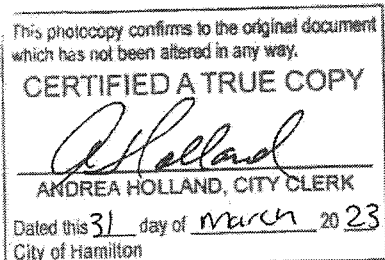
Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

LC  
Attach.



Hamilton

cc: Councillor Kroetsch, Ward 2  
Patrick MacDonald, Solicitor  
Alan Shaw, Director, Building Division  
Matt Gauthier, Legislative Coordinator  
Lisa Christie, Cultural Heritage Planner  
Alissa Golden, Project Lead, Cultural Heritage



Authority: Item 7, Planning Committee  
Report 22-016 (PED22208)  
CM: December 7, 2022  
Ward: 2

Bill No. 045

## CITY OF HAMILTON

### BY-LAW NO. 23-045

To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton as Property of Cultural Heritage Value

**WHEREAS** section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

**AND WHEREAS** Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on November 21, 2022;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on December 7, 2022, resolved to direct the City Clerk to take appropriate action to designate the Property described as 66-68 Charlton Avenue West, in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 22-276;

**AND WHEREAS** in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

**AND WHEREAS** no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

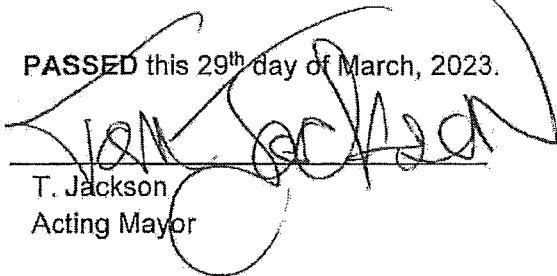
**AND WHEREAS** Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:


1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.
2. The Property, together with its heritage attributes listed in Schedule "C" hereto, is hereby designated as property of cultural heritage value or interest.

3. The City Clerk is hereby authorized and directed,
- a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
  - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule "A" hereto in the proper registry office.

PASSED this 29<sup>th</sup> day of March, 2023.



T. Jackson  
Acting Mayor



A. Holland  
City Clerk

To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton  
as Property of Cultural Heritage Value

Page 3 of 9

**Schedule "A"**  
**To**  
**By-law No. 23-045**

**66-68 Charlton Avenue West**  
**Hamilton, Ontario**

PIN: 17172-0094 (LT)

Legal Description:

LOTS 7 & 8, PLAN 191; HAMILTON

**Schedule "B"**

**To**

**By-law No. 23-045**

**66-68 Charlton Avenue West  
Hamilton, Ontario**

**Notice of Intention to Designate**

**66-68 Charlton Avenue West, Hamilton ON**

The City of Hamilton intends to designate 66-68 Charlton Avenue West, Hamilton ON, under Section 29 of the Ontario Heritage Act, as being a property of cultural heritage value.

**Statement of Cultural Heritage Value or Interest**

The property located at 66-68 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick dwellings. The design of the buildings are representative of early-twentieth century Queen Anne Revival style architecture and demonstrates a high degree of craftsmanship in its detailing, including decorative brick paneling, wood mouldings, decorative slate shingles and dentilated cornices.

The property at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes may be found online via [www.hamilton.ca](http://www.hamilton.ca) or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 14th day of December 2022.

Andrea Holland  
City Clerk  
Hamilton, Ontario

CONTACT: Lisa Christie, Cultural Heritage Planner,  
Phone: (905) 546-2424 ext. 1291,  
E-mail: [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca)

[www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)



Hamilton



**Schedule "C"**

To

By-law No. 23-045

66-68 Charlton Avenue West  
Hamilton, Ontario

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND  
DESCRIPTION OF HERITAGE ATTRIBUTES**

**Description of Property**

The 0.31-acre property municipally-addressed as 66 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick buildings, 66 and 68 Charlton Avenue West, that were constructed circa 1903-1904, and connected by a circa 1966 two-storey addition. The property is located on the northeast corner of Charlton Avenue West and Park Street South, in the Durand Neighbourhood, within the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The early-twentieth century buildings located at 66-68 Charlton Avenue West exhibit architectural features representative of Queen Anne Revival style houses. While number 66 is of more modest construction and number 68 is more finely detailed, this style of architecture is well represented in both structures through their two-and-a-half storey brick construction, tall hip roofs punctuated with a variety of dormers, bays and chimneys, and the use of a variety of materials and textures. The decorative brick panelling and banding, leaded glass transom, wood mouldings, decorative slate shingle cladding, dentilated cornices, and wood brackets on the south and west facing facades, represent a high degree of craftsmanship.

The subject property reflects the work and ideas of prominent architects who are significant to the Hamilton community and demonstrates the capacity of Hamilton-based architects and craftspeople to offer high style to their patrons. The building constructed at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. Frederick James Rastrick (1819-1897) was a prominent nineteenth-century Hamilton architect. He was an active partner in a various of Hamilton firms and designed a number of well-known buildings in Hamilton. Rastrick opened a firm with his son Edward Llewellyn Rastrick (1861-1931) in 1881 and they practised together until his death in 1897, at which time his other son Francis Reginald Rastrick (1864-1932) joined the firm as a partner. Edward and Francis Rastrick of F. J. Rastrick & Sons were in partnership together

from 1898 until 1931. During their partnership the Rastrick sons designed a number of residential buildings, however their best-known works are the Twentieth Century Club on Locke Street South and the Stoney Creek Battlefield Monument, a National Historic Site of Canada.

The building constructed at 66 Charlton Avenue West is not attributed to a prominent architecture firm. However, the property does represent the work of the local Hamilton building company – Donaldson and Patterson. Hugh Donaldson (1847-1928) and J. L. Patterson (1852-1930) were local builders in the City of Hamilton.

The buildings at 66 and 68 Charlton Avenue West illustrate the theme of wealth and development in early-twentieth century Hamilton. Their construction at the turn of the twentieth century was commissioned by wealthy local landowners who were establishing the Durand Neighbourhood as a place for upper-class dwellings. The dwelling at 66 Charlton Avenue West was constructed circa 1904 for Adam Henry Hope (1852-1920), Accountant / Auditor, formerly of the Canadian Steel and Wire Company, then Brennen Manufacturing Company and then briefly the manager of the Hamilton Dustless Housecleaning Company Limited. The property at 68 Charlton Avenue West was owned by Annie Bryson Osbourne (1824-1912), and she was responsible for commissioning the circa 1903 dwelling from F.J. Rastrick & Sons. Annie lived in the dwelling with her son William Woodburn Osborne (1867-1915) and his wife and their two children. William was a Barrister at Gibson, Osborne, O' Reilly and Levy in the 1900's (affiliated with Sir John Morrison Gibson, 10th Lieutenant Governor of Ontario) and later ran his own firm by 1911.

The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The neighbourhood is well known for the quality of its architecture since it is home to many of Hamilton's finest historic residential properties. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street. Located in the Durand Neighbourhood, this property blends into the turn-of-the-twentieth century residential streetscape and buildings of this era are prevalent along the north side of Charlton Avenue West from Park Street east to MacNab Street.

#### **Description of Heritage Attributes**

Key attributes that embody the design / physical value of the property as being representative of the Queen Anne Revival style of architecture and the high degree of craftsmanship, and the historical / associative value of the property demonstrating the work and ideas of significant Hamilton architects and builders and connections with prominent Hamiltonians, include:

- The front (south) and side (east) elevations and roofline of the two-and-a-half-storey brick building historically known as 66 Charlton Avenue West, including its:

- Red brick facades laid in Stretcher bond;
- Tall hip roof with projecting eaves;
- Large projecting pedimented front gable, including its:
  - Tripartite window with moulded wood trim;
  - Moulded wood bargeboard with returning eaves;
  - Wood shingle cladding; and,
  - Bracketed cornice;
- Gable-roofed front dormer;
- Tall brick side chimney;
- Plain brick pilasters below the front gable;
- Flat-headed window openings in the front (south) facade, including the rock-faced stone lintels, stone lug sills and a continuous brick course at the sill in the second storey;
- Segmentally-arched window openings in the side (east) facade including the brick voussoirs and stone lug sills; and,
- Stone foundation.
- The front (south) and side (west) elevations and roofline of the two-and-a-half-storey brick building historically known as 68 Charlton Avenue West, including its:
  - Red brick facades laid in Stretcher bond;
  - Tall hip roof with projecting eaves;
  - Projecting two-and-a-half storey three-sided bay in the front (south) facade including its:
    - Pedimented gable clad in octagonal slate shingles with a paired window with wood trim;
    - Decorative moulded brackets flanking either side of the gable and running moulded cornice with brackets;
    - Round-arched windows in central portion of bay with raised brick ribbing framing the brick voussoirs;
    - Flanking segmentally-arched windows with brick voussoirs;
    - Rock-faced stone sills;
    - Continuous brick courses with dentiling detail; and,
    - Decorative rectangular brick panels and details between the first and second storeys;

- Shallow rectangular projection on the upper storey on the east side of the south facade including its:
  - Round-arched window in the second storey with decorative wood trim; and,
  - Octagonal slate shingles cladding the upper storey;
- Projecting one-storey brick portico entrance on the east side of the south facade including its:
  - Leaded-glass half-round transom above the entrance;
  - Decorative stone surround with central keystone and decorative square rosettes; and,
  - Moulded cornice separating the storeys;
- Gable-roofed front (south) and side (west) dormers;
- Projecting two-and-a-half-storey, three-sided bay on the side (west) facade including its:
  - Pedimented gable clad in octagonal slate shingles with a central brick panel flanked by small flat-headed windows;
  - Moulded cornice with brackets below the gable;
  - Segmentally-arched window openings with brick voussoirs and rock-faced stone lug sills;
  - Continuous brick courses with dentiling detail;
  - Decorative rectangular brick panels between first and second storeys; and,
  - Decorative arched brick panels in the central portion of bay;
- Shallowly projecting brick chimney (truncated) in the side (west) facade with decorative arched brick panel;
- Stone foundation with segmentally-arched window openings; and,
- Remaining one-over-one hung wood windows.

The central two-storey addition constructed circa 1966 is sympathetic to the character of the historic former dwellings but is not included in this Designation By-law.

Key attributes that embody the contextual value of the property include the:

- Stone perimeter wall along west property boundary facing Park Street including its:
  - Broken-course, cut-stone construction;
  - Half-circle coping stones of alternating sizes; and,

To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton  
as Property of Cultural Heritage Value

Page 9 of 9

- o Tiered construction, with the wall declining in height as it extends north towards rear of property;
- Moderate setback of 66 and 68 Charlton Avenue West from Charlton Avenue in line with the setbacks of the adjacent properties to the east; and,
- Moderate setback of 68 Charlton Avenue West from Park Street.



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, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424 ext. 1291  
Fax: 905-540-5611

FILE: HP2023-005

April 13, 2023

Warren Korol  
18 Chilton Place  
Hamilton, Ontario  
L8P 3G7

**Re: Notice of Council Decision for Heritage Permit Application HP2023-005 for 18 Chilton Place, Hamilton (Ward 2), Durand-Markland Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 94-184)**

---

Please be advised that Council, at its meeting of April 12, 2023, made the following decision:

That Heritage Permit Application HP2023-005, for the erection of a rear detached accessory structure on the designated property at 18 Chilton Place, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix "A" to Report PED23001, be approved, subject to the approval of any required *Planning Act* applications and the following Heritage Permit conditions:

- (i) That the final details of the windows and garage doors be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (ii) 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,
- (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than March 31, 2025. If the construction and site alterations are not completed by March 31, 2025, 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: Notice of Council Decision for Heritage Permit Application HP2023-005 for 18 Chilton Place, Hamilton (Ward 2), Durand-Markland Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 94-184)**

**April 13, 2023  
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.

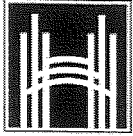
If you have any further questions, please feel free to contact myself at 905-546-2424 ext. 1291 or via email at [lisa.christie@hamilton.ca](mailto:lisa.christie@hamilton.ca).

Yours truly,



Lisa Christie  
Cultural Heritage Planner

cc: Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Kevin Baksh, Registrar, Ontario Heritage Trust  
Councillor Cameron Kroetsch, Ward 2



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. 1291  
Fax: 905-540-5611

April 19, 2023

Ontario Heritage Trust  
Attn: Provincial Heritage Registrar  
10 Adelaide Street East  
Toronto, ON M5C 1J3

Dear Provincial Heritage Registrar:

**Re: Notice of Intention to Repeal Designation By-law Number 83-183 for 14  
Belvidere Avenue, Hamilton, under Section 31 of the *Ontario Heritage Act***

The City of Hamilton intends to repeal **By-law Number 83-183**, being a by-law designating 14 Belvidere Avenue, Hamilton under Section 29 of the *Ontario Heritage Act*. The reason for the proposed repealing of the by-law is that the former heritage building has been demolished and the property retains no cultural heritage value or interest under Section 29 of the *Ontario Heritage Act*.

A Notice of Intention to Repeal the designation by-law was also published in the Hamilton Spectator on April 19, 2023. Any person who objects to the proposed repealing of the by-law shall, within thirty days after the date of publication of the notice, serve on the clerk of the municipality, a notice of objection setting out the reasons for the objection and all relevant facts.

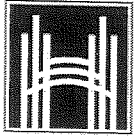
If you have any questions regarding this Notice of Intention to Repeal, please contact: Alissa Golden, Cultural Heritage Program Lead, Phone: (905) 546-2424 ext. 1202, Email: Alissa.Golden@hamilton.ca.

Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

AG

cc: Councillor Danko, Ward 8  
Patrick MacDonald, Solicitor  
Matt Gauthier, Legislative Coordinator  
Alissa Golden, Cultural Heritage Program Lead





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. 1291  
Fax: 905-540-5611

April 19, 2023

Ontario Heritage Trust  
Attn: Provincial Heritage Registrar  
10 Adelaide Street East  
Toronto, ON M5C 1J3

Dear Provincial Heritage Registrar:

**Re: Notice of Intention to Repeal Designation By-law Number 01-225 for 14 Mary Street, Hamilton, under Section 31 of the Ontario Heritage Act**

The City of Hamilton intends to repeal **By-law Number 01-225**, being a by-law designating 14 Mary Street, Hamilton under Section 29 of the *Ontario Heritage Act*. The reason for the proposed repealing of the by-law is that the former heritage building has been demolished and the property retains no cultural heritage value or interest under Section 29 of the *Ontario Heritage Act*.

A Notice of Intention to Repeal the designation by-law was also published in the Hamilton Spectator on April 19, 2023. Any person who objects to the proposed repealing of the by-law shall, within thirty days after the date of publication of the notice, serve on the clerk of the municipality, a notice of objection setting out the reasons for the objection and all relevant facts.

If you have any questions regarding this Notice of Intention to Repeal, please contact: Alissa Golden, Cultural Heritage Program Lead, Phone: (905) 546-2424 ext. 1202, Email: [Alissa.Golden@hamilton.ca](mailto:Alissa.Golden@hamilton.ca).

Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

AG

cc: Councillor Kroetsch, Ward 2  
Patrick MacDonald, Solicitor  
Matt Gauthier, Legislative Coordinator  
Alissa Golden, Cultural Heritage Program Lead

Regarding 99 Creighton Rd. For HMHC Meeting Friday April 28, 2023 from Margaret Stowe Letter and comments on the conclusions and statements made by the CHIA report. Please read letter, on pages 1 and 2, at the meeting, and distribute document for further reading.

Dear Hamilton Municipal Heritage Committee,

Regarding the house at 99 Creighton Rd Dundas. I sincerely ask that you delay demolition and reconsider the heritage status and value of 99 Creighton Rd by considering the true history of the house and property, and not the history as presented in the CHIA report which contains a faulty and inaccurate history and interpretation of this property. I have studied this property and written about it, and I recommend that this report should not be used as a definitive history of this property. Decisions about its heritage (which will enable demolition) were made based on this report.

I can't present the whole history here but I urge you to learn about it before deciding on demolition. This document contains a lot of it. I have sent Chloe Richer my story of the property (unfinished and not for distribution yet), the list of owners (filling the 100 year gap), corrections in the CHIA Property History, and this 17-page document as well which addresses key errors and the report's conclusions. It contains a lot of good information for your consideration. There is some repetition when addressing different points. Though a couple of names were mentioned (but without context), the history presented in the CHIA report is virtually unrecognizable from the real story, and its conclusions, are just wrong.

#### Examples

- "The property is not...historically linked to its surroundings. There is no evidence to suggest that this property has any links to its surroundings."
- "The property does not have direct associations with....person, activity, organization, or institution that is significant to the community."
- "The minimal amount of information that is available for the institution and its previous owners suggests that the association is not significant. Therefore, the Property does not have any direct associations that are significant to the community."
- "The property is not important in defining, maintaining, or supporting the character of the area. "
- "An analysis of historic and topographic maps as well as aerial photographs suggests that the cent structure is not the Greening Wire Works factory...The structure that is directly associated with them appears to have been removed.. The current structure does not appear to be the same structure as the Greening Wire Works factory.

\*\*\*\*\*

These statements shock me every time I read them. This building and property has a huge historical link to the surroundings and the community, and all CHIA has done is take them away, robbing 99 Creighton of its heritage. Since 1872, when Timothy Greening moved into 223 Governor's Rd., then built the landmark factory in 1875, it was owned and inhabited by two of Dundas's most important historical characters for 100 years. You would never know that from the CHIA report.

CHIA presented no timeline or scenario of the human activity through time, no story at all, which is the very thing that creates historical significance. And then to declare that there is none. I can't focus on the bigger 'story' here, but this document addresses some key errors and the report's conclusions, in the hope that you will want to seek out the story and look at it again. It has deep historical connections to Dundas and to the whole area. Although it has had additions, the original factory building, in the middle, is still there, and visible. The first concrete building in Dundas. It should be preserved for the sake of its heritage. And at this point we shouldn't be tearing anything down that was built in 1875.

I don't know everything, there are many things to learn and mysteries I'd love to solve, but that's what makes this property so interesting. I would like to see this house survive. It has been repurposed all of its life, and it could have a future. It would be wonderful to see it set up for living again. It's an elegant and charming building, with lovely landscaping. It has added such character to this corner for so long. It defines this corner.

Thanks, and I hope this document helps.

Margaret Stowe

\*\*\*\*\*

First, erroneous land sales info - none of these people below have anything do with 99 Creighton Rd or this property and should be disregarded.

#### From CHIA Property History

“Hugh Bennet and Robert Somerville purchased one of these parcels on 27 November 1841 for £200. The property was then mortgaged to Ralph Leeming for £650 in 1842. In 1854, Ralph Leeming sold the property to John Gordon for £2000 John Gordon then mortgaged it to Ralph Leeming, who sold it to Eliza Spiner in 1863. A few days later, Eliza Spiner sold the property to John Tucker.”

