



City of Hamilton
HAMILTON MUNICIPAL HERITAGE COMMITTEE
AGENDA

Meeting #: 23-009
Date: September 26, 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

1. APPOINTMENT OF VICE-CHAIR

2. APPROVAL OF AGENDA

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

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 August 22, 2023

5. COMMUNICATIONS

5.1 Correspondence respecting Notice of Council Decision for Heritage Permit Application HP2023-028 for 174 Mill Street North, Flamborough (Ward 15), Mill Street Heritage Conservation District, Designated under Part V of the

Ontario Heritage Act (By-law No. 96-34-H)

Recommendation: Be received.

- 5.2 Correspondence respecting Notice of Council Decision for Heritage Permit Application HP2023-024 for 79 Markland Street, 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 Designate under Part IV of the Ontario Heritage Act 64 Hatt Street, Dundas (Former Valley City Manufacturing)

Recommendation: Be received.

- 5.4 Correspondence to Ontario Heritage Trust respecting Notice of Passing of By-law No. 23-142 to Designate 3 Main Street, Dundas under Part IV of the Ontario Heritage Act

Recommendation: Be received.

- 5.5 Correspondence from Charles Dimitry respecting Resignation from the Hamilton Municipal Heritage Committee

Recommendation: Be received.

6. DELEGATION REQUESTS

7. DELEGATIONS

8. STAFF PRESENTATIONS

- 8.1 Recommendation to Designate 54 and 56 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act (PED23218) (Ward 2)

9. CONSENT ITEMS

- 9.1 Delegated Approval - Heritage Permit Application HP2023-035: Front Facade and Stair Restoration at 34-36 Hess Street South, Hamilton (Ward 2) (By-law No. 03-211) - Extension of Previously Approved Heritage Permit HP2022-012

- 9.2 Hamilton Heritage Permit Review Sub-Committee Minutes

a. July 18, 2023

b. August 29, 2023

10. DISCUSSION ITEMS

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

10.1 Monthly Report on Recommended Proactive Listings for the Municipal Heritage Register, September 2023 (PED23197) (Ward 13)

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)

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

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 (D) – 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. 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)

Dundas

- (i) 64 Hatt Street, Former Valley City Manufacturing (NOID) – K. Burke
- (ii) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (iii) 3 Main Street, Former Masonic Lodge (D) – 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) 1284 Main Street East, Delta High School (D) – G. Carroll
- (xvi) 1 Main Street West, Former BMO / Gowlings (D) – W. Rosart
- (xvii) 311 Rymal Road East (R) – C. Dimitry
- (xviii) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (xix) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (xx) 84 York Boulevard, Philpott Church (R) – G. Carroll
- (xxi) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xxii) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (xxiii) 4 Turner Avenue, Hamilton (R) – J. Brown

Stoney Creek

- (xxiv) 2251 Rymal Road East, Former Elfrida Church (R) – C. Dimitry

c. Heritage Properties Update (GREEN)

Dundas

- (i) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (ii) 88 Fennell Avenue West, Auchmar (D, NHS) – R. McKee
(iii) 125 King Street East, Norwich Apartments (R) – T. Ritchie
(iv) 206 Main Street West, Arlo House (R) – J. Brown
(v) 179 Mary Street (D) – T. Ritchie

d. Heritage Properties Update (BLACK)

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 Heritage Permit Review Sub-Committee Update (no copy)

13.3 Hamilton Municipal Heritage Committee's Heritage Recognition Awards Update (no copy)

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

Minutes 23-008

12:00 p.m.

August 22, 2023

Room 264, 2nd Floor, City Hall

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

Absent with

Regrets: J. Brown and C. Dimitry

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

1. Recommendation for Designation of 215 King Street West, Dundas under Part IV of the *Ontario Heritage Act* (PED23148) (Ward 13) (Item 8.2)

(Ritchie/Burke)

(a) That the City Clerk be directed to give notice of Council's intention to designate 215 King Street West, Dundas, shown in Appendix "A" attached to Report PED23148, 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 PED23148, subject to the following;

- (i) 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;
- (ii) 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 to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

CARRIED

2. Heritage Designations Update, August 2023 (PED23169) (City Wide) (Item 9.4)

(Carroll/Ritchie)

That Report PED23169, respecting Heritage Designations Update, August 2023, be received.

CARRIED

3. Notice of Intention to Demolish the Building Located at 279 Hess Street South, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Registrar (PED23180) (Item 10.1)

(Carroll/Kroetsch)

That the non-designated property located at 279 Hess Street South, Hamilton, be removed from the Municipal Heritage Register.

CARRIED

4. Beasley Register Listing Objection for 214 Mary Street, Hamilton (PED22135(b)) (Ward 2) (Item 10.2)

(Carroll/Ritchie)

(a) That Council receive the notice of objection, attached as Appendix "A" to Report PED22135(b), from the owner of 214 Mary Street, Hamilton, objecting to the notice of Council's decision to list the non-designated property on the Municipal Heritage Register under Section 27 of the *Ontario Heritage Act*;

(b) That Council retain 214 Mary Street, Hamilton, on the Municipal Heritage Register as a non-designated property that Council believes to be of cultural heritage value or interest, pursuant to Section 27(8) of the *Ontario Heritage Act*.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised the Committee that there were no changes to the agenda.

(Carroll/Burke)

That the agenda for August 22, 2023 Hamilton Municipal Heritage Committee, be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

A. Denham-Robinson declared a disqualifying interest to Item 8.1 respecting Recommendation for Designation of 215 King Street West, Dundas under Part IV of the *Ontario Heritage Act* (PED23148) (Ward 13), as she works for an architecture firm involved with the property.

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

(i) July 21, 2023 (Item 4.1)

(Ritchie/Lunsted)

That the Minutes of July 21, 2023 meeting of the Hamilton Municipal Heritage Committee, be approved, as presented.

CARRIED

(d) COMMUNICATIONS (Item 5)

(i) (Carroll/Ritchie)

That the following Communication items be approved, as presented:

- (a) Correspondence to the Ontario Heritage Trust respecting Notice of Passing of By-law No. 23-125 to Designate 115-117 George Street, Hamilton under Part IV of the *Ontario Heritage Act* (Item 5.1)

Recommendation: Be received.

- (b) Correspondence from Sheila Creighton, Communications Lead, TMHC Inc., respecting Cultural Heritage Evaluation for Juravinski Hospital (Item 5.2)

Recommendation: Be received and referred to staff for appropriate action.

CARRIED

(e) STAFF PRESENTATIONS (Item 8)

A. Denham-Robinson relinquished the Chair to G. Carroll during the consideration of Item 8.1 due to a declared conflict.

(i) Recommendation for Designation of 215 King Street West, Dundas under Part IV of the *Ontario Heritage Act* (PED23148) (Ward 13) (Item 8.1)

Lisa Christie, Cultural Heritage Planner, addressed the Committee respecting the Recommendation for Designation of 215 King Street West, Dundas under Part IV of the Ontario Heritage Act, with the aid of a PowerPoint presentation.

(Burke/Lunsted)

That the presentation respecting Report PED23148, Recommendation for Designation of 215 King Street West, Dundas under Part IV of the Ontario Heritage Act, be received.

CARRIED

A. Denham-Robinson refrained from voting on this matter due to a declared conflict.

For disposition of this matter, please refer to Item 1.

