



**City of Hamilton**  
**HAMILTON MUNICIPAL HERITAGE COMMITTEE**  
**AGENDA**

**Meeting #:** 24-009  
**Date:** October 25, 2024  
**Time:** 12:00 p.m.  
**Location:** Room 264, 2nd Floor, City Hall (hybrid) (RM)  
71 Main Street West

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

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**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

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

**3. DECLARATIONS OF INTEREST**

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

4.1 September 27, 2024

**5. COMMUNICATIONS**

5.1 Correspondence from Anita Fabac, Acting Director, Planning and Chief Planner, respecting Notice of Passing of By-law No. 24-158 to Designate 340 Dundas Street East, Flamborough (Eager House) under Part IV of the Ontario Heritage Act

Recommendation: Be received.

5.2 Correspondence from Anita Fabac, Acting Director, Planning and Chief Planner, respecting Notice of Intention to Designate under Part IV of the Ontario Heritage Act 634 Rymal Road West, Hamilton (Union School Section No. 3)

Recommendation: Be received.

- 5.3 Correspondence from Anita Fabac, Acting Director, Planning and Chief Planner, respecting Notice of Passing of By-law No. 24-162 to Designate 291 King Street West, Dundas under Part IV of the Ontario Heritage Act

Recommendation: Be received.

## 6. DELEGATION REQUESTS

## 7. DELEGATIONS

## 8. STAFF PRESENTATIONS

- 8.1 Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the Ontario Heritage Act (PED24201) (Ward 9)
- 8.2 Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the Ontario Heritage Act (PED24190) (Ward 5)
- 8.3 Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the Ontario Heritage Act (PED24136) (Ward 2)

## 9. CONSENT ITEMS

### 9.1 Delegated Approval - Heritage Permit Applications

- a. Heritage Permit Application HP2024-028: Replacement Tree Planting at 125 St. Clair Avenue, Hamilton (Ward 3) (St. Clair Avenue HCD, By-law No. 86-125)
- b. Heritage Permit Application HP2024-026: Exterior Alterations at 24 Union Street, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)
- c. Heritage Permit Application HP2024-027: Planting of New Trees at 610 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239)

### 9.2 Education and Communication Working Group Meeting Notes

- a. April 3, 2024
- b. May 1, 2024
- c. May 15, 2024
- d. June 5, 2024
- e. July 3, 2024

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

f. September 12, 2024

9.3 Heritage Permit Review Sub-Committee Minutes (September 17, 2024)

9.4 Heritage Designations Update, October 2024 (PED24187) (City Wide)

## 10. DISCUSSION ITEMS

10.1 Heritage Permit Application HP2024-023, Under Part V of the Ontario Heritage Act, to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5)

10.2 Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2)

## 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.

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

#### 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

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
- (2) 1021 Garner Road East, Lampman House (D) – S. Spolnik
- (3) 398 Wilson Street East, Marr House (D) – S. Spolnik

#### Dundas

- (4) 2 Hatt Street (R) – K. Burke

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

- (5) 216 Hatt Street (I) – K. Burke
- (6) 215 King Street West (R) – K. Burke
- (7) 219 King Street West (R) – K. Burke

Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik
- (10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson
- (11) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (14) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch
- (15) 163 Jackson Street West, Pinehurst / Television City (D) – C.

Kroetsch

- (16) 108 James Street North, Tivoli (D) – C. Kroetsch
- (17) 98 James Street South, Former James Street Baptist Church (D) – C.

Kroetsch

- (18) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
- (19) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
- (20) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (21) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (22) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (23) 120 Park Street North (R) – C. Kroetsch
- (24) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (25) 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

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke

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

- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

#### Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (9) 134 Cannon Street East, Cannon Knitting Mill (R) – C. Kroetsch
- (10) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (11) 2 Dartnall Road, Rymal Road Station Silos (D) – G. Carroll
- (12) 54-56 Hess Street South (D) – C. Kroetsch
- (13) 1284 Main Street East, Delta High School (D) – G. Carroll
- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (16) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (R) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch

#### Stoney Creek

- (29) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

Dundas

(1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

(2) 46 Forest Avenue, Rastrick House (D) – G. Carroll

(3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas

(4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch

(5) 206 Main Street West, Arlo House (R) – C. Kroetsch

(6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

d. Heritage Properties Update (BLACK)

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

Ancaster

(1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

**14. PRIVATE AND CONFIDENTIAL**

**15. ADJOURNMENT**



## HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES 24-008

12:00 p.m.