Ditto for this table, except for the first and (part of) the last (though the first date should be 1808)

Appendix "B" to Report PED23068 Page 80 of 85							
March 2023		LHC Heritage Planning & Archaeology Inc.			LHC0282		
Table 6: 99-101 Creighton Road Ownership							
No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
	Patent	11 Nov 1817		The Crown	Michael Showers Sons		All
TR 227 M 1374	B + S	5 Jan 1818	2 Feb 1818	Michael Showers et al Attorney at law of Michael Showers	Richard Hatt		All
H 869	Q.C.	31 May 1834	14 July 1834	Samuel Hatt, son of Richard Hatt	John O. Hatt	£250	All
N 251	B + S	27 Nov 1841	27 Nov 1841	William Hatt	Hugh Bennet and Robert Somerville	£200	Pt
N 516	Mortgage	5 June 1842	7 July 1842	Robert Somerville	Ralph Leeming et ux	£650	Pt; Dis
P 314	B + S	21 Nov 1845	21 Nov 1845	Ralph Leeming et ux	Thomas Hatt	£1000	Pt.
P 315	B + S	21 Nov 1845	21 Nov 1845	Thomas Hatt	Ralph Leeming	£1000	Pt.
B/2 300	B + S	19 Aug 1854	29 Aug 1854	Ralph Leeming and wife	John Gordon	£2000	Pt.
B/2 301	Mortgage	19 Aug 1854	29 Aug 1854	John Gordon et ux	Ralph Leeming	£445.15	Pt.; Dis
C 530	Release	21 Feb 1861	25 Feb 1861	Ralph Leeming	John Gordon		Pt.; Mtg 301 B/2
<b>Gap</b>							
5825 AB	Pt. Dis.	5 Jan 1966	7 Mar 1966	Hartley Chappel	Donald Blackadar and Lorraine	2.00 + val con	Pt. mge. 302617 HL

FURTHER, clarification

- 1) No, A. Crosby never owned this land or ever lived at 223 Governor's
- 2) No, Capt Gordon never owned this land

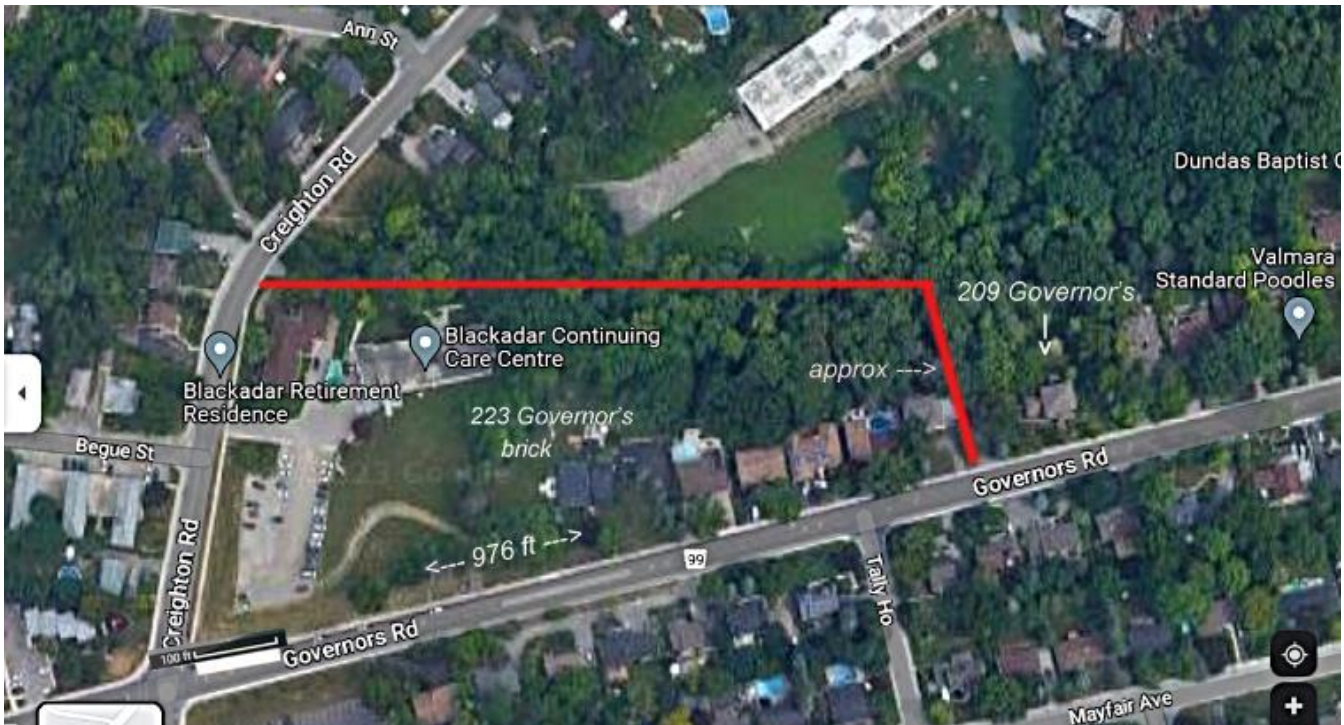
Without even knowing who owned the property, the report made negative definitive statements and conclusions about its heritage value.

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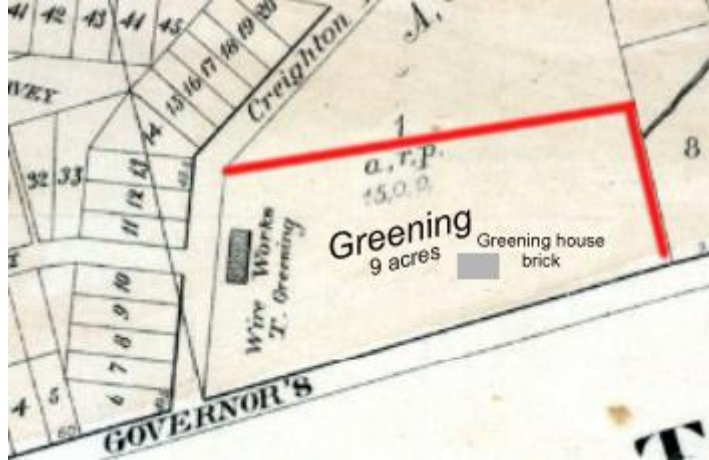
### Size of the property

Below is the original size of the property, from 1869. The CHIA report was unaware of this. It was 9 acres and 223 Governor's Rd is the original house that goes with the property, lived in by the property's owners since 1872 (purchased in 1869). When the factory building (99 Creighton) was converted to a house (part house part factory), the Greening family lived there as well. The property wasn't split into two (3 acres and 6 acres) until 1921, and the Maw family lived on the property, in both houses, for 60+ years, from 1904.

\*Note, the top red line below is not a straight line, it curves with the creek. The red line is for illustration.



Here is the corrected 1875 map. They built the factory that year which created a landmark building on that corner. [Size and position not technically accurate but shows how important it was.]

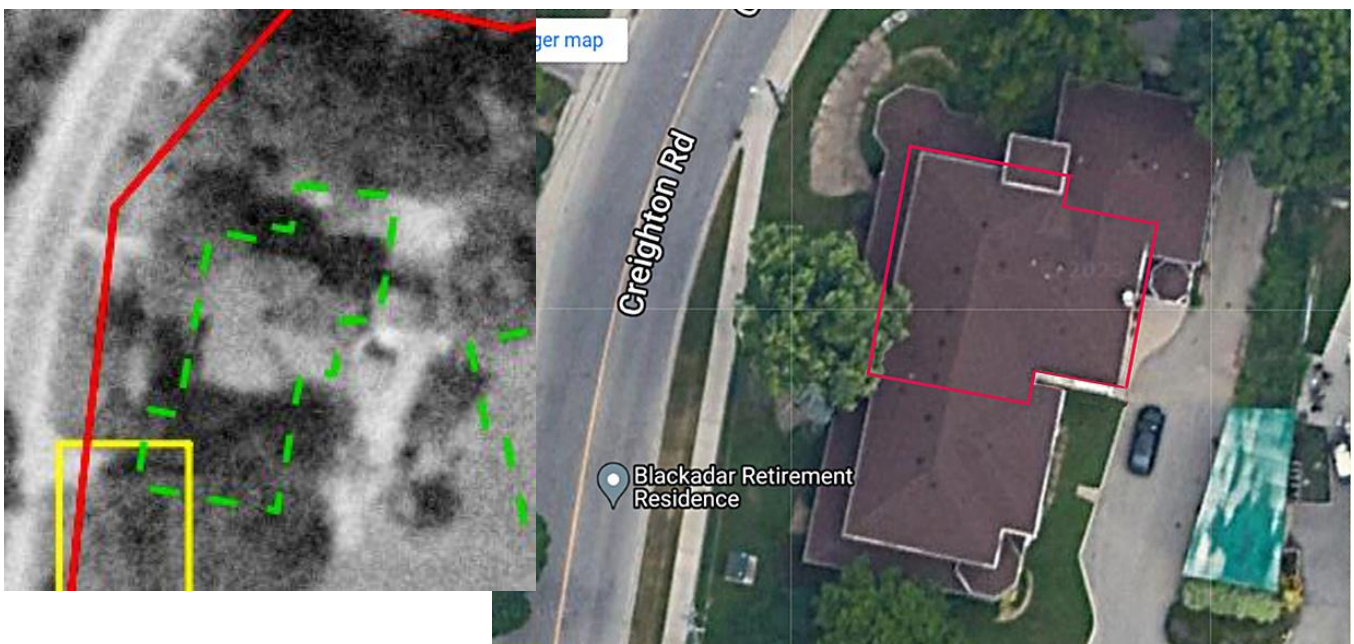


**BELOW** - the original shape of the factory house superimposed on the current building.

The factory was a concrete building. CHIA reported that the current building is a concrete building yet still said that it wasn't the factory. It had been converted into first factory/house, then later it was "two semi-detached stucco houses."

When asked if the house appeared to have been two houses when they bought it, the Blackadar family answered: YES.

- it had a thick center wall, basement thick walls
- it had about four fireplaces
- it had two hallways upstairs
- the front door entered to two places
- they confirmed this was the shape of the house, had a concrete foundation, sand and stone, crumbly in one spot



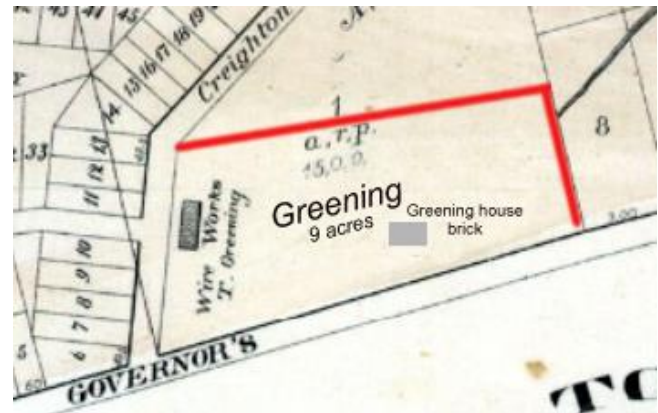
## ADDRESSING SOME OF CHIA'S CONCLUSIONS

### First, the “yellow rectangle” – (see bottom photo) Section 4.5 page 25 Property History

“An analysis of historic and topographic maps as well as aerial photographs suggests that the current structure is not the Greening Wire Works factory. The 1875 atlas map indicates that the location of the factory was further south than the current structure.”

The brand new Greening Wire Works was given prominent landmark status on the 1875 atlas map. It was hand drawn on the map with exaggerated size and position. I believe it was meant to convey the importance that this brand new landmark factory to the area, and not to be a technical drawing of size, shape or position.

Yet, this massing and position has been presented by CHAI as the definitive size, shape and position of the factory, and anything on the property outside of this yellow rectangle area seen below (like the existing house) can NOT be the original building, concluding that the original factory was torn down and the existing building built later.



You can see the ubiquitous “yellow rectangle” below, superimposed on all of the aerial maps. The shape and location of the original house is clearly visible, and this would be the same shape as the original factory building when it was built. This house is deeply connected to its surrounding.

This faulty interpretation is then passed on to Hamilton Heritage and other decision makers and used as proof that there is no history here at 99 Creighton Rd.



## 1) Not linked to its surroundings

“The property is not physically, functionally, visually, or historically linked to its surroundings. There is no evidence to suggest that this property has any links to its surroundings.” Page 50

This is simply wrong. This building is linked to its surroundings to its core. It practically defines this corner. The CHIA report has stripped 99 Creighton of its historical links to the surroundings.

- Physically – the original part of his building (the center part) has been in that exact spot since 1875. This corner has been a landmark since 1851 when Creighton Rd was opened, a monumental moment for Dundas. And the Greening factory put this corner on the map! (literally)

- Functionally – This Greening factory building employed 8-10 people who came there from Dundas to work. Fifteen years earlier, in 1860, Timothy Greening and half-brother Benjamin had created the first wireworks in the Dominion. Greening’s was the first wire manufactured in Dundas. In their downtown factory, they had employed 4-5 men, at Creighton Rd, twice as many. When Greening needed more living space he turned the factory into a factory house. It was a multifunctional adaptable building. Since becoming Blackadar Retirement Home in the late 1960s, this building has been home to elderly people from Dundas and this area. It has functionally served the community immensely, becoming almost iconic in Dundas.

- Visually – this building has been a visual marker in Dundas since it was built. I grew up on Creighton and Highland Hills, There was no greater visual marker for us than the Blackadar building. The Greening factory was the most prominent thing displayed on the 1875 map. Everyone who knows Dundas knows this Blackadar building even if they don’t know its full history. It has looked different over time but it has always reliably been there on that corner. And it is a good looking building, with a very pleasing style.

- Historically - This building was so important to the area that it was shown with great size and prominence on the 1875 map. 99 Creighton Rd and 223 Governor’s Rd are linked, they are the same property. The original Greening property was 9 acres stretching down to TallyHo and included both houses. This property was owned and inhabited by two of Dundas’s more important historical characters, Timothy Greening (who with his brothers, started the first wireworks factories in Canada, and the larger-than-life John Maw, master Dundas machinist, head of Greening wireworks in Hamilton for 10+ years. And so much more. This building and property are so interesting, so full of heritage, with mysteries yet to solve.

## 2) Not the original building, Greening structure has been removed. Section 5.3 page 39

“The parcel of land has direct associations with Timothy and Nathan Greening and Greening Wire Works; however, the structure that is directly associated with them appears to have been removed.” Page 49

First, “direct associations” is a quite an understatement. The Greening family owned that property and worked and lived there, at both 223 Governor’s and 99 Creighton for 20+ years. Their factory created a landmark building on that corner. The CHIA report concluded that “there is no evidence that this structure has any links to its surrounding.”

### Removed?

There is absolutely no evidence of this.

- CHIA itself stated that the existing building is a “concrete” building. The Greening factory was a concrete building. No one has asked the question – Why would someone tear down a concrete building that had been made into two houses and build another concrete building which they made into two houses. (Who would build a new house out of concrete anyway?) This makes zero sense. And it’s all based on the “yellow rectangle.”

- By whom, and when? – no scenario of timeline or human activity was presented to support this.

- The proof would be easy - 3-4 inches of digging would prove there was another large concrete building there, as the concrete foundation just like the existing house would still be there, left after they leveled the building. This area further south where CHIA purports that the factory was (using that “yellow rectangle,”), was nothing but large trees and grass since the turn of the century and likely long before that. The remains of a concrete foundation would still be there. Decisions to demolish are made on these statements. So let’s do a dig, and find out. Easy.

### NOT THE SAME BUILDING?

” “The Greening Wire Works factory formerly located on this property is reported to be the first concrete building in Dundas. Based on an aerial image and historic and topographic map analysis (Section 4.5), **the current structure does not appear to be the same structure as the Greening Wire Works factory.**”

The “yellow rectangle” once again. Therefore, this isn’t the factory.

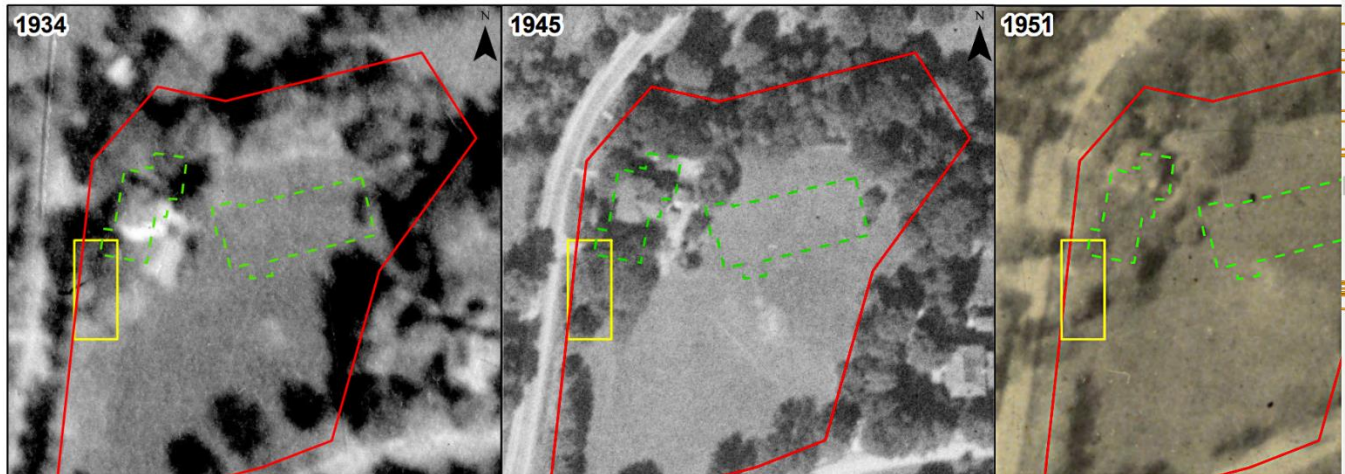


### 3) Few clues to original form, style or massing

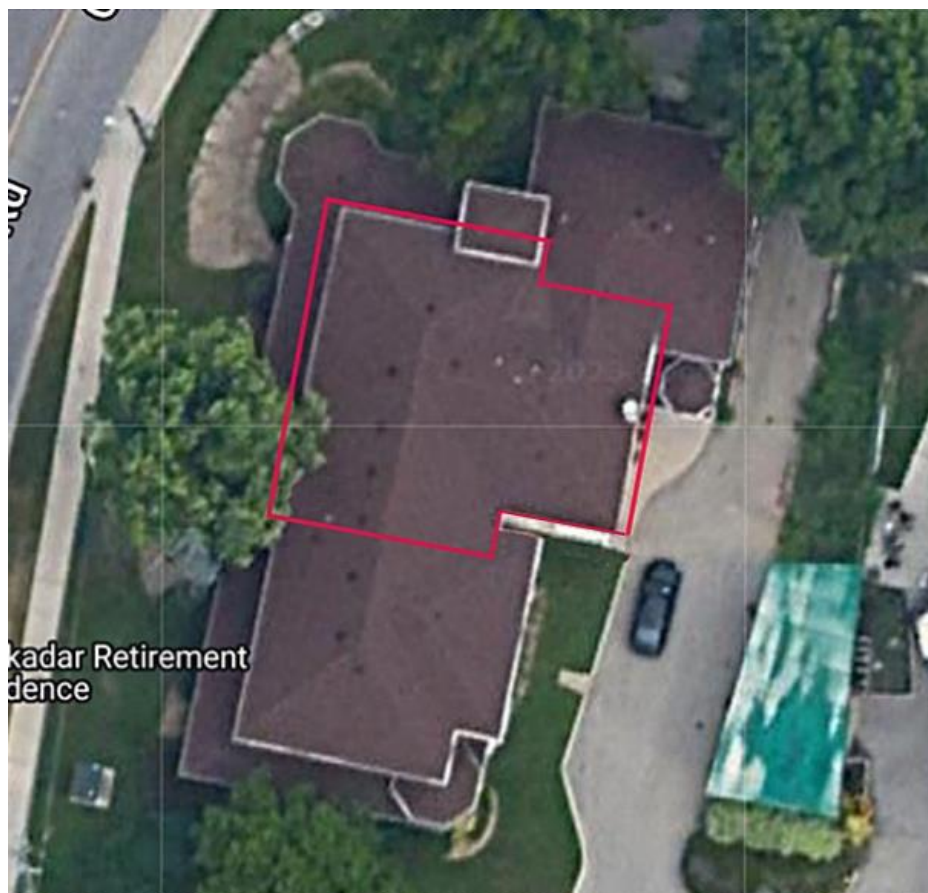
“The current iteration of the building provides few clues to the original form, style or massing of the previous residence which may have been incorporated into the current structure. There is no evidence to suggest that this property meets this criterion.” Page 49

There is a big clue – the existing house. A depiction of the original form, style and massing is on these maps. 1934, 1945 and 1851.