A. Denham-Robinson assumed the Chair.

(f) CONSENT ITEMS (Item 9)

(Carroll/Ritchie)

That the following Consent Items, be received:

(i) Delegated Approval: Heritage Permit Applications (Item 9.1)

- (a) Heritage Permit Application HP2023-022: Extension of Council-approved Heritage Permit Application HP2021-033 to Relocate the Existing Two storey Stone Structure at 398 Wilson Street East, Ancaster, Marr House (Ward 12) (By-law No. 78-87) (Item 9.1(a))
- (b) Heritage Permit Application HP2023-029: Construction of a Rear Addition and New Deck 39 Elgin Street, Dundas (Former Mayor Thomas Wilson House) (Ward 13) (By-law No. 3814-89) (Item 9.1(b))
- (c) Heritage Permit Application HP2023-030: Removal of Contemporary Additions, Restoration of the Front Facade and Construction of a New Rear Addition and Covered Porch at 99 Mountsberg Road, Flamborough (Kerr Woolsey House) (Ward 15) (By-law No. 2000-95-H) (Item 9.1(c))
- (d) Heritage Permit Application HP2023-032: Installation of a Heat Pump System on the Side Facades at 33 Undermount Avenue, Hamilton (John R. Marshall House) (Ward 1) (By-law No. 90-106) (Item 9.1(d))
- (e) Heritage Permit Application HP2023-033: Roof Repairs at 25 Tecumseh Street, Hamilton (Gardener's Cottage) (Ward 1) (By-law No. 87-245) (Item 9.1(e))

(ii) Heritage Permit Review Sub-Committee Minutes (Item 9.2)

- (a) June 20, 2023 (Item 9.2(a))
- (b) August 15, 2023 (No Quorum Report) (Item 9.2(b))

(iii) **Inventory & Research Working Group Meeting Notes - May 15, 2023
(Item 9.3)**

CARRIED

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

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

Committee members provided brief updates on properties of interest.

(Burke/Ritchie)

That the property located at 6 Tally Ho Drive, Dundas (I), be removed from the Endangered Building and Landscape (RED) listing.

CARRIED

(Ritchie/Kroetsch)

(a) That the property located at 179 Mary Street (D), be added to the Heritage Properties Update (GREEN) listing; and,

(b) That T. Ritchie monitor the property.

CARRIED

(Carroll/Burke)

That the property located at 1000 Main Street East, Dunington-Grub Gardens/Gage Park (R) be removed from the Buildings and Landscapes of Interest (YELLOW) listing.

CARRIED

(Ritchie/Graham)

That the property located at 77 King Street West, Battlefield House NHS (D) be removed from the Buildings and Landscapes of Interest (YELLOW) listing.

CARRIED

(Rosart/Graham)

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

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

Hamilton

- (x) 80-92 Barton Street East, Former Hanrahan Hotel (R) – T. Ritchie
- (xi) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xii) 66-68 Charlton Avenue West (D) – J. Brown
- (xiii) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – R. McKee
- (xiv) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (xv) 127 Hughson Street North, Firth Brothers Building (D) – T. Ritchie
- (xvi) 163 Jackson Street West, Pinehurst / Television City (D) – J. Brown
- (xvii) 108 James Street North, Tivoli (D) – T. Ritchie
- (xviii) 98 James Street South, Former James Street Baptist Church (D) – J. Brown
- (xix) 18-22 King Street East, Gore Buildings (D) – W. Rosart
- (xx) 24-28 King Street East, Gore Buildings (D) – W. Rosart
- (xxi) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (xxii) 378 Main Street East, Cathedral Boys School (R) – T. Ritchie
- (xxiii) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (xxiv) 120 Park Street North (R) – R. McKee
- (xxv) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (xxvi) 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 (NOID) – 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, Dunington-Grubb Gardens / Gage Park (R) – G. Carroll
- (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) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (xxi) 84 York Boulevard, Philpott Church (R) – G. Carroll
- (xxii) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xxiii) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (xxiv) 4 Turner Avenue, Hamilton (R) – J. Brown

Stoney Creek

- (xxv) 77 King Street West, Battlefield House NHS (D) – R. McKee
- (xxvi) 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) 88 Fennell Avenue West, Auchmar (D) – R. McKee
- (iii) 125 King Street East, Norwich Apartments (R) – T. Ritchie
- (iv) 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

CARRIED

(j) ADJOURNMENT (Item 15)

(Ritchie/Carroll)

That there being no further business, the Hamilton Municipal Heritage Committee adjourned at 1:06 p.m.

CARRIED

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Matt Gauthier
Legislative Coordinator
Office of the City Clerk



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: HP2023-028

August 21, 2023

Christina Frank & Hilary Pyper
174 Mill Street North
Waterdown, ON L0R 2H0

Re: Notice of Council Decision for Heritage Permit Application HP2023-028 for 174 Mill Street North, Flamborough (Ward 15), Mill Street Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 96-34-H)

Please be advised that Council, at its meeting of August 18, 2023, made the following decision:

Heritage Permit Application HP2023-028, Under Part V of the Ontario Heritage Act, for the Demolition of a Contemporary Rear Detached Accessory Structure at 174 Mill Street North, Flamborough (PED23168) (Ward 15) (Item 10.2)

- (a) That Heritage Permit Application HP2023-028, for the demolition of a contemporary rear detached accessory structure on the designated property at 174 Mill Street North, Flamborough (Mill Street Heritage Conservation District), as shown in Appendix "A" to Report PED23168, be approved, subject to the following Heritage Permit conditions:
 - (i) 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;
 - (ii) That construction and site alterations, in accordance with this approval, shall be completed no later than July 31, 2025. If the construction and site alterations are not completed by July 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: Notice of Council Decision for Heritage Permit Application HP2023-028 for 174 Mill Street North, Flamborough (Ward 15), Mill Street Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 96-34-H)

**August 21, 2023
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Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

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

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.

Yours truly,



Lisa Christie
Cultural Heritage Planner

cc: Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Heritage Registrar, Ontario Heritage Trust
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: HP2023-024

August 21, 2023

Chris and Jennifer Cavacuiti
79 Markland Street
Hamilton, ON L8P 3J7

Re: Notice of Council Decision for Heritage Permit Application HP2023-024 for 79 Markland Street, 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 August 18, 2023, made the following decision:

Heritage Permit Application HP2023-024, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 79 Markland Street, Hamilton (PED23035) (Ward 2) (Item 10.1)

- (a) That Heritage Permit Application HP2023-024, for the erection of a rear detached accessory structure on the designated property at 79 Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix "A" to Report PED23035, 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, siding and roofing material 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;
 - (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than July 31, 2025. If the construction and site alterations are not completed by July 31, 2025, then this approval expires as of that date, and no alterations

Re: Notice of Council Decision for Heritage Permit Application HP2023-024 for 79 Markland Street, Hamilton (Ward 2), Durand-Markland Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 94-184)

**August 21, 2023
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shall be undertaken without a new approval issued by the City of Hamilton.

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

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

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.

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

August 30, 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 Designate under Part IV of the *Ontario Heritage Act* 64 Hatt Street, Dundas (Former Valley City Manufacturing)

The City of Hamilton intends to designate 64 Hatt Street, Dundas under Section 29 of the *Ontario Heritage Act*, as being property of cultural heritage value. **Attached** please find the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for the subject property.

A Notice of Intention to Designate the property was also published in the Hamilton Spectator on August 30, 2023.

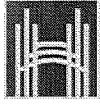
Any person who objects to the proposed designation shall, within thirty days after the date of publication of the notice of intention, serve on the clerk of the municipality a notice of objection setting out the reason for the objection and all relevant facts.

If you have any questions regarding this Notice of Intention to Designate, please contact: Meg Oldfield, Planning Technician II – Cultural Heritage, Phone: (905) 546-2424 ext. 7163, Email: Meg.Oldfield@hamilton.ca.