September 27, 2024

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

71 Main Street West, Hamilton, Ontario

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**Present:** Councillor C. Kroetsch  
A. Denham-Robinson (Chair), G. Carroll (Vice-Chair) (virtual), K. Burke, A. Douglas, L. Lunsted, A. MacLaren (virtual) and S. Spolnik (virtual)

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

- 1. Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act* (PED24169) (Ward 15) (Item 8.1)**

#### **(Douglas/Lunsted)**

- (a) That the City Clerk be directed to give notice of Council's intention to designate 265 Mill Street South, Flamborough (Braebourne), shown in Appendix "A" attached to Report PED24169, 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 PED24169, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property

**CARRIED**

**2. Recommendation to Designate 24 Blake Street, Hamilton, (Eastcourt Carriage House) under Part IV of the *Ontario Heritage Act* (PED24171) (Ward 3) (Item 8.2)**

**(Carroll/Douglas)**

- (a) That the City Clerk be directed to give notice of Council's intention to designate 24 Blake Street, Hamilton (Eastcourt Carriage House), shown in Appendix "A" attached to Report PED24171, 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 PED24171, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**3. Recommendation to Designate 311 Wilson Street East, Ancaster, (Orton House) under Part IV of the *Ontario Heritage Act* (PED24170) (Ward 12) (Item 8.3)**

**(Douglas/MacLaren)**

- (a) That the City Clerk be directed to give notice of Council's intention to designate 311 Wilson Street East, Ancaster, (Orton House) shown in Appendix "A" attached to Report PED24170, 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 PED24170, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

**4. Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies (PED23113(a)) (City Wide) (Item 10.1)**

**(Lunsted/Carroll)**

That Report PED23113(a) respecting Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies, be received.

**CARRIED**

**FOR INFORMATION:**

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

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

**8. STAFF PRESENTATIONS**

- 8.4 Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the Ontario Heritage Act (PED24136) (Ward 2) - WITHDRAWN

**9. CONSENT ITEMS**

- 9.1 Delegated Authority - Heritage Permit Applications

- (e) Heritage Permit Application HP2024-025 - Exterior Repairs at 34-36 Hess Street South, Hamilton (Ward 2) (By-law No. 03-211) - Extension of Previously Approved Heritage Permit HP2023-035

**(Burke/Lunsted)**

That the agenda for the September 27, 2024, Hamilton Municipal Heritage Committee be approved, as amended.

**CARRIED**

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

There were no declarations of interest.

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

**(i) August 19, 2024 (Item 4.1)**

**(Spolnik/MacLaren)**

That the Minutes of the August 19, 2024, meeting of the Hamilton Municipal Heritage Committee, be approved, as presented.

**CARRIED**

**(d) STAFF PRESENTATIONS (Item 8)**

**(i) Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act* (PED24169) (Ward 15) (Item 8.1)**

Scott Dickinson, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24169, Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Lunsted/Carroll)**

That the presentation from Scott Dickinson, Cultural Heritage Planning Technician, respecting Report PED24169, Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act*, be received.

**CARRIED**

For disposition of this matter, refer to Item 1.

**(ii) Recommendation to Designate 24 Blake Street, Hamilton under Part IV of the *Ontario Heritage Act* (PED24171) (Ward 4) (Item 8.2)**

Maryssa Barras, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24171, Recommendation to Designate 24 Blake Street, Hamilton under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Spolnik/Burke)**

That the presentation from Maryssa Barras, Cultural Heritage Planning Technician, respecting Report PED24171, Recommendation to Designate 24 Blake Street, Hamilton under Part IV of the *Ontario Heritage Act*, be received.

**CARRIED**

For disposition of this matter, refer to Item 2.

**(iii) Recommendation to Designate 311 Wilson Street East, Ancaster (Orton House), under Part IV of the *Ontario Heritage Act* (PED24170) (Ward 12) (Item 8.3)**

Scott Dickinson, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24170, Recommendation to Designate 311 Wilson Street East, Ancaster (Orton House), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

**(Lunsted/Burke)**

That the presentation from Scott Dickinson, Cultural Heritage Planning Technician, respecting Report PED24170, Recommendation to Designate 311 Wilson Street East, Ancaster (Orton House), under Part IV of the *Ontario Heritage Act*, be received.

**CARRIED**

For disposition of this matter, refer to Item 3.