CHIA is basing the size and massing issue only on the “yellow rectangle.” This is faulty.



The original shape and size superimposed on the existing building.



#### 4) Not important

“The property is not important in defining, maintaining, or supporting the character of the area. “ page 50

99 Creighton Rd, the Blackadar house, DEFINES that corner. Anyone who lives there knows that.

99 Creighton Rd belongs with the house at 223 Governor’s Rd. They have always been connected. Their history is the same. The corner would not be the same without 99 Creighton.

This house adds so much character to this corner, and it is unique in the area, such a pleasing style. There are few old houses around now, few reminders of the past. 99 Creighton is such a reminder. That house is practically an icon sitting there by the creek, a comforting sight. One would destroy another bit of Dundas heritage. The character of that corner will be gone completely. [Is that a good thing?]

### 5) Table 7 – Directory listings, page 75 – Where’s the story

These directory listings are good, of course, but they don’t mean much unless you tell the story. This Table tells no story at all without context and connection, and none is made, and so the history of the house, property and people is never told.

Reading this list, one would never know the story.

For example, CHIA has simply said –  
Irwin’s 1880-81,

- No Greenings in Dundas or West Flamboro
- No Maws in Dundas or West Flamboro

Saying this in isolation means little. This suggests nothing going on, they aren’t there, so no real historical significance. In fact, they were both there, and it was good times for both Greening and Maw.

- In 1880-81 – Yes Greenings. Timothy and Maria Greening were living in their brick house on his property (223 Governor’s Rd). The others were living in the converted factory house, and the wire business continued there too.
- In 1880-81 – Yes Maws. The Maws were there too, living up the road. John still ran his machine works in Dundas, as one of the most respected and successful townsmen. He had been making various equipment for Greening for almost 20 years. The Greenings and the Maws remained connected families for 100 years.

There is so much history in this property.

## 6) Not unique

“The property is not a rare, unique, representative, or early example of a style, type, expression, material, or construction method.” Page 48

That is EXACTLY what it is. 99 Creighton *\*IS\** a rare, unique, representative, or early example of a style, type, expression, material, or construction method. Completely unique.

It is the ONLY house of this style in the area, maybe even in Dundas. It was built as a concrete factory building and converted to a house and factory space.

And regarding the additions, these also create a completely unique building in the area, and very sympathetic to the era of its mother building.

You can see the original factory part here, with its ‘wing’ section shown on the left. North and south additions were added but the original factory section remains.



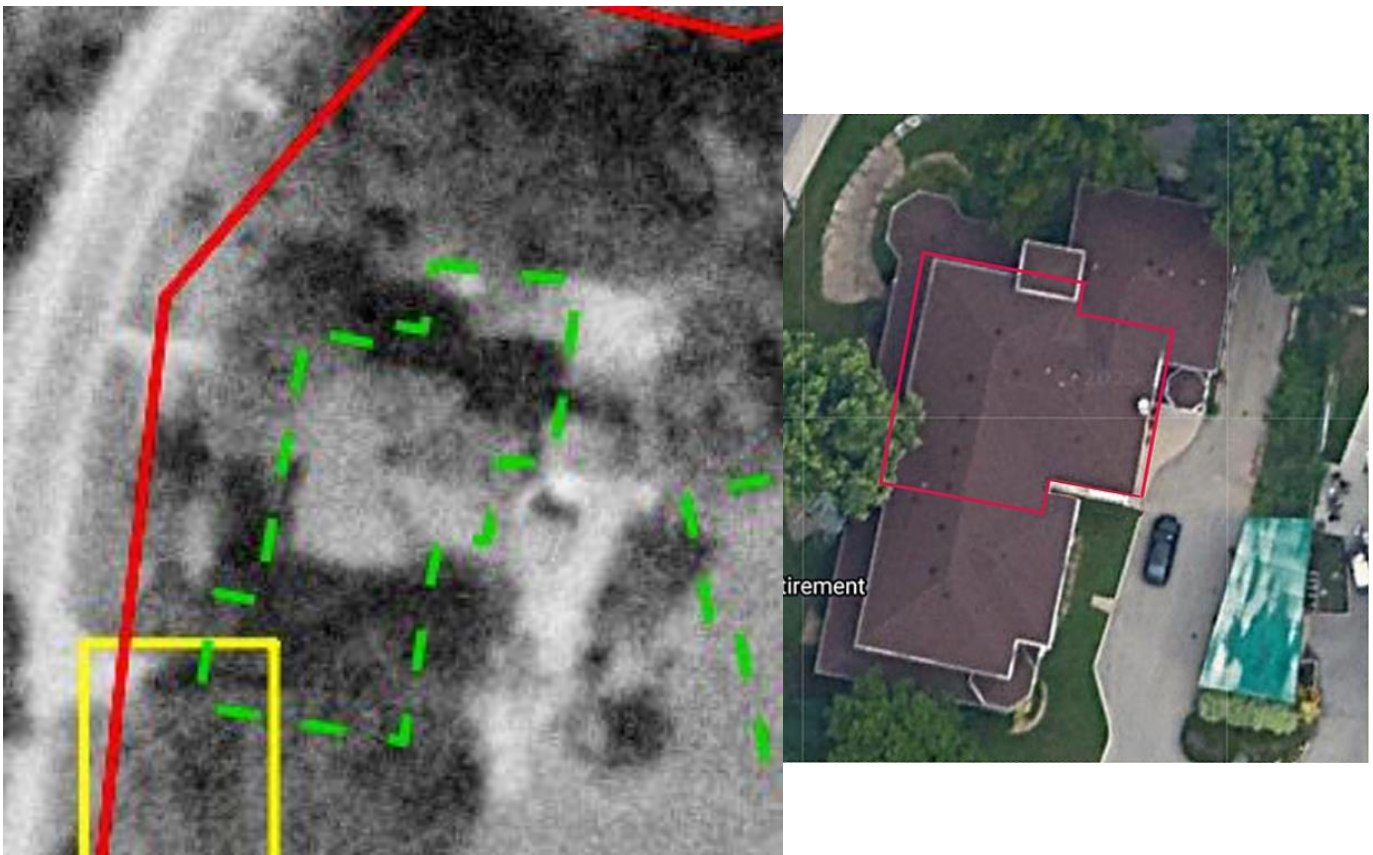
## 7) Style of residential architecture

“It appears that the extant building incorporates some of a previous residential structure that occupied the Property. However, in its current iteration, the Property is not representative of a specific style of residential architecture, nor is a previous form, style or massing easily discernable or legible.”

As discussed above, this structure DOES represent a highly unique form of residential architecture, and a previous form, style or massing *\*is\** easily discernable and legible on the aerial maps. As explained previously, the 1934, 1945 and 1951 maps are pretty much exactly the way it was when it was built. It remained a square-ish building with a wing section. The progression of shape is easily discernable on the aerial maps through time, and that shape fits the extant building.

The 1934 and 1945 and 1951 maps clearly show the size and shape of the house, likely basically the same as when it was built. Subsequent maps show the additions. The original shape is easily seen as the red shape on the right below, which easily fits in with the 1968-70 and the 1999-2000 additions. Blackadar family has confirmed that this red outline on the right was the shape when they bought it.

Left 1945, right, 2023.



### 8) Not a landmark Page 50 No. 9.

“This property is not a landmark. Although it is prominent and unique in its context, there is no indication that this property is a marker in the community.”

No indication? This has been a marker building in Dundas from the day it was built in 1875. When Greening built his factory there, it created the first landmark building in the area, and that landmark status continued right through the Blackadar era to the present.

Sarah Crichton opened Creighton Rd in 1851 (which went right through her property), and the corner of Governor’s and Creighton became a forever landmark. It was monumental for Dundas, the first access to Dundas from Governor’s Rd. Greening’s factory literally put that corner “on the map.” The 1875 map shows how important its landmark status was. It is drawn with exaggerated size and prominence, and though not exact in size and location, this strong portrayal is a testament to how important that building was to the area. The factory was brand new in 1875 and employed 8 to 10 men. People came to the corner to work every day, and carts carried materials and products in and out of Dundas.

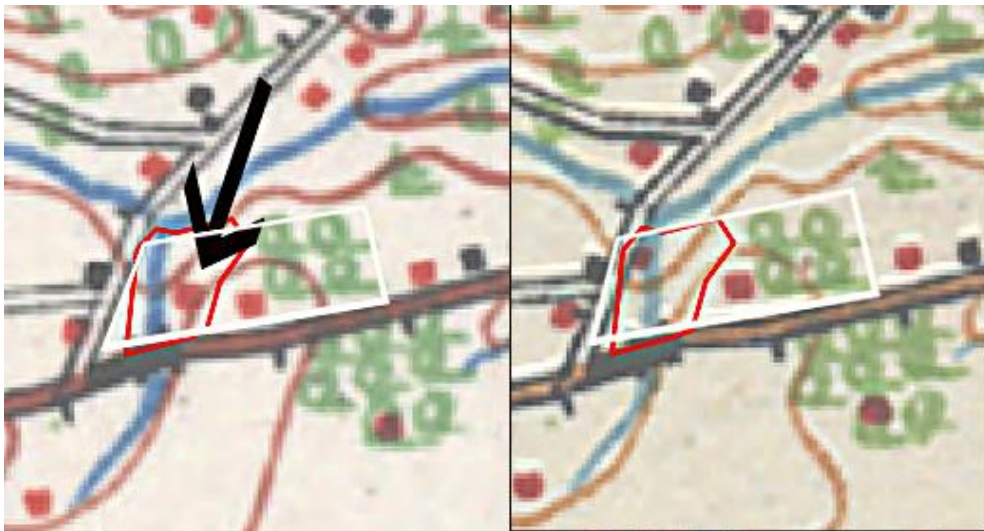
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### 9) Regarding the 1909 aerial map

“The 1909 topographic map indicates no structures along Creighton Road within the Property – “

Yes, there is a structure on the 1909 map, isn't just in the wrong place.

Left 1909, right 1919



CHIA – (regarding the above) “...it does depict a brick or stone building along Governor’s Road (the dot on Governor’s Rd). A residence is depicted in a similar location to the extant building on the 1919, 1923, and 1938 topographic maps, ....”

This “brick building” on Governor’s Rd went with the property, it was where the Greening family lived when they moved to Governor’s Rd. And the white outline (above) shows the property size as it was in 1909 and 1919. [CHIA’s outline in red, the current size]

\*Note – my top white line is not really a straight line, it curves with the creek, and the line of the creek appears to be not in the right place.

## 10) 223 Governor's Rd – heritage impact

“The property’s potential cultural heritage value and heritage attributes will not be affected.” p53

The report shows 223 Governor's Rd in the “Nearby Heritage Properties” section Table 3. p38. (Note, A. Crosby did not live there or own it)

The heritage of 223 Governor's Rd has already been affected. 223 Governor's Rd is the house that goes with this property. It's a separate lot now but historically 223 Governor's is the main house on this property, and was occupied by the owners of this property. The factory house 99 Creighton Rd. was an addition to the property, not a property unto itself like it is now. Even when the property was split in 1921, both houses were occupied by the same family for 60+ years.

Many of CHIA's conclusions refer to “links to its surroundings.” The heritage report has broken 223 Governor's Rd's link to its surroundings, disconnected it to the property that was its own including the factory house. And the report disconnected 99 Creighton's links also. And when 99 Creighton Rd is gone (and then a tower built), 223 Governor's links to its surroundings will be severed. The heritage of 223 Governor's Rd has already been affected. It will be alone, except for the 226 people staring down from their balconies. The house's name is Starfield, but never a field or sunset will ever be seen again.

Yes, this property's heritage will be affected.

Notice the road going down the hill. That's got to be old, maybe older than the property.



Photo by Margaret Stowe



### 11) No association significant to the community

“The property does not have direct associations with....person, activity, organization, or institution that is significant to the community.”

I hardly know what to say here. Some of Dundas’s most important people were directly associated with this property.

Richard Hatt, who originally owned this land, was the founder of Dundas.

Sarah (Hatt) Crichton owned the land for three decades. She was one of Dundas’s most important and interesting land developers, creating the Crichton Survey. The 99 Creighton property was part of the Crichton Survey.

The Greening Wire Works is one of Dundas’s proudest early businesses. Timothy and his brother emigrated here and their factories were the first wire works in Canada. Timothy’s was the first wire business in Dundas.

John Maw’s tool and machine businesses were well known and prominent. His shop in Dundas dominated a whole block. He also worked for Greening for many years.

Blackadar Retirement Home has been highly respected in Dundas for 50 years.

## 12) Trivialize Blackadar, and minimal information on owners

“In addition, the Property is directly associated with the Blackadar Retirement Residence, the Blackadar Continuing Care Centre and Donald and Lorraine Blackadar; however, the minimal amount of information that is available for the institution and its previous owners suggests that the association is not significant. Therefore, the Property does not have any direct associations that are significant to the community in its current state.”

This is a statement by people who don't know what they're talking about. The Blackadar Retirement Home is practically an institution in Dundas. Their contribution to the care of the elderly in Dundas for 50+ years is hugely notable. Blackadar had a large association with the community. The report appears to know nothing about our community.

“However, the minimal amount of information that is available for the institution and its previous owners...”