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

MO
Attach.

cc: Councillor A. Wilson, Ward 13
Susan Nicholson, Solicitor
Alan Shaw, Director, Building Division
Matt Gauthier, Legislative Coordinator
Meg Oldfield, Planning Technician II – Cultural Heritage



Hamilton

CITY OF HAMILTON

Notice of Intention to Designate

64 Hatt Street, Dundas

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

Description of Property

The 1.09-hectare property at 64 Hatt Street is a former industrial complex comprised of 12 structures ranging from one- to two-and-a-half storeys, constructed between the mid-nineteenth and mid-twentieth centuries, located on the southeast corner of Hatt and McMurray Streets in the community of Dundas in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The property located at 64 Hatt Street, known as the former Dundas Foundry and Valley City Manufacturing, is comprised of 12 vernacular buildings constructed between the mid-nineteenth and mid-twentieth centuries. The physical value of the property lies in the fact that it is comprised of two rare and unique examples of pre-Confederation architecture in Upper Canada, which are two of the oldest extant industrial buildings in Dundas.

The historical value of the property lies in its direct association with several prominent figures in Dundas' history, including John Gartshore (1810-1873) and James Bell Ewart (1801-1853), and its association with the former Dundas Foundry and Valley City Manufacturing. In 1838, Gartshore established the Dundas Iron Foundry & Machine Shop in partnership with Ewart. The foundry produced internationally renowned large machinery, including steam engines and boilers for the Hamilton Water Works, the Great Western Railway, and Toronto Water Works. Gartshore was also well known for the training of apprentices at his foundry. Many apprentices went on to become industrialists in their own right, including John Inglis (1823-1899) of John Inglis & Co. (now Whirlpool Canada), and John Bertram (1829-1906) and Robert McKechnie (1835-1909), who founded McKechnie & Bertram, later known as Bertram & Sons Co., in Dundas. In addition to financing the Dundas Foundry & Machine Shop, Ewart opened the community's first bank and invested in transportation projects such as the Desjardins Canal, the London and Gore Rail Road, and the Great Western Rail Road to increase access to Dundas' industries. Ewart was also a leading figure in Dundas'



Hamilton

social and political circles, serving as a justice of the peace, the postmaster, and the president of the town council.

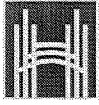
Additionally, the historical value of the property lies in its association with Valley City Manufacturing, which operated out of the property for more than 120 years, manufacturing furniture for schools, churches, and laboratories. In the 1910s, the company was contracted by architect John A. Pearson (1867-1940) to create furniture for Centre Block on Parliament Hill. In 1937, the company was taken over by Hamilton construction magnate Joseph M. Pigott (1885-1940). Under Pigott, the company was contracted by the Otis-Fensom Elevator Company in Hamilton during the Second World War to manufacture wooden cases for the Bofors anti-aircraft guns with shaped sockets for each part and tool so the guns could be assembled in the dark.

The contextual value of the property lies in its role in defining the character the area, serving as a reminder of Dundas' past as an industrial and manufacturing centre. The setting of the property defines the historic character of Hatt Street and the community of Dundas, with the north elevation and roofline featuring distinctive architectural details. The property is visually, functionally, and historically linked to its surroundings, comprised of a former industrial complex located along Spencer Creek, which provided power to the historic foundry, and near historic transportation corridors that were crucial to its early and continued success. The property is also considered to be a local landmark.

Description of Heritage Attributes

The key attributes that embody the cultural heritage value of the property as a unique, rare and early example an industrial complex and pre-Confederation architecture and its historical association with the Dundas Foundry and previous owners John Gartshore and James Bell Ewart, include the:

- Front (north) elevation and roofline of the circa 1846 central two-and-a-half storey stone structure including its;
 - Even coursed, cut sandstone construction;
 - Front gable roof with central stone chimney and date stone inscribed with "A.D. 1846";
 - Flat-headed window opening with stone lintels and sills;

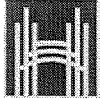


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- Two six-pane windows below the gable;
- Six-over-six hung wood windows in the second storey; and,
- Twelve-pane wood windows in the first storey;
- Front (north) elevation and roofline of the circa 1850s western central two-storey brick structure including its:
 - Brick construction laid in Common bond;
 - Side gable roof with corbelled brick chimney; and,
 - Three bays of segmentally-arched window opening with radiating brick voussoirs, stone sills and twelve-pane wood windows;
- Front (north) and side (west) elevations and roofline of the circa 1850s western end two-storey brick structure including its:
 - Six bays of flat-headed window openings in the front (north) elevation with stone lintels and sills;
 - Combination of flat-headed and segmentally-arched window openings in the side (west) elevation with their stone lintels, brick voussoirs and sills; and,
 - Twelve-pane wood windows in the front (north) and side (west) elevations;

The key attributes that embody the cultural heritage value of the property as a unique and rare example of an industrial complex and its association with Valley City Manufacturing include the:

- Front (north) elevation of the eastern central circa 1910 two-storey brick structure including its:
 - Corbelled brick course and pilasters;
 - Segmentally-arched window openings with brick voussoirs, stone sills and six-over-six hung wood windows;
 - Ground-floor entrance with decorative pilasters, entablature, leaf motif, and glass transom; and,
 - Ground-floor commercial entrance with nine-pane picture window, transoms, plain dentilated cornice and single entrance door;

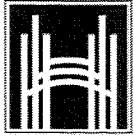


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- Front (north) elevation of the circa 1960 eastern end two-storey brick structure including its:
 - Flat-headed window openings with plain sills;
 - Brick corbelling; and,
 - Decorative concrete panel featuring a tree, set square, T-square, compass, and circular saw;

The key attributes that embody the contextual value of the property as a defining feature of the historical character of Hatt Street and as a local landmark include its:

- Location along Spencer Creek;
- Location fronting onto Hatt Street; and,
- Tall brick chimney.



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

August 30, 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. 23-142 to Designate 3 Main Street, Dundas under Part IV of the *Ontario Heritage Act*

Please take notice that the Council of the City of Hamilton has passed By-law No. 23-142 to designate 3 Main Street, Dundas, 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 18th day of August, 2023. Attached please find a copy of By-law No. 23-142.

A Notice of Passing of the By-law was also published in the Hamilton Spectator on August 30, 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: Meg Oldfield, Planning Technician II – Cultural Heritage, Phone: (905) 546-2424 ext. 7163, Email: Meg.Oldfield@hamilton.ca.

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

MO
Attach.

cc: Councillor Alex Wilson, Ward 13
Susan Nicholson, Solicitor
Alan Shaw, Director, Building Division
Matt Gauthier, Legislative Coordinator
Meg Oldfield, Planning Technician II – Cultural Heritage

From: [Chuck Dimitry](#)
To: [Gauthier, Matt](#) [REDACTED]
Cc: [Ritchie, Timothy \(Citizen\)](#); [Golden, Alissa](#); [Christie, Lisa](#); [Bent, Emily](#); [Coit, Ken](#)
Subject: Resignation of Charles Dimitry from all roles on the Hamilton Municipal Heritage Committee, the Heritage Permit Review Sub-committee and all Working Groups
Date: Sunday, September 3, 2023 4:12:22 AM

Hello Matt and Alissa,

This email serves as my formal resignation from all roles on the Hamilton Municipal Heritage Committee, the Heritage Permit Review Sub-committee and all Working Groups - effective immediately.