**(e) CONSENT ITEMS (Item 9)**

**(i) (Lunsted/MacLaren)**

That the following Consent Items, be received:

- (a) Delegated Approval: Heritage Permit Applications (Item 9.1)
  - (i) Heritage Permit Application HP2024-019: Removal and Replacement of Roof Shingles at 107 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H) (Item 9.1(a))
  - (ii) Heritage Permit Application HP2024-020: Replacement of Roof at 250 James Street South, Hamilton (Ward 2) (Balfour House, By-law No. 85-174) (Item 9.1(b))
  - (iii) Heritage Permit Application HP2024-021: Removal and Replacement of Windows at 99 Mountsberg Road, Flamborough (Ward 15) (Kerr-Woolsey House, By-law No. 2000-95-H) (Item 9.1(c))
  - (iv) Heritage Permit Application HP2024-022: Removal of Dead Trees at 600 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239) (Item 9.1(d))
  - (v) Heritage Permit Application HP2024-025 - Exterior Repairs at

34-36 Hess Street South, Hamilton (Ward 2) (By-law No. 03-211) - Extension of Previously Approved Heritage Permit HP2023-035 (Added Item 9.1(e))

- (b) Policy and Design Working Group Meeting Notes - July 8, 2024 (Item 9.2)
- (c) Heritage Permit Review Sub-Committee Minutes - August 20, 2024 (Item 9.3)

**CARRIED**

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

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

Committee members provided brief updates on properties of interest.

**(Spolnik/MacLaren)**

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

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
- (2) 1021 Garner Road East, Lampman House (D) – S. Spolnik
- (3) 398 Wilson Street East, Marr House (D) – S. Spolnik

Dundas

- (4) 2 Hatt Street (R) – K. Burke
- (5) 216 Hatt Street (I) – K. Burke
- (6) 215 King Street West (R) – K. Burke
- (7) 219 King Street West (R) – K. Burke

Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik

- (10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson
- (11) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
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- (15) 163 Jackson Street West, Pinehurst / Television City (D) – C. Kroetsch
- (16) 108 James Street North, Tivoli (D) – C. Kroetsch
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- (19) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
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- (23) 120 Park Street North (R) – C. Kroetsch
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- (25) 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

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
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- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (16) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (I) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch

Stoney Creek

- (29) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

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

Dundas

(1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas
- (4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch
- (5) 206 Main Street West, Arlo House (R) – C. Kroetsch
- (6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

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

Ancaster

(1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

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

**CARRIED**

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

**(Burke/Douglas)**

That, there being no further business, the Hamilton Municipal Heritage Committee, be adjourned, at 12:54 p.m.

**CARRIED**

Respectfully submitted,

Alissa Denham-Robinson  
Chair, Hamilton Municipal  
Heritage Committee

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



**Hamilton**

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

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor  
Hamilton, Ontario, L8P 4Y5

September 27, 2024

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. 24-158 to Designate 340 Dundas Street East, Flamborough (Eager House) under Part IV of the *Ontario Heritage Act***

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Please take notice that the Council of the City of Hamilton has passed By-law Number 24-158 to designate 340 Dundas Street East, Flamborough as being of cultural heritage value under Part IV of the *Ontario Heritage Act*. This property was designated by Hamilton City Council on the 11th day of September, 2024. **Attached** please find a copy of By-law No. 24-158.

A Notice of Passing of the By-laws was also published in the Hamilton Spectator on **September 27, 2024**.

Any person who objects to the By-law may, within thirty days after the 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: Scott Dickinson, Cultural Heritage Planning Technician, Email: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca).

Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

SD

Attach.

cc: Councillor McMeekin, Ward 15  
Patrick MacDonald, Solicitor  
Jorge Caetano, Acting Director, Building Division  
Matt Gauthier, Legislative Coordinator  
Scott Dickinson, Cultural Heritage Planning Technician

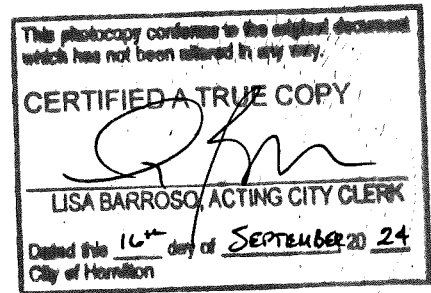


**Authority:** Item 11(a), Planning Committee Report 24-010 (PED24106)  
CM: July 12, 2024 Ward: 15  
Written approval for this by-law was given by Mayoral Decision MDE-2024-18  
Dated September 11, 2024