There is information about all of the owners, enough to create a story about this building and the property. CHIA completely missed the boat on this, yet they declared the house and property to have no heritage value.

~~~~~

The end

**From:** [Built Environment Hamilton](#)  
**To:** [Alissa Denham-Robinson](#); [Gauthier, Matt](#)  
**Cc:** [Golden, Alissa](#); [Coit, Ken](#)  
**Subject:** Update on community-led Neighbourhood Inventory work (Ward 3)  
**Date:** Wednesday, April 26, 2023 6:05:11 PM

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Dear Madam Chair,

Further to my presentation about the Landsdale Neighbourhood Inventory in September 2022, I am happy to share an update about this important community-led Built Heritage Inventory work: in addition to Landsdale, project volunteers will now also be covering Gibson (both in Ward 3).

What started out as the Landsdale Neighbourhood Inventory is now the Gibson-Landsdale Neighbourhood Inventory. This community-led, volunteer-powered inventory is a project of Built Environment Hamilton, the registered not-for-profit that grew out of the Friends of St. Giles.

The project team shared this update with the Ward 3 Office in February; community members can learn more about the expanded project in the May issue of the *GALA Herald*. As always, we are grateful to the Ward 3 Councillor and staff and Gibson-Landsdale Community Planning Team (GALA) for their support.

**Gibson by the numbers:**

2,104 properties  
163 inventoried (7.7%)  
2 designated  
2 listed on the Register

Gibson is east of Landsdale and north of St. Clair, the Hamilton neighbourhood that's home to the city's first Heritage Conservation District. It extends from Wentworth to Sherman, between Main Street East to the south, and the rail corridor to the north. Its main development dates to the early 20th century.

Like its neighbour, Landsdale, it has a variety of historic buildings: commercial, institutional, residential, industrial, and places of worship. Churches like Wentworth Baptist, where Indwell is building affordable housing while retaining the 1924 sanctuary as community space, are a great example of how reuse of existing buildings plays an important role in decarbonization, making sure our neighbourhoods are liveable and environmentally friendly.

Gibson has only four buildings with full or partial heritage protection. The neighbourhood's **two designated buildings** are the Canadian Westinghouse Headquarters (286 Sanford Ave. N.) and the Gibson School (601 Barton St. E.). Gibson's **two listed buildings** are the film studio and former industrial building at Sanford and Aikman, the R. Ralston & Co. Factory (33 Sanford Ave. S.), and Lincoln Alexander House (30 Proctor Blvd.), where the trailblazing Black Canadian Lincoln M. Alexander made his home.

Survey work is ongoing in both Gibson and Landsdale. We welcome residents' input and feedback, and look forward to sharing further updates on this community project.

Best regards,

*Dr. Sarah Sheehan*

*Founding Chair of Built Environment Hamilton, a registered not-for-profit*

*Winner of two Hamilton Heritage Awards, 2022 | Co-chair, Doors Open Hamilton 2022*

*Proud to be nominated for the ACO Heritage Awards A.K. Sculthorpe Award for Advocacy*

**Built Environment Hamilton**

126 Catharine St N, Hamilton, ON L8R 1J4, Canada



Gibson's designated properties. Photos: Industryous, Stinson Properties.



Lincoln Alexander House and 33 Sanford Ave. S., Gibson's listed properties. Photos: Google, Barry Gray.



Thorpe Brothers Funeral Directors (636 Barton St. E.), the Playhouse Theatre (Stewart & Witton, 1914), and the Barton Library (Alex German, 1963). Photos: Local History & Archives, Hamilton Public Library; Playhouse Cinema.

**From:** City of Hamilton <[hello@hamilton.ca](mailto:hello@hamilton.ca)>

**Sent:** April 27, 2023 10:57 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Webform submission from: Request to Speak to a Committee of Council

Submitted on Thu, 04/27/2023 - 10:56

Submitted by: Anonymous

Submitted values are:

## Committee Requested

Committee

Hamilton Heritage Committee

Will you be delegating in-person or virtually?

Virtually

Will you be delegating via a pre-recorded video?

No

## Requestor Information

Requestor Information

Chris Uchiyama

LHC

5200 Yonge Street, 2nd floor

North York, ON. M2N 5B2

[cuchiyama@lhheritage.com](mailto:cuchiyama@lhheritage.com)

647-631-7503

Preferred Pronoun

she/her

Reason(s) for delegation request

I will be available to answer questions on the Cultural Heritage Impact Assessment for 99 Creighton Road. I do not plan to provide a formal presentation.

Will you be requesting funds from the City?

No

Will you be submitting a formal presentation?

No



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, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2023-013

March 24, 2023

Mike Gregor  
232 Highway 8  
Dundas, ON  
L9H 5E1

**Re: Heritage Permit Application HP2023-013:  
Installation of exterior vents at 232 Highway 8, Flamborough, McKinley-  
McGinty House (Ward 13) (By-law No. 80-199-H)**

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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 HP2023-013 is approved for the designated property at 232 Highway 8, Flamborough (McKinley-McGinty House), in accordance with the submitted Heritage Permit Application for the following alterations:

- Installation of new venting to facilitate interior renovations, including 5 vents located on the east and west side elevations, and the rear north elevation.

Subject to the following conditions:

- a) That the final details regarding location of exhaust vents and installation method be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- b) 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,
- c) Implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2025. If the alterations are not completed by March 31, 2025, 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 HP2023-013:  
Installation of exterior vents at 232 Highway 8, Flamborough, McKinley-  
McGinty House (Ward 13) (By-law No. 80-199-H) - 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 Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext. 1291 or via email at [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Mathew Gauthier, Legislative Coordinator  
Councillor Alex Wilson, Ward 13



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, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2023-011

March 24, 2023

Jordan Alley  
5-2136 Old Lakeshore Road  
Burlington, ON  
L7R 1A3

**Re: Heritage Permit Application HP2023-011:  
Installation of Municipal Heritage Designation Plaque at 292 Dundas Street  
East, Flamborough, Maple Lawn (Ward 15) (By-law No. 22-140)**

---

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 HP2023-011 is approved for the designated property at 292 Dundas Street East, Flamborough (Maple Lawn), in accordance with the submitted Heritage Permit Application for the following alterations:

- Installation of a cast-metal oval designation plaque to be secured to the brick façade of the building beside the front entrance, including:
  - Drilling two holes into the brick façade, to be located in the existing mortar joints; and,
  - Affixing the plaque with non-rusting anchors and screws with anti-vandalism measures.

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 March 31, 2025. If the alterations are not completed by March 31, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

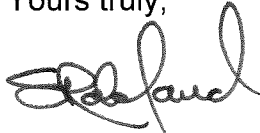
**Re: Heritage Permit Application HP2023-011:  
Installation of Municipal Heritage Designation Plaque at 292 Dundas Street  
East, Flamborough, Maple Lawn (Ward 15) (By-law No. 22-140) - Page 2 of 2**

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 Alissa Golden, Project Lead, Cultural Heritage, at 905-546-2424 ext. 1202 or via email at [Alissa.Golden@hamilton.ca](mailto:Alissa.Golden@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Alissa Golden, Project Lead, Cultural Heritage  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Ted McMeekin, Ward 15



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, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2023-015

April 14, 2023

Jarrett Zacharko  
City of Hamilton  
71 Main Street West  
Hamilton, ON  
L8P 4Y5

**Re: Heritage Permit Application HP2023-015:  
Repairs and Porch Replacement at 314 Wilson Street East, Ancaster (Part  
IV, Tisdale House) (Ward 12) (By-law No. 17-264)**

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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 HP2023-015 is approved for the Part IV designated property at 314 Wilson Street East, Ancaster (Tisdale House), in accordance with the submitted Heritage Permit Application for the following alterations:

- Wood repairs to the main entrance of Tisdale House, including:
  - Removal of the rotted ledger board and threshold;
  - Repairs to the stained glass, and reinstallation of protective glazing;
  - Dutchman repairs to pilaster and jamb;
  - Installation of a new continuous threshold across the entrance; and,
  - Repairs to the damaged mullion;
- Replacement of the existing modern porch with a new, historically appropriate freestanding wood porch with wide stairs, simple newel posts, square balusters, perpendicular deck boards, and lattice skirting.

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,

**Re: Heritage Permit Application HP2023-015: Repairs and Porch Replacement at 314 Wilson Street East, Ancaster Part IV, Tisdale House) (Ward 12) (By-law No. 17-264) - Page 2 of 2**

- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2025. If the alterations are not completed by March 31, 2025, 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 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  
Matt Gauthier, Legislative Coordinator  
Councillor Craig Cassar, Ward 12



Hamilton

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

FILE: HP2023-017

March 29, 2023

98 James South (2022) Inc.  
c/o Marcus Gillam  
36 Northline Road, Unit 3  
Toronto, ON  
M4B 3E2

**Re: Heritage Permit Application HP2023-017:  
Renewal of previously-approved Heritage Permit Application HP2022-036  
for the Redevelopment of 98 James Street South, Hamilton (former James  
Street Baptist Church) (Ward 2)**

---

**Note: This Heritage Permit application is the same as HP2022-0036, which was approved on December 21, 2022 with condition (b) expiring March 31, 2023. It is being re-issued as HP2023-017 to extend the date for the completion of alterations as the proposed work will not be completed by March 31, 2023. This Heritage Permit application HP2023-017 will extend the permit for a one-year period set to expire March 31, 2024.**

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 HP2023-017 is approved for the property located at 98 James Street South, Hamilton, in accordance with the previously-submitted Heritage Permit Application for the following alterations:

- To renew previously-approved Heritage Permit Application HP2022-036, notably the following:
  - Retention of the existing front (east) façade and corner towers on James Street South in situ, including all existing windows, doors and other features (the “retained portions”);
  - Salvage and reuse of features and materials from the removed portions of the building (the “salvaged portions”); and,

**Re: Heritage Permit Application HP2023-017: Renewal of previously-approved Heritage Permit Application HP2022-036 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 2 of 3**

- Construction of a new building and / or addition on the remainder of the site and attached to the retained portions (the “new building”).

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 implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2024. If the alterations are not completed by March 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;
- c) That the applicant submit, on a monthly basis, ongoing monitoring reports assessing and outlining the condition of the retained portions to City staff;
- d) That the applicant provide a written update to City staff on the current condition of the site and existing salvaged features which remain;
- e) That, once the alterations are complete, the owner shall agree to appropriate amendments to the Heritage Conservation Easement agreement to reflect the altered building; and,
- f) That a Conservation Plan consisting of the following items shall be submitted to the satisfaction of the Director of Planning and Chief Planner prior to the commencement of any alterations:
  - I. Documentation of the existing building and its architectural features and finishes in situ.
  - II. Specifications and methodology for the protection, stabilization, and restoration of the retained portions.
    - I. Inventory of the existing architectural features and building materials and a methodology for salvaging these features and materials from the removed portions.
    - II. A plan for the storage and protection of retained and salvaged heritage elements, including the on or off site storage location(s), environmental conditions and security, a schedule of regular inspections and monitoring, and any other protection measures as appropriate. In addition:
      - i. If the storage location is to be changed, the new location and address shall be submitted to the satisfaction and approval of staff,

**Re: Heritage Permit Application HP2023-017: Renewal of previously-approved Heritage Permit Application HP2022-036 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 3 of 3**

- prior to the removal of the heritage elements to a new storage facility.
- ii. Any unsatisfactory environmental conditions or failures in the security measures shall be reported to Planning staff as soon as they are discovered and appropriate remedies shall be developed and approved by Planning staff prior to implementation, except in emergency situations.
  - iii. City staff shall be allowed reasonable access to inspect the heritage elements in storage, at any time.

Please note that this property is designated under Part IV of the *Ontario Heritage Act* and subject to a Heritage Conservation Easement held by the City of Hamilton, 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* and the terms of the Heritage Conservation Easement Agreement. 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 Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext.1291, or via email at [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Cameron Kroetsch, Ward 2





Hamilton

# INFORMATION REPORT

|                           |                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------|
| <b>TO:</b>                | Chair and Members<br>Hamilton Municipal Heritage Committee                                              |
| <b>COMMITTEE DATE:</b>    | April 28, 2023                                                                                          |
| <b>SUBJECT/REPORT NO:</b> | Update on the Melville Street Heritage Conservation District Study (PED23083) (Ward 13)                 |
| <b>WARD(S) AFFECTED:</b>  | Ward 13                                                                                                 |
| <b>PREPARED BY:</b>       | Alissa Golden (905) 546-2424 Ext. 1202                                                                  |
| <b>SUBMITTED BY:</b>      | Steve Robichaud<br>Director, Planning and Chief Planner<br>Planning and Economic Development Department |
| <b>SIGNATURE:</b>         |                                                                                                         |

## INFORMATION

The City of Hamilton is undertaking a Heritage Conservation District (HCD) Study of a portion of Melville Street, from Sydenham Street to Wellington Street North, in the community of Dundas. An HCD Study Area By-law No. 22-258 (attached as Appendix “A” to Report PED23083), was passed by Hamilton City Council on September 28, 2022, limiting change in the study area for a period of one year while the study is conducted. The By-law was appealed to the Ontario Land Tribunal and remains in effect while the appeal is being addressed.

The HCD Study process includes taking up-to-date photographs, conducting historical research and completing survey forms for properties in the study area. The City retained MHBC Planning to complete the HCD Study in the fall of 2022. MHBC completed their initial review of the proposed study area and recommended that the study area be expanded to include the historic residential area surrounding Melville Street, including the area north of the commercial King Street corridor to the Escarpment and east to Sydenham Street (as shown in Appendix “B” attached to Report PED23083). This expanded review, currently underway, will help to identify an appropriate boundary for a potential heritage district.

Staff anticipate that public consultation on the HCD Study will take place towards the end of May 2023, and that formal reporting on the study findings and recommended

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Update on the Melville Street Heritage Conservation District Study  
(PED23083) (Ward 13) - Page 2 of 2**

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next steps will be considered by the Hamilton Municipal Heritage Committee, Planning Committee and Council by the fall of 2023.

For up to date information on the project, please visit [www.hamilton.ca/melvillehcd](http://www.hamilton.ca/melvillehcd), or contact staff at [CulturalHeritagePlanning@hamilton.ca](mailto:CulturalHeritagePlanning@hamilton.ca).

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23038 – By-law Number 22-258

Appendix "B" to Report PED23038 – Expanded HCD Study Area

AG:sd

Authority: Item 7.5, Motion  
CM: September 28, 2022  
Ward: 13

Bill No. 258

## CITY OF HAMILTON

### BY-LAW NO. 22-258

#### To Designate a Portion of Melville Street in Dundas, from Sydenham Street to Wellington Street North, as a Heritage Conservation District Study Area

**WHEREAS** Melville Street is an historic streetscape in the community of Dundas, located in the City of Hamilton, consisting of a significant concentration of buildings of cultural heritage value or interest;

**AND WHEREAS** the eastern portion of Melville Street, from Sydenham Street to Cross Street, was designated as part of the Cross-Melville Heritage Conservation District in 1990 by former Town of Dundas By-law No. 3899-90;

**AND WHEREAS** the portion of Melville Street from Sydenham Street to Wellington Street North, identified in Schedule "A" attached to this By-law, consists of a collection of pre-1950 buildings of potential heritage value or interest, including three properties individually designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, that may collectively be considered a cultural heritage landscape;

**AND WHEREAS** the purpose of a heritage conservation district study, as provided for under section 40 of the *Ontario Heritage Act*, is to examine the character and appearance of an area to determine if the area should be preserved as a heritage conservation district and to consider and make recommendations with regard to the establishment of a district plan to guide changes to properties located within the district;

**AND WHEREAS** section 40.1(1) of the *Ontario Heritage Act* provides that, if the council of a municipality undertakes a study of a heritage conservation district, the council may, by by-law, designate the area specified in the by-law as a heritage conservation study area for a period of up to one year;

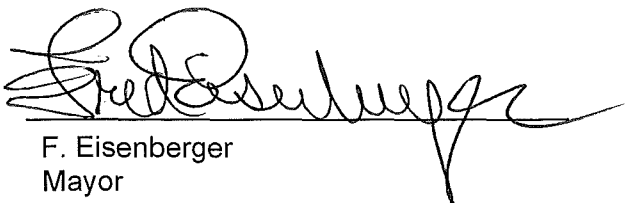
**AND WHEREAS** section 40.1(2) of the *Ontario Heritage Act* provides that a heritage conservation district study area by-law may prohibit or set limitations with respect to the alteration of property and the erection, demolition or removal of buildings or structures, or classes of buildings or structures within the heritage conservation district study area;


#### **NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

1. The area identified in Schedule "A" attached hereto (the Melville Street Heritage Conservation District Study Area) is designated as a heritage conservation district study area for a period of one year from the date of enactment of this By-law.
2. The City shall undertake a heritage conservation district study of the Melville Street Heritage Conservation District Study Area in accordance with the requirements of section 40(2) of the *Ontario Heritage Act*, for the purpose of examining the character and appearance of the area to determine if the area, or any part of the area should be preserved as a heritage conservation district and to make recommendations with respect to the content of a heritage conservation district plan.

3. The alteration of property and the erection, demolition or removal of buildings or structures within the heritage conservation study area is prohibited with the exception of the following permitted actions:
  - (a) an expansion of such legally existing buildings or structures, to a maximum of 25% of the existing gross floor area;
  - (b) a change to the interior of such legally existing buildings or structures;
  - (c) a change to the façade of such legally existing buildings or structures where that façade does not address a public street or highway;
  - (d) *the reconstruction or replacement of such legally existing buildings or structures which are totally or partially destroyed by fire, accident or natural disaster, provided the building or structure is reconstructed on its original site and the floor area and dimensions are not increased; and*
  - (e) the erection of a new accessory building or structure.
4. This By-law shall be in effect for a period of one year from the date of passage of this By-law.
5. The alteration of property and the erection, demolition or removal of buildings or structures as permitted under building permits issued before the passage of this By-law and located within the study area at 56 Melville Street, 136 Melville Street, 138 Melville Street, 172 Melville Street, 183 Melville Street and 188 Melville Street shall be exempt from this By-law.
6. The City Clerk is hereby authorized and directed:
  - (a) to cause a copy of this By-law to be served upon the owners of all of the properties within the Melville Street Heritage Conservation District Study Area and upon the Ontario Heritage Trust within 30 days of the passage of this By-law, by a method permitted by the *Ontario Heritage Act*; and
  - (b) to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton.

**PASSED** this 28<sup>th</sup> day of September, 2022.

  
F. Eisenberger  
Mayor

  
A. Holland  
City Clerk



**Schedule "A"**  
**To**  
**By-law No. 22-258**

**Melville Street Heritage Conservation District Study Area**




This is Schedule "A" to By-law No. 22-258  
 Passed the 28 day of September, 2022

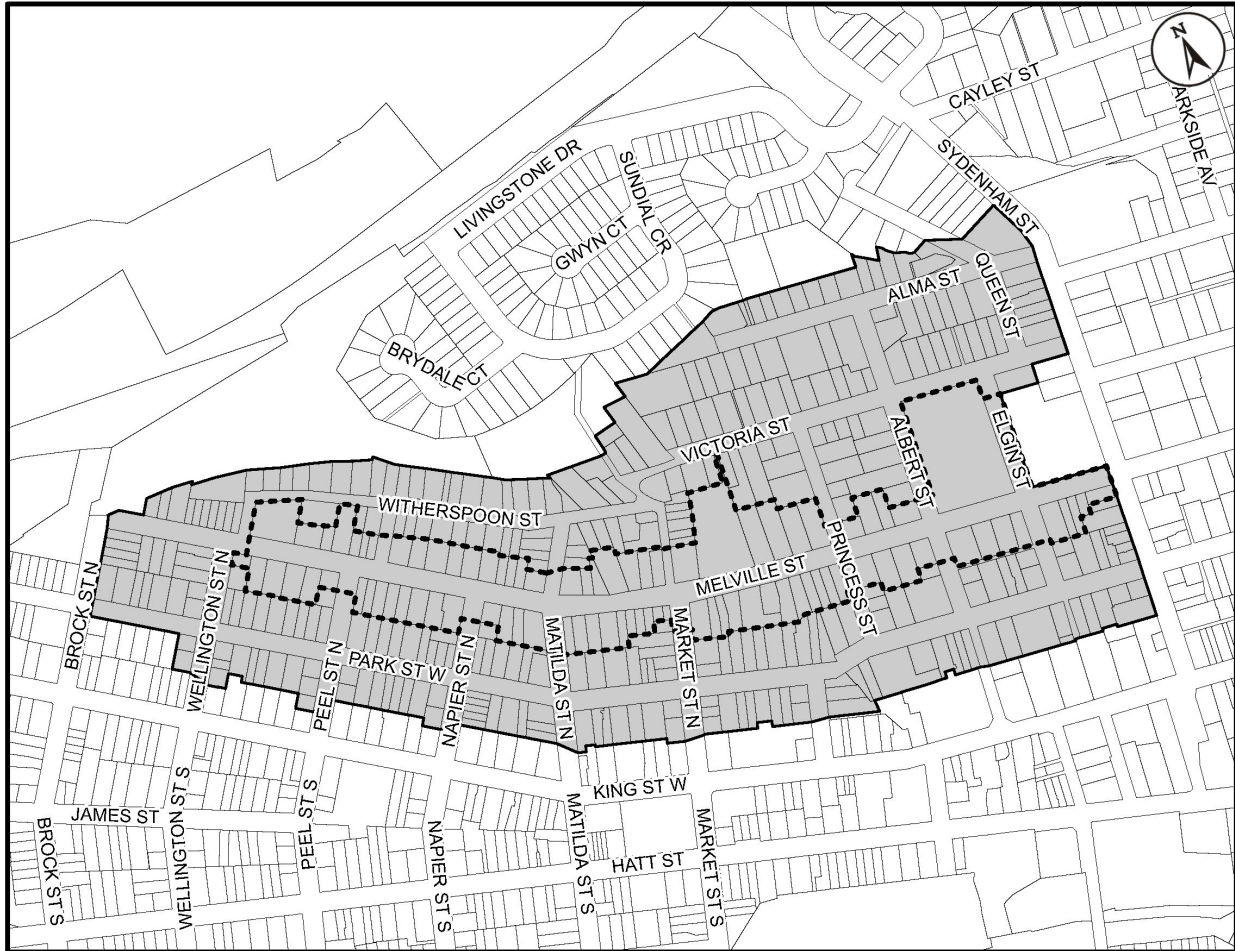
*[Signature]*  
 Mayor  
*[Signature]*  
 Clerk

**Schedule "A"**

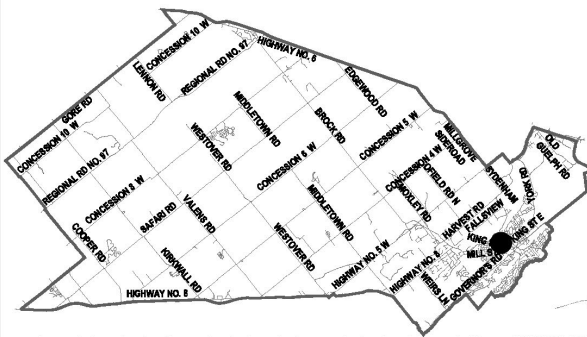
Map forming Part of  
 By-law No. 22- 258

**Subject Property**  
 Melville Street Heritage Conservation District Study Area (Dundas)

|                                              |                                       |                                                                                     |
|----------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------|
| Scale:<br>N.T.S                              | File Name/Number:<br>Dundas HCD Study |  |
| Date:<br>September 23, 2022                  | Planner/Technician:<br>AG/AL          |                                                                                     |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |                                       |                                                                                     |



● Site Location



Key Map - Ward 13

# Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
HCD Study Area

Date:  
March 29, 2023

Appendix "B"

Scale:  
N.T.S

Planner/Technician:  
AG/VS

### Subject Property

- Melville Street HCD Study Area
- Expanded HCD Study Area

# HMHC Education and Communication Working Group

## Meeting Notes

Wednesday March 1<sup>st</sup>, 2023 (6:00pm – 7:00pm)  
City WebEx, Virtual Meeting

**Present:** Alissa Denham-Robinson (Chair), Janice Brown, Graham Carroll,

**Regrets:** Chuck Dimitry, Robin McKee, Kristen McLaughlin, Julia Renaud

**Also present:** Lisa Christie (Heritage Planner)

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### RECOMMENDATIONS:

N/a

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#### 1. Changes to the Agenda

1. N/a

#### 2. Declaration of Interest

1. N/a

#### 3. Previous Meeting Notes

1. Previous meeting notes not available. Meeting notes of February 1, 2023 to follow.

#### 4. Policy & Administration:

1. Special Project Update - Plaquing Policy Review and Recommendations (no copy)  
Next Meeting: March 8, 2023 @ 6pm (without Staff) – Lisa will send out meeting update.

#### 5. Public Outreach and Events:

1. HMHC Heritage Recognition Awards 2022 Update (no copy)

- i. Coordination of an In-Person Event

- a. Venue and catering options reviewed under proposed dates of Tuesday June 13<sup>th</sup> or June 20<sup>th</sup>
  - b. Presentations / Award formatting reviewed
  - c. Award Recipient Notification Letters (to be coordinated)

- ii. Web Page Updates (to be coordinated)

**2. Hamilton Heritage Day – Post Event Update**

- i. Bill 23 Presentation
  - a. Alissa D-R to follow-up with contacts who inquired for more information.
  - b. The WG discussed the need for a summary / fact sheet / handout on the impact of Bill 23 on the Ontario Heritage Act and Municipal Heritage.
- ii. Other future Heritage Events are proposed for the following dates (to be organized by the Hamilton Wentworth Heritage Assoc. with the City of Hamilton):
  - a. During Volunteer Week 2023 – Heritage Volunteer Awards to be presented. Upcoming event is proposed for Tues. April 18 at the Coach House at Dundurn Castle.
  - b. Moving forward, 2-annual events are proposed.
    - i. To be held on Heritage Day (Saturday in February); and
    - ii. A date in the Fall.

**3. Doors Open Hamilton – Saturday May 6<sup>th</sup> and Sun. May 7<sup>th</sup>, 2023 (10am – 4pm)**

- i. Alissa D-R to contact Shannon Kyles to confirm HMHC's interest in hosting a table display during Doors Open.

**4. Hamilton Magazine (HM) – Digital Content related to local history and heritage**

- i. Hamilton Magazine (HM) is interested in creating heritage / Hamilton History related content. Alissa D-R, Janice and Robin participated in a kick-off brainstorming session with the editors and other 25-30 stakeholders.
- ii. Another meeting has been proposed for end of March 2023.
- iii. HM is collecting a List of Top 3 subjects from each of the stakeholders to draft content.

**6. Publications & Print Projects:**

**1. Heritage Word Search Puzzles (2023 Edition)**

- i. Following up from the Heritage Day Events, a few topics were suggested:
  - a. Black History Month (The People and Places of Hamilton)
  - b. Automotive History (Manufacturers, Suppliers, Dealers)



## **Education and Communication Working Group**

Meeting Notes

March. 1<sup>st</sup>, 2023

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### **2. Heritage Colouring Pages (2023 Edition)**

- ii. Janice has reached out to our contact at Bernie Custis S.S. to continue the project and to engage new student artists.
- iii. The WG discussed content options for new colouring pages. A list has been compiled for on-going and future work. Images have been provided to the school.
- iv. Targets dates include:
  - a. Doors Open Hamilton 2023 (May 6/7)
  - b. End of August 2023 – Lincoln & Continental Owners Club of Canada event to be held the week after Labour Day (4 day event) – Theme: Hamilton Auto History

### **7. New Business:**

1. N/a

**8. Next Meeting:**        Wednesday April 5, 2023 at 6pm.

# Inventory & Research Working Group (IRWG) Meeting Notes

February 27, 2023 (6:00pm-8:00pm)  
City of Hamilton WebEx Virtual Meeting

**Present:** Janice Brown (Chair); Graham Carroll; Alissa Denham-Robinson; Lyn Lusted; Julia Renaud; Ann Gillespie (Guest)

**Staff Present:** Alissa Golden (Project Lead, Cultural Heritage);  
Meg Oldfield (Heritage Intern, Assistant Heritage Project Specialist)

**Regrets:** Brian Kowalesicz; Raminder Saini; Chuck Dimitry;  
Ken Coit (Manager, Heritage and Urban Design);  
Lisa Christie (Cultural Heritage Planner)  
Chloe Richer (Cultural Heritage Planner);  
Emily Bent (Cultural Heritage Planner),

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## **RECOMMENDATIONS**

N/a.

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## **NOTES**

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

Welcome to all.

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

None.

### **3. Review and Approval of Meeting Notes**

January 23, 2023 - Approved by consensus.

Business arising from these meeting notes:

For additional Markson properties located at 90 Winston Avenue and 128 Cline Avenue South, Janice will contact Dr. Sarah Sheehan and request additional research supporting these heritage properties; to be provided when possible. This work is not considered time-sensitive.

### **4. Staff Report: Draft Cultural Heritage Assessment – 2 Hatt St., Dundas (Presented by Meg Oldfield)**

- a) This report is being brought forward, following the existing review process of CHAs. This process may change if Council approves proposed changes to address Bill 23.

- b) 2 site visits were conducted by staff. Staff provided an overview of the property.
- c) Constructed in 1804 by Richard Hatt, this property is considered one of the oldest building in Dundas and the last remaining building associated with the Hatt Mills.
- d) The property satisfies many criteria associated with Design/Physical, Historical/Associate and Contextual Value. Refer to the Cultural Heritage Assessment Report as prepared by Staff.
- e) The building has been occupied since 1804 and was used as a Blacksmith Shop for 125 years between 1818-1943. In 1943, the building was converted to a residence and later renovated for a commercial Lighting store. After being used for some time as an Art Galley, the property has been vacant since 2013.
- f) The Working Group Recommends the following:
  - i. The working group strongly supports the designation of 2 Hatt St., Dundas.

**5. Staff Report: Summary of Compiled Research – 24 King St., Dundas (Horn of Plenty) – For information only (Meg Oldfield)**

- a) Staff presented brief notes and photos related to the property, formerly known as the Majestic Theatre, constructed between 1928 and 1929 for Dundas businessman Reginald Billington.
- b) The Working Group Recommends the following:
  - i. To receive – no action required at this time. There is no immediate perceived threat.

**6. Preliminary Research Inventory – 876 Main St. E., Hamilton (Janice & Julia)**

- a) Built in 1891 (MPAC date 1880), by William Ira Gage (Farmer and Post Master). As the City expanded, the property became one of many that formed part of the late 19<sup>th</sup> and early 20<sup>th</sup> century residential streetscape; however many homes were later demolished and replaced by businesses. 876 remains as an example of the fashionable homes that once occupied the east end of Hamilton. Refer to the group's research and Preliminary Evaluation Form.
- b) Currently Inventoried. Currently occupied and appears to be generally in-tact with many original heritage attributes.
- c) Includes a single detached home. The property also includes a separate coach house (Shown as "Workshop" on the Fire insurance plan) currently rented out for residential use.
- d) Design / Physical Value: 14 room, 2-1/2 storey, Vernacular with Italianate and Queen Anne influences. The property displays a high degree of craftsmanship and artistic merit. On the Assessment Form property style to reflect unique rather than representative.
- e) Historical / Associate Value: Associated with 2 historic families; the Gage Family and the Spera Family.
- f) Contextual Value: Important in maintaining and defining the character of this area. Is visually, historically and functionally linked to its surroundings.
- g) The Working Group Recommends the following:

- a) That staff be requested to review the property known as 876 Main Street East, Hamilton, for designation under part IV of the Ontario Heritage Act, due to its physical/design value as a unique example of vernacular design with Queen Anne and Italianate influences and its high degree of craftsmanship with attributes relatively in-tact. This property also demonstrates historical/associative value with linkages to the Gage and Spera families, and its contextual value as an important property along the Main Street transportation corridor, maintaining and defining the character of the area.

**7. New Business:**

- a. **Application Process Open for Volunteer Committees**

Volunteers are encouraged to apply if they are interested in participating on committees and subcommittees with appointed positions. Information is available on the City's website.

**8. Meeting Adjourned:** 7:30 PM

**Next Meeting:** Monday April 24, 2023 (6pm - 8pm)



# INFORMATION REPORT

|                           |                                                                                                                 |
|---------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>TO:</b>                | Chair and Members<br>Hamilton Municipal Heritage Committee                                                      |
| <b>COMMITTEE DATE:</b>    | April 28, 2023                                                                                                  |
| <b>SUBJECT/REPORT NO:</b> | Newly Proposed Provincial Planning Statement and its Cultural Heritage Resource Policies (PED23113) (City Wide) |
| <b>WARD(S) AFFECTED:</b>  | City Wide                                                                                                       |
| <b>PREPARED BY:</b>       | Alissa Golden (905) 546-2424 Ext. 1202                                                                          |
| <b>SUBMITTED BY:</b>      | Steve Robichaud<br>Director, Planning and Chief Planner<br>Planning and Economic Development Department         |
| <b>SIGNATURE:</b>         |                                                                                                                 |

## COUNCIL DIRECTION

Not applicable.

## INFORMATION

On April 6, 2023, Ontario's Ministry of Municipal Affairs and Housing (MMAH) posted Environmental Registry of Ontario (ERO) # 019-6813 (attached as Appendix "A" to Report PED23113) for the "*Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument*". The draft policy document, known as the *Proposed Provincial Planning Statement, April 6, 2023*, is attached as Appendix "B" to Report PED23113. The posting is open for comment on the ERO until June 5, 2023.

The ERO posting indicates that the MMAH is consulting on policies for an integrated province-wide land use planning document and is seeking input on a proposed Provincial Planning Statement that takes policies from *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (A Place to Grow)* and the *Provincial Policy Statement, 2020 (PPS)* to support the achievement of housing objectives. Under the *Planning Act*, planning decisions shall be consistent with policy statements, such as the PPS, and shall conform with provincial plans like A Place to Grow.

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Newly Proposed Provincial Planning Statement and its Cultural Heritage Resource Policies (PED23113) (City Wide) - Page 2 of 2**

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The existing PPS and A Place to Grow policy documents provide comprehensive and integrated policy direction on land use planning matters, including:

- Growth management, housing and economic development;
- Infrastructure planning, including sewage, water and stormwater management services, transportation, transit, energy supply and corridor protection;
- Protection and management of resources, including prime agricultural areas, aggregates, natural heritage, water, and cultural heritage; and,
- Protection of public health and safety, such as mitigating potential risks due to natural and human-made hazards.

The ERO posting indicates that the proposed Provincial Planning Statement would replace the PPS and A Place to Grow, and would:

*“Update the cultural heritage policies to align with Ontario Heritage Act (OHA) amendments through Bill 108 and Bill 23, with a focus on conserving protected heritage properties.”*

As part of the City’s submission to the Province on the proposed Provincial Planning Statement, Cultural Heritage Planning staff will prepare comprehensive comments on the proposed Provincial Planning Statement, which will be compiled as part of a report to Council addressing all of the relevant legislative changes resulting from the document. A copy of the future staff report will be circulated to the Hamilton Municipal Heritage Committee (HMHC) for their information after being received by Planning Committee and Council.

Staff anticipate reporting back to the HMHC, Planning Committee and Council with necessary actions, including updates to the City’s official Plans, to address the proposed legislative changes and the impacts on the City’s policies and procedure if the proposed Provincial Planning Statement is adopted by the Province.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED23113 – Environmental Registry of Ontario Posting Number 019-6813

Appendix “B” to Report PED23113 – *Proposed Provincial Planning Statement*

AG:sd



Environmental Registry of Ontario

# Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument.

|                                                |                                             |
|------------------------------------------------|---------------------------------------------|
| ERO.(Environmental Registry.of.Ontario) number | 019-6813                                    |
| Notice type                                    | Policy                                      |
| Act                                            | Places to Grow Act, 2005                    |
| Posted by                                      | Ministry of Municipal Affairs and Housing   |
| Notice stage                                   | Proposal                                    |
| Proposal posted                                | April 6, 2023                               |
| Comment period                                 | April 6, 2023 - June 5, 2023 (60 days) Open |
| Last updated                                   | April 6, 2023                               |

This consultation closes at 11:59 p.m.

on:

**June 5, 2023**

## Proposal summary

The Ministry of Municipal Affairs and Housing (MMAH) is consulting on proposed policies for an integrated province-wide land use planning policy document. MMAH is seeking input on a proposed Provincial Planning Statement that takes policies from A Place to Grow and the Provincial Policy Statement to support the achievement of housing objectives.

## Proposal details

### Context

The Provincial Policy Statement, 2020 (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow) 2019 both provide comprehensive, integrated, whole-of-government policy direction on land use planning matters including:

- Growth management, housing and economic development;
- Infrastructure planning, including sewage, water and stormwater management services, transportation, transit, energy supply and corridor protection;
- Protection and management of resources, including prime agricultural areas, aggregates, natural heritage, water, and cultural heritage; and
- Protection of public health and safety, such as mitigating potential risks due to natural and human-made hazards.

Both policy documents aim to support the achievement of liveable communities, a thriving economy, a clean and healthy environment and social equity, improving the quality of life for all Ontarians.

The PPS is issued under the Planning Act and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the Places to Grow Act, 2005. It provides a more detailed framework for where and how growth should be accommodated in the Greater Golden Horseshoe and it works with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. The Provincial plans build upon the policy foundation of the PPS, providing additional land use policy direction to address issues facing specific geographic areas of Ontario. All provincial plans are to be read in conjunction with the PPS.

Under the Planning Act, planning decisions shall be consistent with policy statements such as the PPS and shall conform with provincial plans like A Place to Grow.

Given the importance of the PPS and A Place to Grow in guiding land use planning decisions in Ontario, ensuring that the policy framework is housing-supportive is integral to the implementation of the Housing Supply Action Plan and meeting the target to construct 1.5 million new homes by 2031.

In 2022, the government initiated a review on approaches for leveraging the housing supportive policies of both documents, removing barriers and continuing to protect the environment through a streamlined province-wide land use planning policy framework.

The government received feedback on the following six themes:

- Residential land supply.
- Attainable housing supply and mix



- Growth management
- Environment and natural resources
- Community infrastructure
- Streamlined planning framework

The input and recommendations received from Indigenous communities, the public, municipalities and stakeholders helped shaped the development of streamlined and housing-focused, land use planning policies. ERO #019-6177 provides an overview of issues raised.

The Province is now seeking input on a proposed Provincial Planning Statement, that would replace the existing Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

## Proposal

Based on what the government has heard, the Province has combined the elements of A Place to Grow and the PPS into a new land use policy document that the Province is proposing for public feedback. Through this proposed new Provincial Planning Statement, the government is proposing policies grouped under five pillars:

- Generate an appropriate housing supply
- Make land available for development
- Provide infrastructure to support development
- Balance housing with resources
- Implementation

### 1. Generate an appropriate housing supply

The proposed policies would:

- Identify large/fast-growing municipalities, with specific directions to plan strategically for growth:
  - Establish and meet minimum density targets for: major transit station areas, other strategic growth area (e.g., nodes and corridors), urban growth centres (transitioned from A Place to Grow)
  - Encourage to plan for transit-supportive greenfield density targets
- Require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit types (laneway, garden suites, low and mid-rise apartments) and typologies (multi-generational, student)

- Require all municipalities to implement intensification policies
- Provide flexibility for municipalities to allow for more residential development in rural settlements and multi-lot residential development on rural lands, including more servicing flexibility (e.g., leveraging capacity in the private sector servicing)
- Require municipalities to permit more housing on farms, including residential lot creation subject to criteria, additional residential units and housing for farm workers
- Require municipalities to align land use planning policies with housing policies, including addressing homelessness and facilitating development of a full range of housing options and affordability levels to meet local needs

## **2. Make land available for development**

The proposed policies would:

- Provide flexibility for municipalities to use government or municipally established forecasts (at minimum), with a transition phase for municipalities in the Greater Golden Horseshoe
- Require municipalities to plan for a minimum 25-year horizon, maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units
- Provide a simplified and flexible approach for municipalities to undertake settlement area boundary expansions. Municipalities would be allowed to create new Settlement Areas and would not be required to demonstrate the need for expansion
- Require municipalities to plan for and protect industrial and manufacturing uses that are unsuitable for mixed use areas, using a more narrowly scoped definition of “area of employment” limited to these uses and preserving large, contiguous areas of land
- Encourage municipalities to preserve employment areas close to goods movement corridors, coordinating across administrative boundaries and consider opportunities to densify
- Provide municipalities with greater control over employment area conversions to support the forms of development and job creation that suit the local context

## **3. Provide infrastructure to support development**

The proposed policies would:

- Require municipalities to plan for stormwater management, water and wastewater infrastructure, and waste management systems to accommodate growth
- Require municipalities to protect corridors for major infrastructure, such as highways, transit, transmission systems and encourage municipalities to provide opportunities for the development of energy supply to accommodate current and projected needs
- Require the integration of land use planning and transportation with encouragement for freight-supportive and transit-supportive development to move goods and people
- Require municipalities and school boards to integrate planning for schools and growth

#### **4. Balance housing with resources**

The proposed policies would:

- Require municipalities to designate specialty crop areas and prime agricultural areas, eliminating the requirement to use the provincially-mapped Agricultural System
- Require municipalities to protect specialty crop areas and maintain minimum separation distances between livestock operations and houses, and promote an agricultural systems approach to support the agri-food network
- Require municipalities to facilitate access to aggregate resources close to market and to protect minerals, petroleum and mineral aggregate resources
- Require municipalities to protect water resources and features and encourage watershed planning
- Update the cultural heritage policies to align with Ontario Heritage Act (OHA) amendments through Bill 108 and Bill 23, with a focus on conserving protected heritage properties
- Require municipalities to prepare for the impacts of a changing climate and develop approaches to reduce greenhouse gas emissions and improve air quality
- Require municipalities to direct development outside of hazardous lands and sites
- As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government. Once proposed policies and definitions are ready for review and input, they will be made

available through a separate posting on the Environmental Registry of Ontario. This posting (ERO# 019-6813) will be updated with a link to the relevant posting once it is available.

## 5. Implementation

The proposed policies would:

- Align with recent legislative amendments
- Require municipalities to undertake early engagement with Indigenous communities and coordinate with them on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights
- Affirm that efficient land-use patterns contribute to increased equitable access to housing, employment, parks and transportation, and encourage municipalities to apply an equity lens on planning matters and engage stakeholders early in the process.
- Encourage coordination, particularly on intermunicipal topics

The government is also proposing an approach to implementation of the new document, if approved. These include the proposed approach to the following:

- Effective date and transition
- Timing for official plan updates
- Various matters specific to the Greater Golden Horseshoe

Should the government adopt the policies, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (O. Reg. 416/05 and O. Reg. 311/06) under the Places to Grow Act, 2005.

The government welcomes your feedback on the proposed policy concepts and proposed wording in the land use policy document. When reviewing the document, some questions for consideration may include:

1. What are your thoughts on the policies that have been included from the PPS and A Place to Grow in the proposed policy document, including the proposed approach to implementation?
2. What are your thoughts on the proposed policy direction for large and fast-growing municipalities and other municipalities?

3. What are your thoughts regarding the proposed policies to generate housing supply, including an appropriate range and mix of housing options?
4. What are your thoughts on the proposed policies regarding the conservation of agriculture, aggregates, natural and cultural heritage resources?
5. What are your thoughts on the proposed policies regarding planning for employment?
6. Are there any other barriers to, or opportunities for, accelerating development and construction (e.g., federal regulations, infrastructure planning and approvals, private/public partnerships for servicing, provincial permitting, urban design guidelines, technical standards, zoning, etc.)?

### **Relationship to Greenbelt Plan (2017)**

The government is proposing an administrative and housing keeping amendment to the Greenbelt Plan so that that policies in the current Greenbelt Plan are maintained should the PPS, 2020 and A Place to Grow be revoked.

This scoped policy change would maintain the existing Greenbelt Plan standards and clarifies that the existing policy connections in the Greenbelt Plan (2017) to the PPS, 2020 and A Place to Grow remain in effect.

## **Supporting materials**

### **Related files**

[Proposed Provincial Planning Statement, April 6 \(https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed Provincial Planning Statement, April 6, 2023 - EN.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed%20Provincial%20Planning%20Statement,%20April%206,%202023%20-%20EN.pdf)  
pdf.(Portable Document Format file) 672.14 KB

[Proposed Approach to Implementation of the proposed Provincial Planning Statement \(https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed Approach to Implementation, April 6, 2023 - EN.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2023-04/Proposed%20Approach%20to%20Implementation%20of%20the%20proposed%20Provincial%20Planning%20Statement,%20April%206,%202023%20-%20EN.pdf)  
pdf.(Portable Document Format file) 175.92 KB

## Related links

[More Homes, More Choice: Ontario's Housing Supply Action Plan \(2019\)](https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan)  
(<https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>)

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[More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023](https://www.ontario.ca/page/more-homes-built-faster) (<https://www.ontario.ca/page/more-homes-built-faster>)

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[Planning Act](https://www.ontario.ca/laws/statute/90p13) (<https://www.ontario.ca/laws/statute/90p13>)

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[Provincial Policy Statement, 2020](https://www.ontario.ca/page/provincial-policy-statement-2020)  
(<https://www.ontario.ca/page/provincial-policy-statement-2020>)

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[Places to Grow Act, 2005](https://www.ontario.ca/laws/statute/05p13) (<https://www.ontario.ca/laws/statute/05p13>)

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[A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019](https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe)  
(<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>)

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[Greenbelt Plan \(2017\)](https://www.ontario.ca/document/greenbelt-plan-2017) (<https://www.ontario.ca/document/greenbelt-plan-2017>)

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## View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies.](/page/commenting-privacy) (</page/commenting-privacy>)

## Comment

## Submit by mail

[growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

Provincial Land Use Plans Branch

13th Flr, 777 Bay St

Toronto, ON

M7A 2J3

Canada

---

Connect with

US

Contact

[growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)



# **PROPOSED PROVINCIAL PLANNING STATEMENT**

April 6, 2023

Environmental Registry of Ontario Posting # 019-6813



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**PROPOSED  
PROVINCIAL PLANNING STATEMENT  
APRIL 2023**

Environmental Registry of Ontario  
Posting # 019-6813

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## Preface

### Proposed Provincial Planning Statement

#### April 2023

The Ministry of Municipal Affairs and Housing (MMAH) is seeking input on proposed policies for an integrated province-wide land use planning policy document. This proposed Provincial Planning Statement takes policies from both A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2020 to support the achievement of housing objectives across Ontario.

The Provincial Policy Statement, 2020 is issued under the *Planning Act* and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the *Places to Grow Act, 2005*. The Province is now seeking input on a proposed Provincial Planning Statement that would replace the existing Provincial Policy Statement and A Place to Grow.

Should the government adopt the proposed Provincial Planning Statement, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (O. Reg. 416/05 and O. Reg. 311/06) under the Places to Grow Act, 2005.

#### Seeking Feedback

Please submit written comments or questions on the [Environmental Registry of Ontario](#) (ERO) in response to posting [#019-6813](#). The deadline for written comments is June 6, 2023.

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## Chapter 1: Introduction

### Preamble

The proposed Provincial Planning Statement (or "Policy Statement") provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, this Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The proposed Provincial Planning Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. This Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The proposed Provincial Planning Statement also provides policy direction on matters applying only to Ontario's largest and fastest growing municipalities with the greatest need for housing. *Large and fast-growing municipalities* is a defined term and the list of these municipalities is identified in Schedule 1 of this Policy Statement.

The policies of this Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Zoning and development permit by-laws are also important for the implementation of this Policy Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of

Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

## Legislative Authority

The proposed Provincial Planning Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on [effective date]. This Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after [effective date].

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with this Policy Statement.

## How to Read this Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. This Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

### Read the Entire Policy Statement

This Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read this Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

### Consider Specific Policy Language

When applying this Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as "settlement areas shall be the focus of growth and development." Other policies set out limitations and prohibitions, such as "development and site alteration shall not be permitted." Other policies use enabling or supportive language, such as "should," "promote" and "encourage."



The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

### **Geographic Scale of Policies**

This Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While this Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. This Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

### **Policies Represent Minimum Standards**

The policies of this Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of this Policy Statement.

### **Defined Terms and Meanings**

Except for references to legislation which are italicized, other italicized terms in this Policy Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

### **Provincial Guidance**

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of this Policy Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Policy Statement.

### **Relationship with Provincial Plans**

This Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Growth Plan for Northern Ontario, build upon the policy foundation provided by this Policy Statement. They provide additional land use

planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with this Policy Statement. They take precedence over the policies of this Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of this Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of this Policy Statement. In contrast, where matters addressed in this Policy Statement do not overlap with policies in provincial plans, the policies in this Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with this Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

## Vision

Ontario is a vast province with a diversity of urban, rural and northern communities that is distinguished by different populations, economic activity, pace of growth, and physical and natural conditions.

The long-term prosperity and social well-being of Ontario depends on celebrating these differences and planning for complete communities for people of all ages, abilities and incomes. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. In addition, a prosperous Ontario will support a strong and competitive economy, and a clean and healthy environment.