Kindest regards,

Charles Dimitry



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 26, 2023
SUBJECT/REPORT NO:	Recommendation to Designate 54 and 56 Hess Street South, Hamilton, under Part IV of the <i>Ontario Heritage Act</i> (PED23218) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Meg Oldfield (905) 546-2424 Ext. 7163 Alissa Golden (905) 546-2423 Ext. 1202
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council’s intention to designate 54 and 56 Hess Street South, Hamilton, shown in Appendix “A” attached to Report PED23218, as properties 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 PED23218, subject to the following:

- (a) For each property that receives no objections 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) For each property that receives any objection to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resources located at 54 and 56 Hess Street South, Hamilton, comprised of a circa 1852 semi-detached stone building, under Part IV of the *Ontario Heritage Act*. The Report was prepared in response to a request to designate the properties and an unsafe Order to Comply for the vacant half of the semi at 54 Hess Street South. The subject properties are currently listed on the City's Municipal Heritage Register (Register).

Staff have completed an evaluation of the subject properties using *Ontario Regulation 9/06* and determined that they have sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "B" to Report PED23218. Should the properties be designated, they would be eligible for the City's financial incentives for heritage properties and subject to the City's Built Heritage Emergency Protocol, as well as the policies for vacant designated properties in the City's consolidated Property Standards By-law No. 10-221.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the properties. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set

out in the description of the property's heritage attributes" (Sub-section 33(1)).

Designated heritage properties are also subject to additional provisions under the City of Hamilton's Property Standards By-law No. 10-221 intended to prevent demolition by neglect and the Council-adopted Built Heritage Emergency Management Protocol (see Report PD05122), which outlines procedures for the management of heritage buildings in situations subject to an Emergency Order or Unsafe Order under the *Ontario Building Code Act*.

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

HISTORICAL BACKGROUND

The subject properties located at 54 and 56 Hess Street South, Hamilton, shown in Appendix "A" attached to Report PED23218, are comprised of a semi-detached two-and-a-half storey stone building constructed circa 1852. The subject properties were first surveyed for potential heritage interest in the 1980s.

In 2014, as part of the Downtown Hamilton Built Heritage Inventory project (see Report PED14191), 54 and 56 Hess Street South were identified as having cultural heritage value or interest and were listed on the Register. At its meeting on May 28, 2021, the Hamilton Municipal Heritage Committee approved the recommendation made by the Inventory and Research Working Group that 54 and 56 Hess Street South be added to staff's designation work plan as a high priority. On June 23, 2021, City Council approved the recommendation as part of Planning Committee Report 21-010.

As a result of the *Bill 23* changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 54 and 56 Hess Street South were reprioritized for review for designation by January 1, 2025. In a letter dated July 26, 2023, Cultural Heritage Planning staff notified each of the property owners of the changes to the City's heritage designation process and the reprioritization of staff's review of the properties for designation.

On September 1, 2023, Building staff issued an Order to Comply for 54 Hess Street South to address the unsafe condition of the building, requiring the owner to take action to make the building safe by September 15, 2023.

On September 13, 2023, staff notified each of the property owners of 54 and 56 Hess Street South of the recommendation to designate and the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Recommendations of this Report are consistent with Provincial and Municipal legislation, policy and direction, 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*); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

RELEVANT CONSULTATION

External

- Property Owners.

Internal

- Planning and Economic Development Department, Building Division, Building Inspections; and,
- Ward Councillor Kroetsch, Ward 2.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained.

Section 29(1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and, Contextual Value. The evaluation of cultural heritage value or interest of

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.

the subject properties were completed by Cultural Heritage Planning staff based on a site visit of the exterior of the properties conducted on August 30, 2023 (see photographs attached as Appendix “C” to Report PED23218) and available secondary and primary research sources (attached as Appendix “D” to Report PED23218). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject properties meet 6 of the 9 criteria contained in *Ontario Regulation 9/06* in all three categories.

Design / Physical Value

1. The properties are comprised of a semi-detached two-and-one-half-storey stone building constructed circa 1852 in the Second Empire architectural style. The properties have design value as an early and representative example of residential Second Empire style of architecture. The architectural features typical of, and influenced by, Second Empire architectural style include the: concave Mansard roof with octagonal dichromatic slate tiles, truncated chimneys, segmental dormers with pressed-metal hoods and keystones, and wood cornice with dentils, decorative brackets and moulded frieze.
2. The properties display a high degree of craftsmanship as demonstrated by the concave Mansard roof with octagonal dichromatic slate tiles, pressed metal window hoods and keystones, wood cornice with dentils, decorative brackets and moulded frieze.
3. The properties do not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The properties have historical value for their association with the original owner, Robert McElroy (1810-1881). McElroy, a contractor by trade, owned a stone quarry on the Mountain and in the 1850s was awarded a contract to construct a section of the Great Western Railway. McElroy served as alderman between 1849-1851, 1853-1855, and 1861, and as mayor of Hamilton between 1862 and 1864. While McElroy himself resided in the southern half of the semi-detached dwelling between circa 1854 and circa 1864, the properties remained in the family for over 70 years until 1929. This continuous ownership is significant and has played a part in maintaining the historic integrity of the building over time.
5. The properties do not appear to yield or have the potential to yield, information that contributes to the understanding of a community or culture.

6. The properties do not appear to demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist significant to the community.

Contextual Value

7. The properties are considered important in defining the character of the area. The setting of the properties helps define the historic and distinctive character of Hess Street South, standing out from the surrounding mid-twentieth century mixed-use streetscape.
8. The properties are historically and visually linked to their surroundings as part of the surviving mid-nineteenth to early-twentieth century residential Hess Street South streetscape that was redeveloped for commercial purposes in the late-twentieth century.
9. The properties are considered to be local landmarks due to their prominent location on the corner of Hess Street South and Main Street West, with a shallow setback and at the high point of Main Street.

Staff have determined that 54 and 56 Hess Street South, Hamilton are of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act* and recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED23218.

ALTERNATIVES FOR CONSIDERATION

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property or decline to designate property.

Decline to Designate

By declining to designate, one or both of the properties, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the properties would not be eligible for the City’s financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or been

demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate either of the properties to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