Bill No. 158

**CITY OF HAMILTON**

**BY-LAW NO. 24-158**



**To Designate Property Located at 340 Dundas Street East, Flamborough, City of Hamilton as Property of Cultural Heritage Value**

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

**AND WHEREAS** Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on June 24, 2024;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on July 12, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 340 Dundas Street East, Flamborough in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 24-140;

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

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

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


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


To Designate Property Located at 340 Dundas Street East, Flamborough, City of Hamilton as  
Property of Cultural Heritage Value

Page 2 of 6

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

**PASSED** this 11<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
A. Horwath  
Mayor

  
\_\_\_\_\_  
M. Tennum  
City Clerk

To Designate Property Located at 340 Dundas Street East, Flamborough, City of Hamilton as  
Property of Cultural Heritage Value

Page 3 of 6

**Schedule "A"**

**To**

**By-law No. 24-158**

**340 Dundas Street East  
Flamborough, Ontario**

PIN: 17501-0020 (LT)

Legal Description:

PCL 20-4, SEC M10 ; PT LT 20, PL M10 , PART 1 , 62R11346 ; FLAMBOROUGH  
CITY OF HAMILTON

**Schedule "B"**

To

By-law No. 24-158

**340 Dundas Street East  
Flamborough, Ontario**

**Notice of Intention to Designate  
340 Dundas Street East, Flamborough  
(Eager House)**

The City of Hamilton intends to designate 340 Dundas Street East, Flamborough, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

**Statement of Cultural Heritage Value or Interest**

The two-storey stone structure located at 340 Dundas Street East in the Village of Waterdown, known as the Eager House, was constructed circa 1871. It has design or physical value as a representative example of the residential Gothic Revival architectural style which demonstrates a high degree of craftsmanship. The property is associated with local businessmen Joseph Eager (1809-1893) and his son James Eager (1842-1921), local business the Eager General Store, prominent Hamilton architect William Leith and Waterdown builder John Reid. Contextually, the property is important in defining the historic character of the area. The Eager House is functionally, visually and historically linked to its surroundings, being located along the Grindstone Creek and marking the entrance to Vinegar Hill. A distinctive structure in a prominent location, the property is considered a local landmark.

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

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

Dated at Hamilton, this 25th day of July, 2024.



Matthew Trennum  
City Clerk  
Hamilton, Ontario

**CONTACT:** Scott Dickinson, Heritage Planning Technician,  
E-mail: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca)

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



Hamilton

**Schedule "C"**

To

**By-law No. 24-158**

**340 Dundas Street East  
Flamborough, Ontario**

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

**Description of Property**

The 0.137-hectare property located at 340 Dundas Street East is comprised of a two-storey parged stone dwelling constructed circa 1871, historically known as the Eager House. It is located on the southwest corner of Dundas and Reynold Streets, in an area known as Vinegar Hill in the Village of Waterdown, in the community of Flamborough, within the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The cultural heritage value of the property lies in its design value as a representative example of the residential Gothic Revival architectural style, as typified by the flanking projecting front bays with high pitched gables and decorative bargeboard. The property also demonstrates a high degree of craftsmanship, as demonstrated by the ornately decorated front porch with wooden sun and ray detailing.

The historical value of the property lies in its association with the Eager family. Joseph Culloden Eager (1809-1893) and his son, James Edward Eager (1842-1921), purchased the property in 1871 and built the house sometime between 1871 and 1880. In 1880, Joseph purchased Griffin's General Store on the corner of Dundas and Mill Streets and established the well-known Eager General Store. The general store was family-run for three generations before being sold to and continued by the Weeks family in 1924. The Eager House remained in the family until the death of Helen Eager (born in 1904), James Edward Eager's daughter, in 1989.

The associative value of the property also lies in its demonstration of the work of prominent Hamilton architect William Leith and local builder John Reid. William Leith (1835-1880) designed ecclesiastical, institutional, commercial, industrial and residential buildings throughout Wentworth County. The ornate front porch was a later addition commissioned by James Edward Eager, designed and constructed by well-known Waterdown builder John Reid (1854-1912).

Contextually, the subject property is important in defining the historic character of Dundas Street, Vinegar Hill and the Village of Waterdown. The Eager House is functionally, visually and historically linked to its surroundings, located east of the Grindstone Creek and marking the entrance to the area known as Vinegar Hill. The Eager House is a recognizable local landmark situated on the Grindstone Creek, a prime location in the village, and only a short distance from the former Eager General Store on the southeast corner of Dundas and Mill Streets.