Ontario will increase the supply and mix of housing options and address the full range of housing affordability needs. Every community will build homes that respond to changing market needs, and local needs and demand. Providing a sufficient supply with the necessary range and mix of housing options will support a diverse and growing population and workforce, now, and for many years to come.

A successful Ontario will also be one with a competitive advantage of being investment-ready and celebrated for its influence, innovation and cultural diversity. The Ontario economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this Province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. While progress has been made, equity-deserving groups still face a complex range of challenges. Municipalities will work with the Province to design complete communities with increased access to housing, employment, schools, transportation options, recreation and public spaces, and services that are equitable and sustainable for all Ontarians.

Land use will be managed to accommodate appropriate development to meet the full range of current and future needs. Efficient land use and development patterns will contribute to achieving equitable outcomes for all Ontarians by design. Downtowns, main streets and rural

areas will be vital and viable. Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.

Housing must be built in the right places so that Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the Province's economic prosperity and overall identity. Growth and development will be focused within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production and the agri-food network.

The wise use and management of resources will be encouraged including natural areas, agricultural lands and the Great Lakes while providing attention to appropriate housing supply and public health and safety. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated. This will require the Province, planning authorities, and conservation authorities to work together.

Across rural Ontario, local circumstances vary by region. Northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of the southern regions of the Province. The Province will continue to ensure northern communities are supported and economic growth is promoted so that the region remains strong, while protecting its natural features.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

## Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

### 2.1 Planning for People and Homes

1. At the time of each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 25 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

2. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

3. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.2 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

4. Planning authorities should support the achievement of *complete communities* by:

- a) accommodating an appropriate range and mix of land uses, *housing options, transportation options with multimodal access, employment, public service facilities* and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

## 2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
  - a) coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including housing affordability needs;
  - b) permitting and facilitating:
    1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
    2. all types of residential *intensification*, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment* which results in a net increase in residential units in accordance with policy 2.3.3;
  - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
  - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

## 2.3 Settlement Areas and Settlement Area Boundary Expansions

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;
  - b) optimize existing and planned *infrastructure* and *public service facilities*;
  - c) support *active transportation*;
  - d) are *transit-supportive*, as appropriate; and
  - e) are *freight-supportive*.
3. Planning authorities should support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.

4. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities should consider the following:
  - a) that there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
  - b) the applicable lands do not comprise *specialty crop areas*;
  - c) the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
  - d) impacts on agricultural lands and operations which are adjacent or close to the *settlement area* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
  - e) the new or expanded *settlement area* provides for the phased progression of urban development.
5. Planning authorities are encouraged to establish density targets for new *settlement areas* or *settlement area* expansion lands, as appropriate, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a minimum density target of 50 residents and jobs per gross hectare.

## 2.4 Strategic Growth Areas

### 2.4.1 General Policies for Strategic Growth Areas

1. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, planning authorities may, and *large and fast-growing municipalities* shall, identify and focus growth and development in *strategic growth areas* by:
  - a) identifying an appropriate minimum density target for each *strategic growth area*; and
  - b) identifying the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas.
2. Any reduction in the size or change in the location of *urban growth centres* identified in an in effect official plan as of [effective date] may only occur through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*.

### 2.4.2 Major Transit Station Areas

1. *Large and fast-growing municipalities* shall delineate the boundaries of *major transit station areas* on *higher order transit* corridors through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within a 500 to 800 metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit* corridors, *large and fast-growing municipalities* shall plan for a minimum density target of:

- a) 200 residents and jobs combined per hectare for those that are served by subways;
  - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
  - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional inter-city rail.
3. For any particular *major transit station area*, *large and fast-growing municipalities* may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
- a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
  - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.
4. Planning authorities that are not *large and fast-growing municipalities* may plan for *major transit station areas* on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
- a) connections to local and regional transit services to support *transit service integration*;
  - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
  - c) commuter pick-up/drop-off areas.

## 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
  - a) building upon rural character, and leveraging rural amenities and assets;
  - b) promoting regeneration, including the *redevelopment* of *brownfield sites*;
  - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
  - d) using rural *infrastructure* and *public service facilities* efficiently;
  - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
  - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

- g) conserving biodiversity and considering the ecological benefits provided by nature; and
  - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

## 2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
- a) the management or use of resources;
  - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
  - c) residential development, including lot creation and multi-lot residential development, where site conditions are suitable for the provision of appropriate *sewage and water services*;
  - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
  - e) home occupations and home industries;
  - f) cemeteries; and
  - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

## 2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.



3. The establishment of new permanent townsites shall not be permitted.
4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
  - a) the area forms part of a planning area;
  - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
  - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

## 2.8 Employment

### 2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
  - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
  - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and
  - d) encouraging *intensification* of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement *complete communities*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. On lands for employment outside of *employment areas*, and taking into account the transition of uses to prevent *adverse effects*, a diverse mix of land uses, including residential, employment, *public service facilities* and other institutional uses shall be permitted to support the achievement of *complete communities*.
4. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 2.8.1.3 except for purposes of public health and safety.
5. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

## 2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas*:
  - a) for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs; and
  - b) that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
2. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
  - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
  - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
  - c) prohibiting retail and office uses that are not associated with the primary employment use;
  - d) prohibiting other *sensitive land uses* that are not ancillary to the primary employment use; and
  - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility.
3. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*.
4. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
  - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
  - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
    1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5; and
    2. maintaining access to *major goods movement facilities and corridors*;
  - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

## 2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
  - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
  - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
  - c) support energy conservation and efficiency;
  - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
  - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

## Chapter 3: Infrastructure and Facilities

### 3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure* and *public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
  - b) leverage the capacity of development proponents, where appropriate; and
  - c) are available to meet current and projected needs.
2. Planning and investments in *infrastructure* and *public service facilities* should be prioritized to support *strategic growth areas* as focal areas for growth and development.
  3. Before consideration is given to developing new *infrastructure* and *public service facilities*:
    - a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
    - b) opportunities for adaptive re-use should be considered, wherever feasible.
  4. *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
  5. *Public service facilities* should be co-located to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
  6. Planning authorities, in consultation with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

### 3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
3. As part of a *multimodal* transportation system, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

### 3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

### 3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
  - a) their long-term operation and economic role is protected; and
  - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
  - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
  - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
  - c) discouraging land uses which may cause a potential aviation safety hazard.

### 3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that proposed adjacent *sensitive land uses* are only permitted if potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

### 3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
  - a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
  - b) ensure that these services are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;
    2. is feasible and financially viable over their life cycle;
    3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
    4. considers comprehensive municipal planning for these services, where applicable.
  - c) promote water and energy conservation and efficiency;
  - d) integrate servicing and land use considerations at all stages of the planning process;
  - e) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5; and
  - f) integrate with source protection planning.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.
3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
  - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
  - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5 (a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.
8. Planning for stormwater management shall:
  - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
  - b) minimize, or, where possible, prevent increases in contaminant loads;
  - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
  - d) mitigate risks to human health, safety, property and the environment;
  - e) maximize the extent and function of vegetative and pervious surfaces;
  - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
  - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

### 3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

### 3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

### 3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
  - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
  - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
  - c) providing opportunities for public access to shorelines; and
  - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.



## Chapter 4: Wise Use and Management of Resources

### 4.1 Natural Heritage

As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government. Once proposed policies and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario. ERO# 019-6813 will be updated with a link to the relevant posting once it is available.

### 4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
  - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
  - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
  - c) identifying *water resource systems*;
  - d) maintaining linkages and functions of *water resource systems*;
  - e) implementing necessary restrictions on *development* and *site alteration* to:
    1. protect drinking water supplies and *designated vulnerable areas*; and
    2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
  - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
  - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.

## 4.3 Agriculture

### 4.3.1 General Policies for Agriculture

1. Planning authorities are encouraged to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

### 4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation may be permitted in *prime agricultural areas* as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1 b).
5. Subordinate to the principal dwelling, up to two additional residential units may be permitted in *prime agricultural areas*, provided that:
  - a) any additional residential units are within, attached to, or in close proximity to the principal dwelling;
  - b) any additional residential unit complies with the *minimum distance separation formulae*;
  - c) any additional residential unit is compatible with, and would not hinder, surrounding agricultural operations; and
  - d) appropriate *sewage and water services* will be provided.

The additional residential units may only be severed from the lot containing the principal dwelling in accordance with policy 4.3.3.1.

#### 4.3.3 Lot Creation and Lot Adjustments

1. Residential lot creation in *prime agricultural areas* is only permitted in accordance with provincial guidance for:
  - a) new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:
    1. agriculture is the principal use of the existing lot or parcel of land;
    2. the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;
    3. any residential use is compatible with, and would not hinder, surrounding agricultural operations; and
    4. any new lot:
      - i. is located outside of a *specialty crop area*;
      - ii. complies with the *minimum distance separation formulae*;
      - iii. will be limited to the minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*;
      - iv. has existing access on a public road, with appropriate frontage for ingress and egress; and
      - v. is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.
  - b) a *residence surplus to an agricultural operation* as a result of farm consolidation, provided that:
    1. the new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
    2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.
2. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 4.3.3.1 (a) except to address public health or safety concerns.
3. Non-residential lot creation in *prime agricultural areas* is discouraged and may only be permitted, in accordance with provincial guidance, for:
  - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
  - c) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
4. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

#### 4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.4.

#### 4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
  - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
  - b) limited non-residential uses, provided that all of the following are demonstrated:
    1. the land does not comprise a *specialty crop area*;
    2. the proposed use complies with the *minimum distance separation formulae*;
    3. there is an identified need within the planning horizon provided for in policy 2.1.1 for additional land to accommodate the proposed use; and
    4. alternative locations have been evaluated, and
      - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
      - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on surrounding agricultural lands and operations are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

### 4.4 Minerals and Petroleum

#### 4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

#### 4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest; and
  - c) issues of public health, public safety and environmental impact are addressed.

#### 4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

#### 4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

### 4.5 Mineral Aggregate Resources

#### 4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

#### 4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) resource use would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest;  
and
  - c) issues of public health, public safety and environmental impact are addressed.

#### 4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

#### 4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
  - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
  - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1 (b), complete rehabilitation to an *agricultural condition* is not required if:
  - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
  - b) agricultural rehabilitation in remaining areas is maximized.

#### 4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

### 4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.

4. Planning authorities are encouraged to develop and implement:
  - a) archaeological management plans for conserving *archaeological resources*; and
  - b) proactive strategies for identifying properties for evaluation under the *Ontario Heritage Act*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

## Chapter 5: Protecting Public Health and Safety

### 5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

### 5.2 Natural Hazards

1. Planning authorities shall identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
  - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
  - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
  - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
  - a) the *dynamic beach hazard*;
  - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
  - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
  - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.
5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
  - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
  - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor



- additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
    - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
    - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
    - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
  7. Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
  8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
    - a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
    - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
    - c) new hazards are not created and existing hazards are not aggravated; and
    - d) no adverse environmental impacts will result.
  9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

*Development* may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

### 5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

## Chapter 6: Implementation and Interpretation

### 6.1 General Policies for Implementation and Interpretation

1. This Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. This Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. This Policy Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing this Policy Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Policy Statement. The policies of this Policy Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Policy Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with this Policy Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with this Policy Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

9. To assess progress on implementation of this Policy Statement, the Province may:
  - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in this Policy Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
  - b) monitor and assess the implementation of this Policy Statement through the

- collection and analysis of data under each indicator; and
- c) consider the resulting assessment in each review of this Policy Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, and data standards and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

## 6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
- a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
  - b) economic development strategies;
  - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - d) *infrastructure, multimodal* transportation systems, *public service facilities* and *waste management systems*;
  - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
  - f) natural and human-made hazards;
  - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
  - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement this Policy Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient

communities.

6. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
7. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
  - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
  - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
  - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
  - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
8. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.7 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

## 7: Definitions

**Access standards:** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

**Active transportation:** means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Additional needs housing:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

**Adjacent lands:** means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- c) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*.

**Adverse effect:** as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

**Agricultural condition:** means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

**Agricultural impact assessment:** means the evaluation of potential impacts of non-*agricultural uses* on agricultural lands and operations and, where applicable, the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

**Agricultural system:** A system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base, based on mapping provided by the Province where mapping is available and requested, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

**Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

**Agri-food network:** Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as *regional infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

**Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Airports:** means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy system:** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological resources:** includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

**Areas of archaeological potential:** means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

**Areas of mineral potential:** means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

**Areas of natural and scientific interest:** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resource:** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

**Compact built form:** means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

**Comprehensive rehabilitation:** means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

**Complete communities:** means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

**Conserved:** means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker.

Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

**Cultural heritage landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

**Defined portions of the flooding hazard along connecting channels:** means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:** means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:** means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

**Designated vulnerable area:** means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

**Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the *Drainage Act*.

**Dynamic beach hazard:** means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

**Employment area:** means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

**Erosion hazard:** means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Essential emergency service:** means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

**Flood fringe:** for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

**Flood plain:** for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

**Flooding hazard:** means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Floodproofing standard:** means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave effects* and other water-related hazards along the shorelines of the *Great Lakes - St. Lawrence River System*



and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

**Floodway:** for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

**Freight-supportive:** in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

**Frequent transit:** means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

**Great Lakes - St. Lawrence River System:** means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

**Green infrastructure:** means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels,

permeable surfaces, and green roofs.

**Ground water feature:** means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

**Hazardous forest types for wildland fire:** means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

**Hazardous lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

**Hazardous sites:** means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:** means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

**Higher order transit:** means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter or regional inter-city rail), light rail, and buses in dedicated rights-of-way.

**Housing options:** means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

**Hydrologic function:** means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Impacts of a changing climate:** means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

**Individual on-site sewage services:** means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:** means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

**Institutional use:** for the purposes of policy 5.1.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

**Intensification:** means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

**Large and fast-growing municipalities:** means municipalities identified in Schedule 1.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:** means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low impact development:** means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

**Major facilities:** means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

**Major goods movement facilities and corridors:** means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the

same objectives.