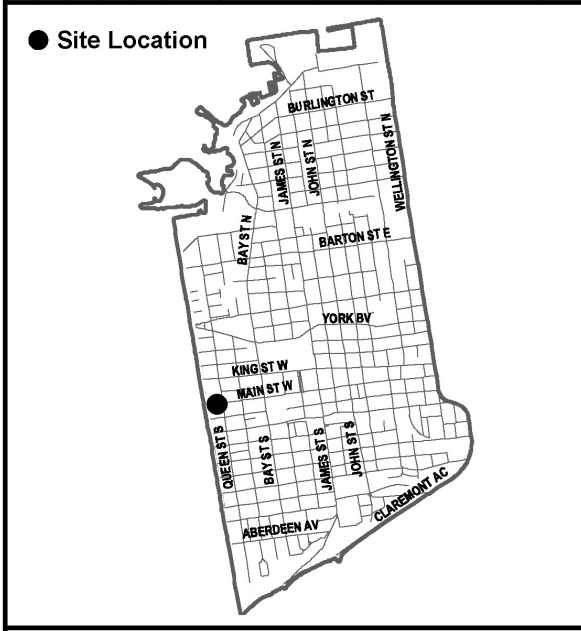
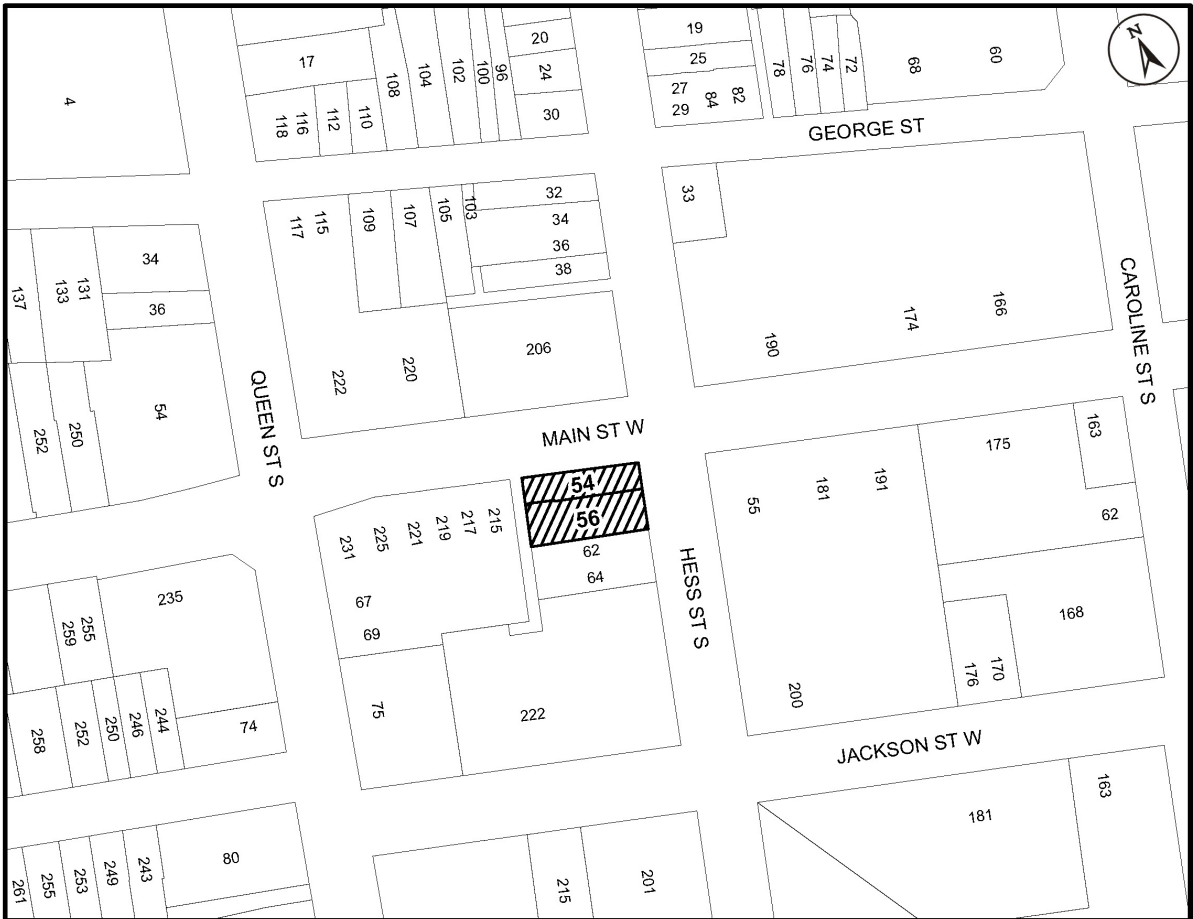
Appendix "A" to Report PED23218 – Location Map

Appendix "B" to Report PED23218 – Statement of Cultural Heritage Value or Interest
and Description of Heritage Attributes

Appendix "C" to Report PED23218 – Photographs

Appendix "D" to Report PED23218 – Research Sources

MO/AG:sd



Key Map - Ward 2

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: 54-56 Hess St S	Date: August 17, 2023
--------------------------------------	--------------------------

Appendix "A"	Scale: N.T.S	Planner/Technician: MO/NB
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Subject Property

54-56 Hess Street South, Hamilton
(Ward 2)



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

Description of Property

The properties located at 54 and 56 Hess Street South are comprised of a semi-detached two-and-one-half-storey stone building constructed circa 1852, located at the southwest corner of Hess and Main Streets in the Durand Neighbourhood, within the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the semi-detached stone building lies in its design value as an early and representative example of the Second Empire architectural style in Hamilton, displaying a high degree of craftsmanship, as demonstrated by its concave Mansard roof with octagonal dichromatic slate tiles, pressed metal window hoods and keystones, wood cornice with dentils, decorative brackets and moulded frieze.

The historical value of the properties lie in their direct association with prominent Hamiltonian, Robert McElroy (1810-1881), the original owner. McElroy, a contractor by trade, owned a stone quarry on the Mountain and in the 1850s was awarded a contract to construct a section of the Great Western Railway. McElroy served as an alderman in the mid-nineteenth century and as mayor of Hamilton between 1862 and 1864, and resided in the southern half of the semi-detached dwelling during that time. The properties remained in the family for 70 years until 1929. This continuous ownership is significant and has played a part in maintaining the historic integrity of the building over time.

The contextual value of the properties lie in their role in defining the historic character of Hess Street South, standing out from the surrounding mid-twentieth century mixed use streetscape. The semi-detached building is visually and historically linked to its surroundings as part of the surviving mid-nineteenth to early-twentieth century residential streetscape that was redeveloped for commercial purposes in the late-twentieth century. The properties are considered to be local landmarks due to their prominent location on the corner of Hess Street South and Main Street West, with a shallow setback and at the high point of Main Street.

Description of Heritage Attributes

The key attributes that embody the cultural heritage value of the properties as early and representative examples of the Second Empire style of architecture with a high degree of craftsmanship, and their historical association with prominent Hamiltonian, former Mayor Robert McElroy include:

- The front (east), side (north and south), and rear (west) elevations and roofline of the semi-detached two-and-one-half-storey stone building, including its:
 - Concave Mansard roof with its:
 - Dichromatic octagonal slate tiles;
 - Corbelled brick chimneys;
 - Brick parapet with decorative stone end bracket;
 - Segmental dormers with pressed metal window hoods and keystones;
 - Wood cornices with dentils, decorative brackets and moulded frieze;
 - Cut-stone even-course facades;
 - Flat-headed window openings with one-over-one hung wood windows, stained glass transoms and plain lug sills;
 - Belt course between the first and second storeys;
 - Symmetrical four-bay front (east) elevation with its:
 - Flanking two-storey window bays with wood trim, second-storey stained glass transom and first-storey casement windows;
 - Flanking entrances with shared porch, double-leaf doors with glass and decorative wood panels, and decorative glass transom;
 - One-and-a-half storey rear (north) stone addition with its:
 - Mansard roof;
 - Shed roof dormers with hung windows;
 - Gabled stone end parapet;

- Rear rubble-stone façade; and,
- Stone foundation.

The key attributes that embody the contextual value of the properties as defining features of the historical character of Hess Street South, and as local landmarks include their:

- Location at the southwest corner of Hess and Main Streets; and
- Shallow setback from Hess Street South.