### **Description of Heritage Attributes**

Key attributes that embody the physical value of the property as being a representative example of residential Gothic Revival architecture and in demonstrating a high degree of craftsmanship, include:

- All elevations and roofline of the two-storey stone building, including its:
  - Masonry construction with parged exterior;
  - Rectangular footprint with flanking projecting front bays and one-storey rear wing;
  - H-shaped gable roof with high pitched flanking projecting front and rear gables and off-set projecting side gables;
  - Decorative bargeboard under the front gables;
  - Flat-headed window openings on the ground floor with one-over-one windows, four-pane wooden storms, plain lug stone sills and functional shutters;
  - Semi-circular window openings in the second storey below the gables with one-over-one windows, two-pane wooden storms, plain lug stone sills and functional shutters;
  - Small rectangular window opening above the front entrance between the flanking bays;
  - Central entrance fronting onto Dundas Street with transom, sidelights and decorated wood paneling; and,
  - Gable-roofed front porch, ornately decorated with wooden sun and ray detailing and supported by decorative wood columns atop a stone base with steps.

Key attributes that embody the contextual value of the property as a defining feature of the historic residential character of the Vinegar Hill area, include its:

- Moderate setback from Dundas Street with front lawn and walkway to the front entrance.



Hamilton

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

Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor  
Hamilton, Ontario, L8P 4Y5

September 27, 2024

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* 634 Rymal Road West, Hamilton (Union School Section No. 3)**

The City of Hamilton intends to designate 634 Rymal Road West, Hamilton (Union School Section No.3) 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 September 27, 2024.

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: Scott Dickinson, Cultural Heritage Planning Technician, Email: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca).

Sincerely,

Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

SD  
Attach.

cc: Councillor Spadafora, Ward 14  
Patrick MacDonald, Solicitor  
Jorge Caetano, Acting Director, Building Division  
Matt Gauthier, Legislative Coordinator  
Scott Dickinson, Cultural Heritage Planning Technician

CITY OF HAMILTON

## Notice of Intention to Designate

634 Rymal Road West, Hamilton (Union School Section No.3)

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

#### Description of Property

The 1.44-hectare property municipally addressed as 634 Rymal Road West is comprised of a one-storey brick school building originally constructed in 1927 with additions made in 1954 and 1957. The property is located on the northeast corner of the intersection of Rymal Road West and Upper Paradise Road in the former Township of Barton, in the City of Hamilton.

#### Statement of Cultural Heritage Value or Interest

The 1927 single-storey brick structure located at 634 Rymal Road West has design and physical value as it is a representative and rare example of a rural Ontario schoolhouse with Tudor Revival influences which displays a high degree of craftsmanship. The historical value of the property lies in its association with the historic Union School Section No. 3, which provided education to farm families living in three townships in the County of Wentworth as early as 1810, the current structure being the last incarnation of that School Section.

Contextually, this property is visually and historically linked to its surroundings, being in its original location near the border between the former Townships of Barton, Glanford and Ancaster on the historic Rymal Road West transportation corridor. As a large and visually distinctive structure set well back on a prominent corner lot, this highly visible building is considered a local landmark.

#### Description of Heritage Attributes

Key attributes that embody the physical value of the property as a representative and rare example of a rural schoolhouse with Tudor Revival influences displaying a high degree of craftsmanship, and its association with the historic Union School Section No. 3, include:

- The front (south) and side (east and west) elevations and roofline of the one-storey brick 1927 building, including its:
  - T-shaped plan;
  - Truncated hip roof with projecting eaves and cedar shingles;
  - Central bell cupola;





- Brick facades laid in Stretcher bond with a soldier course above the foundation;
- Decorative checkerboard bond in the central front façade with half-timbering;
- Decorative brick parapet with stone accents and date stone reading “UNION NO. 3 A B G 1927”;
- Flanking covered porches on the front (south) elevation supported by square chamfered columns with decorative brackets and stucco and half-timbering in the gables;
- Paired wooden doors with six-pane glass windows;
- Flat-headed window openings with stone lug sills; and,
- Paired four-over-four hung windows on the western side elevation.