**Major transit station area:** means the area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

**Major trip generators:** means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

**Marine facilities:** means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

**Mine hazard:** means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:** means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

**Mineral aggregate operation:** means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;

- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral aggregate resources:** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

**Mineral aggregate resource conservation:** means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

**Mineral deposits:** means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:** means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:** means formulae and guidelines developed by

the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multimodal:** means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine.

**Municipal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

**Municipal water services:** means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

**Negative impacts:** means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 4.2, degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- c) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

**Normal farm practices:** means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of

innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

**Oil, gas and salt hazards:** means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

**On-farm diversified uses:** means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Land-extensive energy facilities, such as ground-mounted solar or battery storage are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

**One hundred year flood:** for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One hundred year flood level:** means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

**Other water-related hazards:** means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

**Partial services:** means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

**Petroleum resource operations:** means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

**Petroleum resources:** means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

**Planned corridors:** means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

**Portable asphalt plant:** means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable concrete plant:** means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:** means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs, or by a planning authority based on provincial guidance.

**Prime agricultural land:** means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

**Private communal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:** means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

**Protected heritage property:** means

- property designated under Part IV or VI of

the *Ontario Heritage Act*;

- property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*;
- property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*;
- property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under Part III.1 of the *Ontario Heritage Act* and the heritage standards and guidelines;
- property with known *archaeological resources* in accordance with Part VI of the *Ontario Heritage Act*;
- property protected under federal heritage legislation; and
- UNESCO World Heritage Sites.

**Protection works standards:** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

**Public service facilities:** means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

*Public service facilities* do not include *infrastructure*.

**Quality and quantity of water:** is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Rail facilities:** means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands

for future *rail facilities*.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

**Regional market area:** refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

**Renewable energy source:** means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

**Renewable energy system:** means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

**Reserve sewage system capacity:** means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

**Reserve water system capacity:** means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water*

*services* or *private communal water services*, and not *individual on-site water services*.

**Residence surplus to an agricultural operation:** means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**River, stream and small inland lake systems:** means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural areas:** means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

**Rural lands:** means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

**Sensitive:** in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is

concentrated and which have a mix of land uses; and

- b) lands which have been designated in an official plan for development over the long term.

**Sewage and water services:** includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

**Significant:** means in regard to mineral potential, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.

Criteria for determining significance is provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**Special Policy Area:** means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

**Specialty crop area:** means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

**Strategic growth areas:** means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, *urban growth centres* and other areas where growth or development will be focused, that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

**Surface water feature:** means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Transit service integration:** means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service



routes, information, fare policy, and fare payment.

**Transit-supportive:** in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

**Transportation demand management:** means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

**Transportation system:** means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

**Two zone concept:** means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

**Urban growth centres:** means areas originally delineated in the official plan in effect as of [effective date] that were required to be identified as a result of the urban growth centre policies of the Growth Plan for the Greater Golden Horseshoe, 2019. It is anticipated that no new *urban growth centres* will be identified.

**Vulnerable:** means surface and/or ground water that can be easily changed or impacted.

**Waste management system:** means sites and facilities to accommodate solid waste from one

or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

**Watershed:** means an area that is drained by a river and its tributaries.

**Watershed planning:** means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. It may inform the identification of *water resource systems*.

**Water resource systems:** means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), natural heritage features and areas, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

**Wave effects:** means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

**Wayside pits and quarries:** means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wildland fire assessment and mitigation standards:** means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

## 8: Appendix – Schedule 1: List of Large and Fast Municipalities

|                            |                        |
|----------------------------|------------------------|
| Town of Ajax               | City of Mississauga    |
| City of Barrie             | Town of Newmarket      |
| City of Brampton           | City of Niagara Falls  |
| City of Brantford          | Town of Oakville       |
| City of Burlington         | City of Oshawa         |
| Town of Caledon            | City of Ottawa         |
| City of Cambridge          | City of Pickering      |
| Municipality of Clarington | City of Richmond Hill  |
| City of Guelph             | City of St. Catharines |
| City of Hamilton           | City of Toronto        |
| City of Kingston           | City of Vaughan        |
| City of Kitchener          | City of Waterloo       |
| City of London             | Town of Whitby         |
| City of Markham            | City of Windsor        |
| Town of Milton             |                        |

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# INFORMATION REPORT

|                           |                                                                                                                                 |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>TO:</b>                | Chair and Committee<br>Hamilton Municipal Heritage Committee                                                                    |
| <b>COMMITTEE DATE:</b>    | April 28, 2023                                                                                                                  |
| <b>SUBJECT/REPORT NO:</b> | Information Update Regarding Heritage Permit Extension<br>HP2023-017 for 98 James Street South, Hamilton<br>(PED23133) (Ward 2) |
| <b>WARD(S) AFFECTED:</b>  | Ward 2                                                                                                                          |
| <b>PREPARED BY:</b>       | Lisa Christie (905) 546-2424 Ext. 1291                                                                                          |
| <b>SUBMITTED BY:</b>      | Steve Robichaud<br>Director, Planning and Chief Planner<br>Planning and Economic Development Department                         |
| <b>SIGNATURE:</b>         |                                                                                                                                 |

## COUNCIL DIRECTION

Not Applicable

## INFORMATION

On March 20, 2023, Heritage Permit HP2023-017 (attached as Appendix “A” to Report PED23133) was approved under the delegated authority of Council, to extend the previously approved permit (HP2022-036) for the period of one year, with a new expiry date of March 31, 2024.

On December 13, 2022, Cultural Heritage Planning staff received a formal request to extend Heritage Permit HP2020-041, for 98 James South (2022) Inc., from the new owner of the property located at 98 James Street South, Hamilton. The current owner acquired the property for the previous owner, Hue Developments and Investments Canada (HDIC) in late-August 2022. Staff reviewed the extension request and recommended an interim three-month extension to allow time for City staff to meet with the new owner to discuss outstanding heritage concerns, including the requirement for regular monitoring reports, prior to signing off on a longer-term permit extension (i.e., 24 months). The initial three-month extension, HP2022-036 (attached as Appendix “B” to

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

Report PED23133), was approved under the delegated authority of Council on December 21, 2022, with an expiry date of March 31, 2023.

On January 26, 2023, City staff met with the applicant to discuss a longer-term heritage permit extension, at which time the owner indicated that they have retained Tacoma Engineers to continue to complete monthly crack monitoring reports for the duration of the current and subsequent heritage permit extensions.

Following the meeting on January 26, 2023, City of Hamilton staff received and reviewed three Crack Monitoring Assessments, and one Masonry Restoration Assessment for the property located at 98 James Street South, Hamilton:

- Crack Monitor Review Report No. 13, Site reviewed January 24, 2023 (received January 26, 2023);
- Crack Monitor Review Report No. 14, Site reviewed March 3, 2023 (received March 24, 2023);
- Masonry Restoration Assessment, Dated March 28, 2023 (received March 28, 2023); and
- Crack Monitor Review Report No. 15, Site reviewed March 28, 2023 (received April 18, 2023).

The following is a staff summary of these reports:

The above listed Crack Monitor Review Reports were conducted monthly from grade, and all indicated that no significant signs of structural distress were noted at the time of the visit. The reports do acknowledge that the structure does require restoration work and the delay in restoration work is not expected to adversely affect the building. However, the cost and scope of restoration is expected to increase with continued deferred maintenance.

The Masonry Restoration Assessment Report is an update to the masonry condition assessment completed by Tacoma Engineers for the previous ownership group in November 2020. This report indicated that the masonry of former James Street Baptist Church will require stabilization and full-scale restoration. It notes that while the masonry is in poor condition it does not present an immediate risk to the public or stability of building. It is recommended that stabilization efforts be required prior to any future development on the rear portion of the property. The report indicates that masonry restoration should be carried out in the next 12 to 18 months and notes that continued deferral of restoration and maintenance will continue to increase the overall cost of restoration work.

Following the receipt of the above noted reports, Cultural Heritage Planning Staff processed a one-year Heritage Permit extension, as per Condition (b) of HP2023-017.

City staff are expecting to continue to receive Crack Monitor Review Reports on a monthly basis. Summaries of these reports to be shared with the Hamilton Municipal Heritage Committee at future meetings.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23133 – HP2023-017, Delegated Authority Letter dated  
March 29, 2023

Appendix "B" to Report PED23133 – HP2022-036, Delegated Authority Letter dated  
December 21, 2022





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, 4th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1291  
Fax: 905-540-5611

FILE: HP2023-017

March 29, 2023

98 James South (2022) Inc.  
c/o Marcus Gillam  
36 Northline Road, Unit 3  
Toronto, ON  
M4B 3E2

**Re: Heritage Permit Application HP2023-017:  
Renewal of previously-approved Heritage Permit Application HP2022-036  
for the Redevelopment of 98 James Street South, Hamilton (former James  
Street Baptist Church) (Ward 2)**

---

**Note: This Heritage Permit application is the same as HP2022-0036, which was approved on December 21, 2022 with condition (b) expiring March 31, 2023. It is being re-issued as HP2023-017 to extend the date for the completion of alterations as the proposed work will not be completed by March 31, 2023. This Heritage Permit application HP2023-017 will extend the permit for a one-year period set to expire March 31, 2024.**

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 HP2023-017 is approved for the property located at 98 James Street South, Hamilton, in accordance with the previously-submitted Heritage Permit Application for the following alterations:

- To renew previously-approved Heritage Permit Application HP2022-036, notably the following:
  - Retention of the existing front (east) façade and corner towers on James Street South in situ, including all existing windows, doors and other features (the “retained portions”);
  - Salvage and reuse of features and materials from the removed portions of the building (the “salvaged portions”); and,

**Re: Heritage Permit Application HP2023-017: Renewal of previously-approved Heritage Permit Application HP2022-036 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 2 of 3**

- Construction of a new building and / or addition on the remainder of the site and attached to the retained portions (the "new building").

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 implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2024. If the alterations are not completed by March 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;
- c) That the applicant submit, on a monthly basis, ongoing monitoring reports assessing and outlining the condition of the retained portions to City staff;
- d) That the applicant provide a written update to City staff on the current condition of the site and existing salvaged features which remain;
- e) That, once the alterations are complete, the owner shall agree to appropriate amendments to the Heritage Conservation Easement agreement to reflect the altered building; and,
- f) That a Conservation Plan consisting of the following items shall be submitted to the satisfaction of the Director of Planning and Chief Planner prior to the commencement of any alterations:
  - I. Documentation of the existing building and its architectural features and finishes in situ.
  - II. Specifications and methodology for the protection, stabilization, and restoration of the retained portions.
    - I. Inventory of the existing architectural features and building materials and a methodology for salvaging these features and materials from the removed portions.
    - II. A plan for the storage and protection of retained and salvaged heritage elements, including the on or off site storage location(s), environmental conditions and security, a schedule of regular inspections and monitoring, and any other protection measures as appropriate. In addition:
      - i. If the storage location is to be changed, the new location and address shall be submitted to the satisfaction and approval of staff,

Re: Heritage Permit Application HP2023-017: Renewal of previously-approved Heritage Permit Application HP2022-036 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 3 of 3

- prior to the removal of the heritage elements to a new storage facility.
- ii. Any unsatisfactory environmental conditions or failures in the security measures shall be reported to Planning staff as soon as they are discovered and appropriate remedies shall be developed and approved by Planning staff prior to implementation, except in emergency situations.
  - iii. City staff shall be allowed reasonable access to inspect the heritage elements in storage, at any time.

Please note that this property is designated under Part IV of the *Ontario Heritage Act* and subject to a Heritage Conservation Easement held by the City of Hamilton, 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* and the terms of the Heritage Conservation Easement Agreement. 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 Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext.1291, or via email at [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Cameron Kroetsch, Ward 2



Mailing Address:  
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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. 4281  
Fax: 905-540-5611

**FILE: HP2022-036**

December 21, 2022

98 James South (2022) Inc.  
c/o Marcus Gillam  
36 Northline Road, Unit 3  
Toronto, ON  
M4B 3E2

**Re: Heritage Permit Application HP2022-036:  
Renewal of previously approved Heritage Permit Application HP2020-041  
for the Redevelopment of 98 James Street South, Hamilton (former James  
Street Baptist Church) (Ward 2)**

---

**Note: This Heritage Permit application is the same as HP2020-041, which was approved on December 16, 2020 with condition (b) expiring December 31, 2022. It is being re-issued as HP2022-036 to extend the date for the completion of alterations as the proposed work will not be completed by December 31, 2022. This Heritage Permit application HP2022-036 will extend the permit for an interim three-month period set to expire March 31, 2023.**

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 HP2022-036 is approved for the property located at 98 James Street South, Hamilton, in accordance with the previously submitted Heritage Permit Application for the following alterations:

- To renew previously approved Heritage Permit Application HP2020-041, notably the following:
  - Retention of the existing front (east) façade and corner towers on James Street South in situ, including all existing windows, doors and other features (the “retained portions”);
  - Salvage and reuse of features and materials from the removed portions of the building (the “salvaged portions”); and,
  - Construction of a new building and / or addition on the remainder of the site and attached to the retained portions (the “new building”).

**Re: Heritage Permit Application HP2022-036: Renewal of previously approved Heritage Permit Application HP2020-041 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 2 of 3**

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 implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2023. If the alterations are not completed by March 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 applicant submit, on a monthly basis, ongoing monitoring reports assessing and outlining the condition of the retained portions to City staff;
- d) That the applicant provide a written update to City staff on the current condition of the site and existing salvaged features which remain;
- e) That, once the alterations are complete, the owner shall agree to appropriate amendments to the Heritage Conservation Easement agreement to reflect the altered building; and,
- f) That a Conservation Plan consisting of the following items shall be submitted to the satisfaction of the Director of Planning and Chief Planner prior to the commencement of any alterations:
  - I. Documentation of the existing building and its architectural features and finishes in situ;
  - II. Specifications and methodology for the protection, stabilization, and restoration of the retained portions;
    - I. Inventory of the existing architectural features and building materials and a methodology for salvaging these features and materials from the removed portions; and,
    - II. A plan for the storage and protection of retained and salvaged heritage elements, including the on or off site storage location(s), environmental conditions and security, a schedule of regular inspections and monitoring, and any other protection measures as appropriate. In addition:
      - i. If the storage location is to be changed, the new location and address shall be submitted to the satisfaction and approval of staff, prior to the removal of the heritage elements to a new storage facility;
      - ii. Any unsatisfactory environmental conditions or failures in the security measures shall be reported to Planning staff as soon as

**Re: Heritage Permit Application HP2022-036: Renewal of previously approved Heritage Permit Application HP2020-041 for the Redevelopment of 98 James Street South, Hamilton (former James Street Baptist Church) (Ward 2) - Page 3 of 3**

- they are discovered and appropriate remedies shall be developed and approved by Planning staff prior to implementation, except in emergency situations; and,
- iii. City staff shall be allowed reasonable access to inspect the heritage elements in storage, at any time.

Please note that this property is designated under Part IV of the *Ontario Heritage Act* and subject to a Heritage Conservation Easement held by the City of Hamilton, 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* and the terms of the Heritage Conservation Easement Agreement. 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 Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext.1291, or via email at [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Loren Kolar, Legislative Coordinator  
Councillor Cameron Kroetsch, Ward 2

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

**Tuesday, March 21, 2023**

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

**Attending Staff:** Emily Bent, Lisa Christie, Alissa Golden, Adrian Tralman

**Absent with Regrets:** Melissa Alexander, Andy MacLaren, Steve Wiegand

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

## **1) Approval of Agenda:**

(Burke/Dent)

That the Agenda for March 21, 2023 be approved as presented.

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

(Carroll/Spolnik)

That the Minutes of February 21, 2023 be approved, as presented.

### 3) Heritage Permit Applications

#### a. **HP2023-015: 314 Wilson Street East, Ancaster (Part IV, Tisdale House)**

- Scope of work:
  - Wood repairs to the main entrance of Tisdale House, including:
    - Removal of the rotted ledger board and threshold;
    - Repairs to the stained glass, and reinstallation of protective glazing;
    - Dutchman repairs to pilaster and jamb;
    - Installation of a new continuous threshold across the entrance;
    - Repairs to the damaged mullion; and,
  - Replacement of the existing modern porch with a new, historically appropriate freestanding wood porch with wide stairs, simple newel posts, square balusters, perpendicular deck boards, and lattice skirting.
- Reason for work:
  - To allow for the necessary repairs to the main entrance, as well as the replacement of the existing front porch with a more traditional porch design.

Jarrett Zacharko, Heritage Project Coordinator, Heritage Resource Management from the City of Hamilton, spoke to the Sub-Committee.

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

(Burke/Carroll)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-015 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; and,

b) Installation of the alteration(s), in accordance with this approval, shall be completed no later than March 31, 2025. If the alteration(s) are not completed by March 31, 2025, 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. HP2023-013: 232 Highway 8, Flamborough, Hamilton (Part IV, McKinley-McGinty home)**

- Scope of work:
  - Installation of new venting to facilitate interior renovations, including 5 vents located on the east and west side elevations, and the rear north elevation.
  
- Reason for work:
  - To allow for the installation of exterior exhausts/vents.

Mike Gregor, the property owner, spoke to the Sub-Committee.

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 HP2023-013 be consented to, subject to the following conditions:

- a) That the final details regarding location of exhaust vents and installation method be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
  
- b) 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
  
- c) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than March 31, 2025. If the alteration(s) are not completed by March 31, 2025, 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. HP2023-014: 1280 Main Street West, Hamilton, Wallingford Hall, McMaster University Historic Core (Part IV)**

Scope of work:

- Improvements to the landscape surrounding the north, east and south side of Wallingford Hall, including:
  - Introduction of a new pedestrian plaza connecting to Scholars Road, framed by decorative knee walls;
  - Updated walkways and accessible ramps, including concrete paving, stone pavers and handrails;
  - Creation of islands of green space and plantings between the walkways;
  - Introduction of terraced seat walls and congregation area to the northeast adjacent to Cootes Paradise;
  - Introduction of a new wood and stone seating area to the north overlooking Cootes Paradise;
  - Removal and replacement existing stairs (not attached to the building);
  - Updated pedestrian lighting, including relocation of two existing modern light standards and introduction of new lighting along the north pathway and in the front plaza (none attached to the building); and,
  - Preservation and protection of mature vegetation during construction using tree protection hoarding.

Reason for work:

- To allow for landscape improvements to be one to the area surrounding the north, east and south side of Wallingford Hall, McMaster University, to: improve accessibility; comply with the OBC; and provide for better wayfinding and campus safety

Mike Flint of Seferian Design Group in Burlington, Ontario, spoke to the Sub-Committee on behalf of McMaster University.

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 HP2023-014 be consented to, subject to the following conditions:

a) That the tree protection hoarding be installed to protect existing mature trees, as indicated on the Landscape Plan, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations

b) That language be added to the scope of work in the form of a note on the site plan and/ or landscape plan for landscape contractors to ensure the Wallingford hall building exterior and foundation is protected from potential damage during any excavation or other activities to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations

c) 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;

d) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than March 31, 2025. If the alteration(s) are not completed by March 31, 2025, 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. HP2023-011: 292 Dundas Street East, Flamborough, Dundas (Part IV Maple Lawn)**

Scope of work:

- Installation of a cast-metal oval designation plaque to be secured to the brick façade of the building beside the front entrance, including:
  - Drilling two holes into the brick façade, to be located in the existing mortar joints; and,
  - Affixing the plaque with non-rusting anchors and screws with anti vandalism measures

Reason for work:

- To allow for the installation of a municipal heritage designation plaque.

Alissa Golden, Program Lead – Cultural Heritage, Heritage and Urban Design from the City of Hamilton spoke to the sub committee on behalf of Jordan Alley, the property owner.

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

(Carroll/Spolnik)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-011 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) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than March 31, 2025. If the alteration(s) are not completed by March 31, 2025, 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 6:25 pm

(Carroll/Dent)

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, April 18, 2023, from 5:00 – 7:30pm



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

|                           |                                                                                                                         |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>TO:</b>                | Chair and Members<br>Hamilton Municipal Heritage Committee                                                              |
| <b>COMMITTEE DATE:</b>    | April 28, 2023                                                                                                          |
| <b>SUBJECT/REPORT NO:</b> | Monthly Report on Proactive Listings for the Municipal Heritage Register, April 2023 (PED23101) (Wards 3 and 11)        |
| <b>WARD(S) AFFECTED:</b>  | Wards 3 and 11                                                                                                          |
| <b>PREPARED BY:</b>       | Alissa Golden (905) 546-2424 Ext. 1202<br>Lisa Christie (905) 546-2424 Ext. 1291<br>Emily Bent (905) 546-2424 Ext. 6663 |
| <b>SUBMITTED BY:</b>      | Steve Robichaud<br>Director, Planning and Chief Planner<br>Planning and Economic Development Department                 |
| <b>SIGNATURE:</b>         |                                                                                                                         |

## RECOMMENDATION

That staff be directed to list the following properties on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, as outlined in Report PED23101, in accordance with Section 27 of the *Ontario Heritage Act*:

- (a) 448 Barton Street East, Hamilton (Ward 3);
- (b) 460 Barton Street East, Hamilton (Ward 3);
- (c) 681 Main Street East, Hamilton (Ward 3);
- (d) 7156 White Church Road, Glanbrook (Ward 11);
- (e) 7349 Airport Road, Glanbrook (Ward 11);
- (f) 3487 Upper James Street, Glanbrook (Ward 11);
- (g) 8064 White Church Road, Glanbrook (Ward 11).

## EXECUTIVE SUMMARY

This Report recommends that Council list 7 non-designated properties of cultural heritage value or interest on the Municipal Heritage Register (Register). Listing on the Register under Section 27 of the *Ontario Heritage Act* recognizes value of the property

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

to the community, provides properties with interim protection from demolition, and can help facilitate informed decision-making and priority-based planning from staff and Council. By Council deciding to proactively list these properties on the Register, staff will be able to take appropriate action should a Prescribed Event be triggered under the *Planning Act*, or if demolition or significant alteration is proposed as part of a Building Permit Application in the next two years before the Register listings expire. Should Council decide to list these properties on the Register, staff will provide notice of their listing to the owners and outline legislated process for objecting to the listings, as per the requirements of the *Ontario Heritage Act*.

### **Alternatives for Consideration – N/A**

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None.

Staffing: As outlined in Report PED22211(a), the City is in the process of hiring two temporary Cultural Heritage Planning Technician positions, whose primary focus will be on the research and evaluation of heritage properties on the high priority designation list and triggered by Prescribed Events under the *Planning Act*. The full extent of the implications on staff resources, resulting from the *Bill 23* and *Bill 109* changes to the *Ontario Heritage Act*, are not known at this time.

Legal: The *Ontario Heritage Act* enables Council to list non-designated properties that it believes to be of cultural heritage value or interest on the Register if it is demonstrated that they meet at least one criterion outlined in *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*. The Municipal Heritage Committee must be consulted prior to Council deciding to list a non-designated property on the Register. The recently amended *Ontario Heritage Act* now limits how the City can list a property, including a two-year expiry from the time of listing and a five-year restriction on re-listing after expiry.

The *Ontario Heritage Act* requires municipalities to notify owners within 30 days of a Council's decision to list a property on the Register. Under Section 27(7) of the *Ontario Heritage Act*, an owner can object to a property being included on the Register after receiving notice of it being listed. The owner's objection should be served on the Clerk of the municipality and identify the reasons for the objection and all relevant facts. Council must consider the objection and decide whether to keep the property listed on the Register or to remove it. The owner must be given notice of a Council's decision on the consideration of their objection within 90-days of the decision.

## **HISTORICAL BACKGROUND**

The cumulative changes to the *Ontario Heritage Act* over the past few years, implemented by *Bill 108, More Homes, More Choice Act, 2019* and *Bill 23, More Homes Built Faster Act, 2022* (see Reports PED19125(c) and PED22211(a)), now require the City to be strategic when it lists properties of cultural heritage value or interest on the Municipal Heritage Register. A property is now required to be listed on the Register prior to a Prescribed Event under the *Planning Act* for a municipality to be able to issue a notice of intention to designate within a 90-day restricted window.

As outlined in Report PED22211(a), staff will be bringing forward proactive recommendations to list properties of heritage interest flagged as part of the Formal Consultation process, when they are anticipated to trigger a Prescribed Event under the *Planning Act*, or if they are under a perceived immediate threat of potential demolition or removal and require interim protection until such time as further review and evaluation for designation can be conducted.

The applicants and agents of properties flagged for listing as part of the Formal Consultation process were notified of the staff recommendation to list as part of the application commenting process. Those owners not notified as part of the Formal Consultation process were sent letters notifying them of the staff recommendation to list their property on the Register in advance of this Report being considered by the HMHC.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendations of this Report are consistent with Provincial and Municipal legislation, including:

- Determining the cultural heritage value or interest of a property based on design / physical value, historical / associative value and contextual value criteria (*Ontario Heritage Act, Ontario Regulation 9/06*);
- Ensuring significant built heritage resources are conserved (*Provincial Policy Statement, 2020, Sub-section 2.6.1*);
- Identifying cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources (Urban Hamilton Official Plan, Volume 1, B.3.4.2.1 b)); and,
- Maintaining the Municipal Heritage Register, pursuant to the *Ontario Heritage Act* (Urban Hamilton Official Plan, Volume 1, B.3.4.2.4).



## **RELEVANT CONSULTATION**

### **External**

- Property owners / applicants.

### **Internal**

- Ward Councillor Nann, Ward 3; and,
- Ward Councillor Tadeson, Ward 11.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

### **448 and 460 Barton Street East, Hamilton**

The property at 448 Barton Street East, Hamilton, is comprised of a two-storey brick building constructed circa 1905 and 460 Barton Street East, Hamilton, is comprised of a two-storey brick building constructed circa 1904, both of which are currently listed on the City's Inventory of Heritage Properties. The City received Formal Consultation Application FC-23-035, which proposes the retention of 460 Barton Street East and the demolition and redevelopment of 448 Barton Street East. Staff conducted a preliminary cultural heritage evaluation of the subject properties and determined that they each met multiple criteria for determining cultural heritage value or interest, as outlined in *Ontario Regulation 9/06*.

448 Barton Street East has potential historical value for its association with the Canadian Hart Wheels Company (previously known as Canadian Corundum Wheel Company Limited) and has contextual value in helping to maintain and support the commercial streetscape along Barton Street East. 460 Barton Street East has design value as a representative example of a Beaux Arts / Classical Revival influenced commercial building, historical value due to its previous association with the Royal Bank of Canada (formerly the Traders Bank of Canada) and current association with the Hamilton-based uniform company Bombardieri, and contextual value for its contribution helping to define the historic commercial streetscape of Barton Street East.

The full summary of the preliminary evaluation of cultural heritage value or interest for both properties are attached as Appendix "A" and Appendix "B", to Report PED23101. Therefore, both 448 and 460 Barton Street East, Hamilton, have been determined to have sufficient cultural heritage value or interest to warrant listing on the Municipal Heritage Register as a non-designated property under Section 27 of the *Ontario Heritage Act*, as per Recommendations (a) and (b) of this Report. Staff have also included 460 Barton Street East, Hamilton, on the list of Candidates for Designation under Part IV of the *Ontario Heritage Act*.

### **681 Main Street East, Hamilton**

The property located at 681 Main Street East, Hamilton, is comprised of a two-and-a-half-storey brick building constructed circa 1915. Staff have identified the property as being under a perceived threat of potential redevelopment or demolition due to it being listed for sale and located along the proposed Light Rail Transit route.

Staff conducted a preliminary cultural heritage evaluation of the subject property and determined that it met multiple criteria for determining cultural heritage value or interest, as outlined in *Ontario Regulation 9/06*. The subject property has historical value for its association with prominent Hamiltonian Doctor Frederick B. Mowbray (a founding partner in the McGregor-Mowbray Clinic) and contextual value in helping to define the historic character of the area, including Gibson Neighbourhood and the Main Street East streetscape. The full summary of the preliminary evaluation of cultural heritage value or interest of the property is attached as Appendix “C” to Report PED23101.

Therefore, 681 Main Street East, Hamilton has been determined to have sufficient cultural heritage value or interest to warrant listing on the Municipal Heritage Register as a non-designated property under Section 27 of the *Ontario Heritage Act*, as per Recommendation (c) of this Report.

### **7156 White Church Road, 7349 Airport Road, 3487 Upper James, and 8064 White Church Road, Glanbrook**

The property located at 7156 White Church Road, Glanbrook, is comprised of a one-and-one-half storey brick building constructed circa 1860. The property located at 7349 Airport Road, Glanbrook, is comprised of a two-and-a-half storey brick building constructed circa 1900. The property located at 3487 Upper James Street, Glanbrook, is comprised of a two-and-a-half storey brick building constructed circa 1926. The property located at 8064 White Church Road, Glanbrook, is comprised of a two-and-a-half storey brick building constructed circa 1900. These four properties are all currently listed on the City’s Inventory of Heritage Properties.

The City received Formal Consultation Application FC-23-040, which proposes an Official Plan Amendment to establish a Secondary Plan for a new urban neighbourhood on the lands recently added to the Hamilton Urban Boundary in the area of White Church Road East, Glanbrook, in which the above noted properties are located. The conceptual Secondary Plan design does not propose the retention of any of the existing built heritage features on the subject properties. Staff conducted a site visit and preliminary cultural heritage evaluation of the subject properties and determined that they met multiple criteria for determining cultural heritage value or interest, as outlined in *Ontario Regulation 9/06*, as follows:

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“The property located at 7156 White Church Road, Glanbrook, has design value as an early representative example of a mid-nineteenth century farmstead, featuring an Ontario cottage and gambrel roof barn. The property has historical value for its association with Isaac Duffield Senior, a Rentonville Station farmer, and the settlement of the former Township of Glanford. The property has contextual value in helping to maintain and support the rural character of the area, as well it has contextual value as a cultural heritage landscape representing a late-nineteenth century farmstead.

The property located at 7349 Airport Road, Glanbrook, has design value as a representative example of an early-twentieth century Classical Revival style building. The property is associated with the early settlement in the former Township of Glanford. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, and deep setback from the road.

The property at 3487 Upper James Street, Glanbrook, has design value as a representative example of the early twentieth-century Edwardian Classicism style dwelling. The property is associated with the early settlement in the former Township of Glanford. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, deep setback and collection of outbuildings. The property also has contextual value as a cultural heritage landscape representing an early-twentieth century farmstead.

The property at 8064 White Church Road, Glanbrook, has design value as a representative example of the early twentieth-century Edwardian Classicism style dwelling. The property is associated with the early settlement in the former Township of Glanford. The property has contextual value as it helps maintains and supports the rural character of the area, with its large lot size, deep setback from the main road and tree lined drive.”

The full summary of the preliminary evaluations of cultural heritage value or interest for these properties are attached as Appendix “D”, Appendix “E”, Appendix “F”, and Appendix “G” respectively, to Report PED23101. Therefore, the properties at 7156 White Church Road, 7349 Airport Road, 3487 Upper James, and 8064 White Church Road, in Glanbrook, have been determined to have sufficient cultural heritage value or interest to warrant listing on the Municipal Heritage Register as a non-designated property under Section 27 of the *Ontario Heritage Act*, as per Recommendations (d) through (g) of this Report.

## **ALTERNATIVES FOR CONSIDERATION**

Not applicable.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Clean and Green**

*Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.*

**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 PED23101 - Preliminary Heritage Evaluation of 448 Barton Street East, Hamilton
- Appendix “B” to Report PED23101 - Preliminary Heritage Evaluation of 460 Barton Street East, Hamilton
- Appendix “C” to Report PED23101 - Preliminary Heritage Evaluation of 681 Main Street East, Hamilton
- Appendix “D” to Report PED23101 - Preliminary Heritage Evaluation of 7156 White Church Road, Glanbrook
- Appendix “E” to Report PED23101 - Preliminary Heritage Evaluation of 7349 Airport Road, Glanbrook
- Appendix “F” to Report PED23101 - Preliminary Heritage Evaluation of 3487 Upper James Street, Glanbrook
- Appendix “G” to Report PED23101 - Preliminary Heritage Evaluation of 8064 White Church Road, Glanbrook

AG/LC/EB:sd

**448 Barton Street East, Hamilton**  
Constructed circa 1905



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

**Design / Physical Value**

1. The property has design or physical value because it is a representative example of an early-twentieth century industrial building with its red brick construction and flat roof. It appears that the original brick on the primary façade has now been over-clad with stucco.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property has historical or associative value because it has direct associations with the Canadian Hart Wheels Company, also known as Canadian Corundum Wheel Company Limited. The manufacturing company also occupied the adjacent westerly building at 440 Barton Street East at the height of operation. Most recently the building at 448 Barton Street East was occupied by a Hamilton based uniform clothing company, Bombardieri which also occupied

the adjacent easterly building at 460 Barton Street East and a portion of the first floor was also used by the Barton Village BIA.

5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps maintain and support the character of the area, specifically the commercial and industrial streetscape along Barton Street East, with its one storey height and flat roof.
8. The property has contextual value as it is historically and visually linked to its surroundings, the commercial streetscape along Barton Street East in the Landsdale Established Historical Neighbourhood. Barton Street East has transformed into a more sedentary, village-like setting with supporting local businesses and amenities away from the City’s core. The property is also physically linked to its surroundings, being physically connected to the adjacent building at 460 Barton Street East.
9. The property is not considered to be a local landmark.

#### Sources:

City of Hamilton. Landsdale Neighbourhood Inventory Draft Historic Context Statement

Goad, Charles E. Insurance Plan of the City of Hamilton, Ontario, Canada. Montreal: C.E. Goad, 1911-1916

Vernon & Son, Henry. “1905 Vernon’s City of Hamilton Directory.” Hamilton: Griffin & Richmond Co., 1905

**460 Barton Street East, Hamilton (Bombardieri Building / Former Traders Bank of Canada / Royal Bank of Canada)**

Constructed circa 1904



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

**Design / Physical Value**

1. The building is representative of an early-twentieth century Beaux Arts / Classical Revival bank building, which is characteristic of its division into rectilinear bays which read as columns, flat roof, cornice, and overall symmetry.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property has historical or associative value because it has direct associations with the Royal Bank of Canada, which was also known as Traders Bank of Canada. More recently the building was occupied by a Hamilton-based

uniform clothing company, Bombardieri. The building was also used for several years by the Hamilton Police Service.

5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps define the character of the area and the historic commercial streetscape along Barton Street East. The building’s massing, siting, and design elevate the building’s prominence on the southwest corner of the Barton Street East and Wentworth Street South intersection.
8. The property has contextual value as it is historically and visually linked to the surrounding commercial streetscape along Barton Street East in the historic Landsdale Neighbourhood. The building is also physically linked to the adjacent building at 448 Barton Street East.
9. The property may be considered a local landmark.

#### Sources:

City of Hamilton. Landsdale Neighbourhood Inventory Draft Historic Context Statement

Goad, Charles E. Insurance Plan of the City of Hamilton, Ontario, Canada. Montreal: C.E. Goad, 1911-1916

Vernon & Son, Henry. “1904 Vernon’s City of Hamilton Directory.” Hamilton: Griffin & Richmond Co., 1904



**681 Main Street East, Hamilton (Mowbray House)**  
Constructed circa 1915



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

Design / Physical Value

1. The property is influenced by the Edwardian Classicism style of architecture.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property is associated with a prominent Hamilton resident, Dr. Frederick B. Mowbray. Dr. Mowbray is believed to have resided and operated his practice out of the property in the early-20th century. Mowbray was also a founding partner in the McGregor-Mowbray Clinic (the McGregor Clinic from 1931-1981).
5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

### Contextual Value

7. The property has contextual value as it helps define the character of the area, located on the prominent corner of Main Street East and Proctor Boulevard.
8. The property has contextual value as it is visually and historically linked to its surroundings, located in the historic Gibson Neighbourhood.
9. The property is not considered to be a local landmark.

### Sources:

Goad, Charles E. Insurance Plan of the City of Hamilton, Ontario, Canada. Montreal: C.E. Goad, 1911-1916, plate 96

“McGregor Clinic Fund.” Hamilton Community Foundation. Accessed March 24, 2023. <https://www.hamiltoncommunityfoundation.ca/impact/stories/mcgregor-clinic-fund/>

Vernon & Son, Henry. “1915 Vernon’s City of Hamilton Directory.” Hamilton: Griffin & Richmond Co., 1915.

Vernon & Son, Henry. “1916 Vernon’s City of Hamilton Directory.” Hamilton: Griffin & Richmond Co., 1916.

**7156 White Church Road, Glanbrook (Mount Hope)**  
Constructed circa 1860



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

**Design / Physical Value**

1. The property is a representative example of a mid-nineteenth century Ontario Cottage architectural style with its red brick construction and central gable dormer. The structure also features a pointed arched window in the central peak, as well as soldier coursed window openings. The barn has design and physical value as a gambrel roof, post and beam barn constructed in late-nineteenth century.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property is associated with Isaac Duffield Senior, a Rentonville Station farmer, and the early settlement of the Township of Glanford and the development of agricultural activity in the area.
5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.

6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, deep setbacks and collection of outbuildings.
8. The property has contextual value as it is historically and physically linked to the surrounding structures on the property, which together contribute to the farmstead nature of the property. The entire property, as a collection of related structures and landscape features, has contextual value as a cultural heritage landscape representing a late-nineteenth century farmstead.
9. The property is not considered to be a local landmark.

#### Sources:

County of Wentworth Gazetteer. “1883 Irwin’s Wentworth County Directory.” Hamilton: W. H. Irwin & C., 1883

“Town of Glanford.” The Canadian County Atlas History Project. McGill University, 2001. Accessed, March 15, 2023. <https://digital.library.mcgill.ca/countyatlas/default.htm>.

Glanford LACAC Inventory Survey, Concession 5. “7156 White Church Road, Glanbrook,” 1984.

**7349 Airport Road, Glanbrook (Mount Hope)**  
Constructed circa 1900



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

**Design / Physical Value**

1. The property is a representative example of an early-twentieth century Classical Revival architectural style with its two-and-a-half storey massing, red brick construction and symmetrical façade. This building features a hip roof with a central dormer, a central front porch framed with Doric columns, as well as segmental arched windows openings with stone sills.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property is associated with the early settlement of the former Township of Glanford.
5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, and deep setback from the road.
8. The property has contextual value as it is historically and physically linked to the surroundings, which contributes to the rural nature of the property.
9. The property is not considered to be a local landmark.

#### Sources:

Department of Militia and Defence. *Grimsby, Ontario*. Ed. 1. Scale 1:63,360. Historical Topographic Maps of Canada - 1:63,360, 30M/4. Ottawa Ont.: Department of Militia and Defence, 1907.

“Town of Glanford.” The Canadian County Atlas History Project. McGill University, 2001. Accessed, March 15, 2023. <https://digital.library.mcgill.ca/countyatlas/default.htm>.

**3487 Upper James Street, Glanbrook**  
Constructed circa 1926



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

Design / Physical Value

1. The property is representative of early-twentieth century Edwardian Classicism style residential architecture with its two-and-a-half storey massing and brick construction. This building features its original brick façade with concrete lintels and sills, creating square headed window openings. The hip roof features a central dormer and two tall brick chimneys. The property features a contemporary detached brick garage, a wood framed outbuilding and brick pillars framing the drive.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property is associated with the early settlement of the former Township of Glanford.

5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, deep setback and collection of outbuildings.
8. The property has contextual value as it is historically and physically linked to the surrounding structures on the property, which together contribute to the rural nature of the property and surrounding area. The entire property, as a collection of related structures and landscape features, has contextual value as a cultural heritage landscape representing an early-twentieth century farmstead.
9. The property is not considered to be a local landmark.



**8064 White Church Road, Glanbrook**  
Constructed circa 1900



**Preliminary Evaluation of Cultural Heritage Value or Interest:**

(In accordance with *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*)

Design / Physical Value

1. The property is representative of early-twentieth century Edwardian Classicism style architecture with its two-and-a-half storey massing and red brick construction. This building also features a hip roof with a projecting gable over a rectangular bay on the front façade, as well as combination of segmental arched and flat headed window openings with stone sills, and an east wing with a projecting gable.
2. The property does not appear to display a high degree of craftsmanship or artistic merit.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property is associated with the development of early settlement in the former Township of Glanford.

5. The property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property does not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

#### Contextual Value

7. The property has contextual value as it helps maintains and supports the rural character of the area, with its large lot size, deep setback from the main road and tree lined drive.
8. The property has contextual value as it is physically linked to its surroundings.
9. The property is not considered to be a local landmark.

#### Sources:

Department of Militia and Defence. *Grimsby, Ontario*. Ed. 1. Scale 1:63,360. Historical Topographic Maps of Canada - 1:63,360, 30M/4. Ottawa Ont.: Department of Militia and Defence, 1907.

Glanford LACAC Inventory Survey, Concession 5. "8064 White Church Road, Glanbrook," 1984.