Photographs

(all images taken August 30, 2023 by City of Hamilton, unless otherwise stated)



54 and 56 Hess Street South, front (east) elevation (2021)



Side (north) elevation



Rear (west) elevation of 54 Hess Street South (left) and north elevation of the painted rear brick wing of 56 Hess Street South (right)



Side (south) elevation of 56 Hess Street South



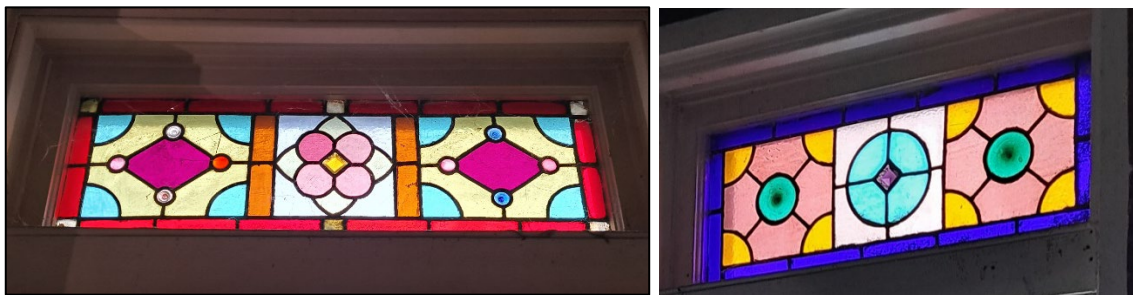
Closeup of Mansard roof with slate shingles, brick chimneys and dormers



Closeup of wood cornices with dentils, decorative brackets and moulded frieze



Closeup of second-storey front bay (2011)



Examples of stained glass transoms



Closeup of cut-stone even course façade



Closeups of decorative paired wooded doors, no. 54 (right) and no. 56 (left)



View looking east on Main Street West past Hess Street, showing raised topography

Research Sources

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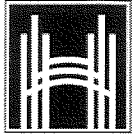
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Hamilton

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. 6663
Fax: 905-540-5611

FILE: HP2023-035

September 6, 2023

Pocrnic Realty Advisors
c/o Mohammed Qaddourah
34 Hess Street South
Hamilton, ON L8P 3N1

**Re: Heritage Permit Application HP2023-035:
Front Façade and Stair Restoration at 34-36 Hess Street South, Hamilton
(Ward 2) (By-law No. 03-211) - Extension of Previously Approved Heritage
Permit HP2022-012**

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 HP2023-035 is approved for the designated property at 34-36 Hess Street South, Hamilton, in accordance with the submitted Heritage Permit application (previously HP2022-012) for the following:

- Replace the soffit, fascia, trough and downspout with copper replacements;
- Restore and repaint all exterior wood work;
- Restore and paint or replace exterior stairs with similar design and material;
- Rebuild all damaged window lintels and sills; and,
- Restore and repoint all damaged masonry.

Subject to the following conditions:

- a) That the final details and design of the exterior stairs shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the submission as part of any application for a building permit and / or the commencement of any alterations;
- b) That the final details for the restoration of the stone lintels and sills, and the façade stone shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the submission as part of any application for a building permit and / or the commencement of any alterations;

Re: Heritage Permit Application HP2023-035 for Front
Façade and Stair Restoration at 34-36 Hess Street
South, Hamilton (Ward 2) (By-law No. 03-211) -
Extension of previously approved Heritage Permit
HP2022-012

Page 2 of 2

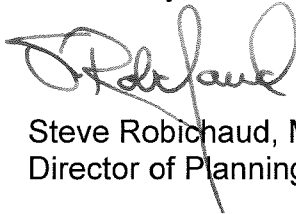
- c) That any minor changes to the permit application as approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- d) That installation of the alterations, in accordance with this approval, shall be completed no later than August 1, 2024. If the alterations are not completed by August 1, 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.

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 Emily Bent, Cultural Heritage Planner, at 905-546-2424 ext. 6663 or via email at Emily.Bent@hamilton.ca

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Emily Bent, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Councillor Kroetsch, Ward 2

MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE

Tuesday, July 18, 2023

Present: Karen Burke, Graham Carroll, Diane Dent, Charles Dimitry (Chair), Carol Priamo

Attending Staff: Emily Bent, Lisa Christie, Alissa Golden, Caylee MacPherson

Absent with Regrets: Melissa Alexander, Andy MacLaren, Tim Ritchie (Vice Chair), Stefan Spolnik, Steve Wiegand

Meeting was called to order by the Chairman, Charles Dimitry, at 5:25pm

1) Approval of Agenda:

(Carroll/Priamo)

That the Agenda for July 18, 2023 be approved as presented.

2) Approval of Minutes from Previous Meetings:

(Carroll/Priamo)

That the Minutes of June 20, 2023 be approved, as presented.

3) Heritage Permit Applications

a. **HP2023-033: 25 Tecumseh Street, Hamilton (Part IV, The Gardner's Cottage)**

- Scope of work:
 - Roof repairs, including;
 - Removal of the existing roof system and flashing;
 - Reconstruction of the existing chimney and parapet walls to the roof deck;
 - Repairs to the masonry, including the replacement of damaged bricks and mortar joints;
 - Repairs to the roof deck;
 - Installation of new asphalt roofing shingles and new metal flashing;
 - Replacement and installation of new fascia board, eave troughs, and downspouts.

- Reason for work:
 - To restore the existing masonry and roofing to conserve the existing built heritage resource.

Jarrett Zacharko, Heritage Project Coordinator, from the City of Hamilton, spoke on behalf of the municipal government 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 HP2023-033 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) Implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than July 31, 2025. If the alteration(s) are not completed by July 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. HP2023-029: 39 Elgin Street, Dundas (Part IV, Former Mayor Thomas Wilson House)

- Scope of work:
 - Removal of the existing rear sun porch and addition;
 - Reconstruction of a rear dormer clad with slate shingles, presently a flat roof element;
 - Construction of an addition in the rear yard along the east elevation
 - Removal, storage and reinstallation of two historic windows on the north and east; and,
 - Construction of a new deck on the east elevation.

- Reason for work:
 - To facilitate interior upgrades to the property.

Jeff and Marina Rollings, owners of the property, and Chris Harrison, architect at Harrison Architecture inc., 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:

(Carroll/Dent)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-029 be consented to, subject to the following conditions:

- a) That the final details for the proposed stucco, adhere with the City's Masonry Restoration Guidelines and, be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- b) That the final details of the roofing material be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- c) That the final details for the storage of two historic windows on the rear and side elevation be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to removal;
- d) That the final details for the retention, repair, or replacement of the existing barge board and the installation of additional barge board on the

modified gable be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to removal;

e) 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

f) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than July 31, 2025. If the alteration(s) are not completed by July 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. HP2023-030: 99 Mountsberg Road, Flamborough (Part IV, Kerr-Wooley House)

- Scope of work:
 - Removal of the existing contemporary additions, including:
 - Two-storey brick addition along the front (south) façade;
 - One-storey porch, and balcony, along the rear (north) façade; and,
 - Enclosed porch along the east façade.
 - Construction of new additions, including a:
 - One-storey addition in the rear yard; and,
 - Porch along the east façade and the front (south) elevation.
 - Installation of a new exterior door along the front (south) elevation;
 - Reconstruction of the box cornice to match the existing design;
 - Masonry reconstruction on the front façade, as needed and,
 - Replacement of the existing asphalt shingle roof with new metal shingle roofing.

- Reason for work:
 - To facilitate interior and exterior upgrades.

Tony Reed, owner of the property, and Chris Harrison, architect at Harrison Architecture inc., 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/Burke)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-030 be consented to, subject to the following conditions:

- a) That the final details for the proposed masonry repairs including the use of appropriate mortar, in accordance with the City's Masonry Restoration Guidelines be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;

b) That the final details of the roofing material be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;

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; and

d) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than July 31, 2025. If the alteration(s) are not completed by July 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. HP2023-032: 33 Undermount Avenue, Hamilton (Part IV, John R. Marshall House)

- Scope of work:
 - Installation of two HVAC (heat-pump) units and piping to be mounted along the north and south (side) exterior elevations; and,
 - Installation of a new exterior exhaust vent to facilitate interior renovations.

- Reason for work:
 - To improve the energy efficiency of the dwelling; and,
 - Incorporate a long-term air conditioning system.

Andreas Link, 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:

(Carroll/Priamo)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-032 be consented to, subject to the following conditions:

- a) That the final details of the electrical wiring and drain lines for the HVAC units be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- b) That the HVAC units be mounted to the building using galvanized/rust-proof fasteners, to the satisfaction and approval of the Director of Planning and Chief Planner;
- c) That the final details regarding location of exhaust vent and installation method be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- d) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and
- e) Implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than July 31, 2025. If the

alteration(s) are not completed by July 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.

e. HP2023-031: 276-278 King Street West, Hamilton (Part IV, Commercial Building)

- Scope of work:
 - Exterior alterations to the front elevation, including:
 - Masonry repairs, including:
 - Replacement of damaged brick, as needed;
 - Repointing of missing or damaged mortar joints, as needed;
 - Cleaning of coping stone along the parapet wall.
 - Installation of a concealed box gutter system on the first and second storeys, including the widening of the three brackets along the cornice on the ground floor to conceal the new gutter system;
 - Installation of exterior double-doors within the two recessed entrances;
 - Installation of mouldings and trim; and,
 - Installation of decorative finials along the window ledges of both storefronts.
 - Reason for work:
 - Restore the existing damaged brick along the exterior façades; and,
 - Add additional security measures to protect the building.

Daniel Joyce, an engineer at Sydney Woods Engineering, represented M. Cha, the property owner, and spoke to the Sub-Committee.

The Sub-Committee discussed the application with the representative but Mr. Joyce agreed to withdraw the application until further design work and additional information is available. No motion was offered by the committee and no vote was taken.

4) **Adjournment:** Meeting was adjourned at 7:00 pm

(Carroll/Priamo)

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, August 15, 2023 from 5:00 – 7:30pm

MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE

Tuesday, August 29, 2023

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

Attending Staff: Emily Bent, Lisa Christie, Ken Coit, Alissa Golden, Caylee MacPherson

Absent with Regrets: Melissa Alexander, Stefan Spolnik

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

1) Approval of Agenda:

(Burke/Ritchie)

That the Agenda for August 29, 2023 be approved as presented.

2) Approval of Minutes from Previous Meetings:

(Ritchie/MacLaren)

That the Minutes of July 18, 2023 be approved, as presented.

3) Heritage Permit Applications

a. HP2023-043: 1000 Beach Boulevard, Hamilton (Part V, Hamilton Beach Heritage Conservation District)

- Scope of work:
 - Replacement of the existing front deck and construction of a new front pergola, to be built with pressure treated wood and painted to match the house.

- Reason for work:
 - Existing porch is deteriorated and to improve accessibility to the house.

Maynard Mooibroek, the owner of the property, 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:

(Carroll/MacLaren)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-043 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) Implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2025. If the alteration(s) are not completed by August 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. HP2023-039: 78 Highway 8, Flamborough (Part IV, Three Gables Antiques and Things)

- Scope of work:
 - Exterior repairs, including:
 - Repair and replacement of damaged fascia and soffit materials, where necessary, and cladding them in aluminum;
 - Replacement in kind of the eavestroughs; and,
 - Repairs of the contemporary front awning.
- Reason for work:
 - To preserve the integrity of the fascia, eavestroughs, and soffit materials in situ.

Erik Eastman, the owner of the property, 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/Ritchie)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-039 be consented to, subject to the following conditions:

- a) That the final details for the retention, repair, or replacement of the existing frieze board and molding under the roofline be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to removal and reinstallation;
- 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 August 31, 2025. If the alteration(s) are not completed by August 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. HP2023-034: 31 Cross Street, Dundas, (Part V, Cross-Melville HCD)

- Scope of work:
 - Repairs to the roof, including:
 - Removal of the existing cedar shingles;
 - Installation of new flashing around the existing chimney; and,
 - Installation of new polysand synthetic slate roofing material.

- Reason for work:
 - To improve the weatherability of the existing roof.

Leonard Medeiros, the owner of the property, 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:

(MacLaren/Dent)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-034 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) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2025. If the alteration(s) are not completed by August 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. HP2023-040: 120 St. Clair Avenue, Hamilton (Part V, St. Clair Avenue Heritage Conservation District)

- Scope of work:
 - Restoration to the exterior façade, including:
 - Replacement in kind of the existing eavestroughs;
 - Replacement in kind of the pine soffits and fascia with new pine materials; and,
 - Replacement in-kind of the existing wood shake siding in the dormers and side bay, with new wood shake materials.
- Reason for work:
 - To restore the existing features of the structure.

Conor Adami, the owner of the property, 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:

(Priamo/Dent)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-040 be consented to, subject to the following conditions:

a) That the final details of the new shake siding be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations;

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 August 31, 2025. If the alteration(s) are not completed by August 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.

e. HP2023-036: 1284 Main Street East, Hamilton (Part IV, Delta Secondary School)

- Scope of work:
 - Retention of the original 1924 school building and its adaptation for residential use, including:
 - Rehabilitation and renovation of the doors, windows, masonry and roof of the exterior of the building, including:
 - Rehabilitation and reglazing the original main entrance and lobby doors, transoms, and associated hardware, and refinishing wood;
 - Removal of all contemporary windows and replacement with new wood sash windows, similar to original design;
 - Removal of the contemporary steel doors on east and west elevations and replacement with new glazed wood doors, similar to original designs;
 - Introduction of new metal windows in the existing infilled openings, similar to original design (courtyard facing clerestory windows in auditorium that have been bricked in);
 - Removal of the contemporary steel windows and replacement with new metal windows, similar to original design (courtyard facing steel windows and tower [alumni room] windows);
 - Masonry cleaning to address areas of soiling, staining, paint, efflorescence and algae;
 - Masonry repointing, including selective repair of damaged, chipped, spalled, or cracked bricks, full repoint mortar joints (at base of all exterior walls, all exterior steps), and selective repointing mortar joints, where required;
 - Rebuilding of masonry at areas of where demolition of the rear wings will occur and in areas with mismatched bricks (courtyard walls) with salvaged bricks;
 - Repair of cracked, spalled, and delaminated stone units;
 - Repair of areas of spalled, damaged, or cracked stucco finish;
 - Rehabilitation of metal work, including stripping paint, removing rust and repainting (handrails, gate);

- Replacement of all raingear, eaves and downspouts with new prefinished metal;
 - Installation of new metal flashings at copings, reglets, eaves, roofs, cornices and other projections;
 - Replacement of the existing pitched roof membrane above the auditorium with a new standing seam metal roof;
 - Repair of the existing concrete roof decks, as required;
 - Replacement of the existing flat roof membrane, in kind;
 - Restoration of the original exterior light fixtures at the main entrance;
 - Introduction of new exterior lighting fixtures; and,
 - Introduction of new bird deterrence protection on all exterior projections (entrance portal).
- Rehabilitation and renovation of the interior of the building, including:
 - Rehabilitation of the interior stairwells, including:
 - Striping, rust removal and repainting of the existing metal balustrade pickets, newel posts and stringers;
 - Striping and repainting existing wood handrails;
 - Introducing a new solid metal rod above existing handrails to meet building code height requirements;
 - Introduction of privacy glazing at stairwell windows facing residential suites;
 - Restoration of plaster ceilings and wall elements in the lobby and alumni [tower] rooms;
 - Renovations to the auditorium, including:
 - Rehabilitation of the stage proscenium's decorative arched opening and surround, mezzanine and seating areas;
 - Conservation of the decorative plaster ceilings and mouldings;
 - Installation of a new floating floor system above the existing sloped floor, to be installed in a reversible manner;
 - Removal and salvaging of the existing wood doors and casings and modification of the openings to suit the new floor level;
 - Modification of the room layouts – removal of and salvaging of wood baseboards, trim, moulding for use in repairs and fabrication of new matching trim where needed

- Removal of the 1948-1950 rear additions, including:
 - Dismantling and salvaging of bricks from facades to be demolished in sufficient quantity to facilitate conservation work of retained 1924 portion;
 - Panelize and salvaging of the wood block floor from the woodworking shop for future interpretive reuse;
 - Reduction of the rear yard open space to two publicly-accessible parkettes at the southeast and southwest corners to accommodate the construction of new town houses and residential towers, including the retention and integration of the arched canopy at the northwest corner of Graham Avenue South and Maple Avenue;
 - Construction of two new rear east and west wings to be attached to the rear of the 1924 building by contemporary 4-storey connections;
 - Removal of the side yard surface parking to allow for construction of new townhomes and additional grassed open space, enhancing views to the east and west side facades of the 1924 building.
-
- Reason for work:
 - To conserve the existing built heritage resource, and provide opportunity for high-density, adaptive re-use.

The following parties, represented the property owner, Delta Joint Venture Inc., and spoke to the Sub-Committee.

- Kasper Koblauch, ERA Architects
- Ryan Love, ERA Architects
- Sarah Knoll, GSP Group
- Nicol Cimadamore, New Horizon Development Group

The Sub-Committee considered the application and together with input from the applicant and advice from staff, passed the following motion by a vote of 5 citizen members in favour to 3 citizen members against:

(Burke/Ritchie)

That the Heritage Permit Review Sub-Committee advises that Heritage Permit application HP2023-036 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) Implementation/Installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2025. If the alteration(s) are not completed by August 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) That a Conservation Strategy, including a Conservation Plan, Interpretation Plan, Documentation and Salvage Report and Heritage Lighting Plan, be submitted in accordance with the recommendations of the Cultural Heritage Impact Assessment dated June 19, 2023, to the satisfaction and approval of the Director of Heritage and Urban Design, prior to implementation of any of the related conservation measures to the interior and exterior of the 1924 building to be retained;

4) **Adjournment:** Meeting was adjourned at 7:15 pm

(Priamo/Carroll)

That the meeting be adjourned.

5) **Next Meeting:** Tuesday, September 19, 2023 from 5:00 – 7:30pm



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 26, 2023
SUBJECT/REPORT NO:	Monthly Report on Recommended Proactive Listings for the Municipal Heritage Register, September 2023 (PED23197) (Ward 13)
WARD(S) AFFECTED:	Ward 13
PREPARED BY:	Emily Bent (905) 546-2424 Ext. 6663
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That staff be directed to list the property located at 98 Sydenham Street, Dundas (Ward 13) on the Municipal Heritage Register as a non-designated property that Council believes to be of cultural heritage value or interest, as outlined in Report PED23197, in accordance with Section 27 of the *Ontario Heritage Act*.

EXECUTIVE SUMMARY

This Report recommends that Council list 98 Sydenham Street, Dundas on the Municipal Heritage Register (Register) as a non-designated property of cultural heritage value or interest.

Listing on the Register under Section 27 of the *Ontario Heritage Act* recognizes the value of the property 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 this property 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 listing expires.

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.

Should Council decide to list the property on the Register, staff will provide notice of their listing to the owner and outline legislated process for objecting to the listings, as per the requirements of the *Ontario Heritage Act*.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None.

Staffing: As outlined in Report PED22211(a), the City has hired 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 effect of 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 PED22211(a) and PED19125(c)), now require the City to be strategic when it lists properties of cultural heritage value or

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interest on the Municipal Heritage Register (see Legal Implications above). 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 are now bringing forward proactive recommendations on a monthly basis 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.

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, as amended by Ontario Regulation 569/22*);
- 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 owner / applicant.

Internal

- Ward Councillor A. Wilson, Ward 13

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The property at 98 Sydenham Street, Dundas, is comprised of a two and a half storey brick dwelling constructed circa 1904. The City received Committee of Adjustment

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Severance application DN/B-23:44, which proposes to sever the existing lot into three parcels; the severed lands at the rear of the property will facilitate the construction of two new dwellings fronting onto Queen Street, and the retained lands will retain the existing historic dwelling and landscape fronting onto Sydenham Street. Although the historic dwelling is proposed to be retained, the property may be subject to further applications and proposals. As such, staff conducted a preliminary cultural heritage evaluation of the subject property and determined that it met the required criteria for determining cultural heritage value or interest, as outlined in *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*. The result of staff's evaluation is attached as Appendix "A" to Report PED23197. A synopsis of the evaluation is:

The building at 98 Sydenham Street, Dundas has design value as a representative example of an early-twentieth century vernacular two-storey brick dwelling. While the building does not appear to display a high degree of craftsmanship, its notable features include its: symmetrical three-bay front façade with central ground-floor entrance; hip roof with flanking chimneys; segmentally-arched window openings with decorative brick voussoirs with raised trim and stone lug sills, and decorative brick panelling between the storeys..

The building has contextual value as it helps to support and maintain the character of Dundas, which includes an eclectic mix of nineteenth and early-twentieth century buildings reflecting the evolution of the town. Further, it is historically and visually linked to adjacent surrounding buildings from the nineteenth and early-twentieth centuries, which also include brick materiality. Lastly, the property is historically and physically linked to the historic transportation corridor of Sydenham Road.

The full summary of the preliminary evaluation of cultural heritage value or interest for the property is attached as Appendix "A" to Report PED23197. Therefore, 98 Sydenham Street, Dundas, 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 (a) of Report PED23197.

ALTERNATIVES FOR CONSIDERATION

N/A

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED23197 - Preliminary Heritage Evaluation of 98 Sydenham Street, Dundas

EB:sd

98 Sydenham Street, Dundas
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 property is representative of an early-twentieth century vernacular two-storey brick dwelling. Notable features of the building include its: symmetrical three-bay front façade with central ground-floor entrance; , hip roof with flanking chimneys; segmentally-arched window openings with decorative brick voussoirs with raised trim and stone lug sills, and decorative brick paneling between the storeys.
2. The property does not appear to demonstrate a high degree of craftsmanship.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property does not appear to have historical value or associative value because it has no direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

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 support and maintain the character of the eclectic mix of nineteenth and early-twentieth century buildings reflecting the evolution of the town of Dundas, which includes brick construction.
8. The property has contextual value as it is historically and visually linked to the surrounding area which includes an eclectic mix of nineteenth and early-twentieth century buildings.

Further, the property is historically, physically and visually linked to the historic transportation corridor, Sydenham Road, that responds to the natural topography of the area.

9. The property is not considered to be a local landmark.

Sources:

City of Hamilton. *Downtown Dundas Draft Historic Context Statement*. 2021.

City of Hamilton. Cultural Heritage Mapping (Internal Only). Accessed August 9, 2023. <https://spatialsolutions.maps.arcgis.com/apps/webappviewer/index.html?id=a9695a0e4e824a508ad960807b531970>.

City of Hamilton. Downtown Dundas Built Heritage Inventory. Allen and Matheson Survey. Dated 1855. file:///corona/World/Planning%20&%20Economic%20Development/Planning/Cultural%20Heritage%20Planning/Inventories/DU/Historic%20Mapping/1855_RP-1446_Plan%20for%20Allan%20and%20Mathieson.pdf

Environment Canada. *The Buildings of Canada*. Barbara A. Humphreys and Meredith Sykes. Montreal: 1980, The Reader's Digest Association (Canada) Ltd., <https://www.historicplaces.ca/media/7173/buildingsofcanada.pdf> (accessed August 9, 2023).