Key attributes that embody the contextual value of the property that is visually and historically linked to its surroundings near the border of the historic Townships of Barton Glanford and Ancaster, and it being a local landmark, include its:

- Location fronting onto Rymal Road West with a deep setback from the public right-of-way and open views to the front (south) elevation across the grassed front yard.



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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

October 9, 2024

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. 24-162 to Designate 291 King Street West, Dundas under Part IV of the *Ontario Heritage Act***

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Please take notice that the Council of the City of Hamilton has passed By-law Number 24-162 to designate 291 King Street West, Dundas as being of cultural heritage value under Part IV of the *Ontario Heritage Act*. This property was designated by Hamilton City Council on the 25th day of September, 2024. **Attached** please find a copy of By-law No. 24-162.

A Notice of Passing of the By-law was also published in the Hamilton Spectator on **October 9, 2024**.

Any person who objects to the By-law may, within thirty days after the 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: Maryssa Barras, Cultural Heritage Planning Technician, Email: [Maryssa.Barras@hamilton.ca](mailto:Maryssa.Barras@hamilton.ca).

Sincerely,

Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner


MB  
Attach.



cc: Councillor Wilson, Ward 13  
Patrick MacDonald, Solicitor  
Jorge Caetano, Acting Director, Building Division  
Matt Gauthier, Legislative Coordinator  
Maryssa Barras, Cultural Heritage Planning Technician



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

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the <i>Ontario Heritage Act</i> (PED24201) (Ward 9)
<b>WARD AFFECTED:</b>	Ward 9
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2424 Ext. 7163
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council's intention to designate 2251 Rymal Road East, Stoney Creek (former Elfrida United Church), shown in Appendix "A" attached to Report PED24201, 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 PED24201, subject to the following:

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

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**SUBJECT: Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (PED24201) (Ward 9) – Page 2 of 7**

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**EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resource located at 2251 Rymal Road East, Stoney Creek, under Part IV of the *Ontario Heritage Act*, known as the former Elfrida United Church. The subject property is currently listed on the City's Municipal Heritage Register and has been adaptively reused for commercial purposes. Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has 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 PED24201.

**Alternatives for Consideration – See Page 7**

**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 property. 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)).

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.

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## **HISTORICAL BACKGROUND**

The subject property located at 2251 Rymal Road East, Stoney Creek, shown in Appendix “A” attached to Report PED24201, is comprised of a one-storey brick building constructed as a place of worship in 1881, known historically as the Elfrida United Church. The subject property was first surveyed for heritage interest in the 1990s. The former Stoney Creek Local Architectural Conservation Advisory Committee expressed an interest in designating the subject property in 1992, and again in 1996-97, however, the church trustees and the subsequent owners were not interested in designation at the time, and designation of the property was not pursued. The former Elfrida United Church underwent a successful adaptive reuse as a result of rezoning and renovation approvals in 1995, and the building has housed a number of catering businesses and restaurants since the early 2000s.

In 2011, the property received a Heritage Property Conservation Award from the Hamilton Municipal Heritage Committee, then occupied by the former Vicar’s Vice restaurant. In December 2012, the Hamilton Municipal Heritage Committee requested that the former Elfrida United Church be reviewed for designation due to the property being put up for sale. In 2013, the property was listed on the Municipal Heritage Register and was added to staff’s designation workplan for further research and assessment of the property. The owner was subsequently notified of the property listing and addition to the designation work plan. The property owner received a subsequent Heritage Property Recognition Award in 2014 in recognition of the collective ownership efforts of a series of restaurants in historic buildings, including The Pheasant Plucker (20 Augusta Street), The Augusta House (17 Augusta Street), The Power House (1 Jones Street and Vicar’s Vice (2251 Rymal Road East).

In 2015, the owner submitted a request for the property to be removed from the Municipal Heritage Register. The Hamilton Municipal Heritage Committee and Council considered the removal request as part of Staff Report PED15173. The owner’s request was denied, and Council resolved to keep the property listed on the Register and on staff’s workplan for designation.

As a result of 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 2251 Rymal Road East was reprioritized for review for designation by January 1, 2025. In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation.

In September 2023, staff were contacted by the new owner and their agent to confirm any heritage approval requirements for the legalization of two existing decks that had

**SUBJECT: Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (PED24201) (Ward 9) – Page 4 of 7**

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been constructed on the property. Staff advised them that, since the property was not yet designated under the *Ontario Heritage Act*, a Heritage Permit was not required. Staff also reconfirmed that the City was in the process of reviewing the property for designation and that a recommendation was forthcoming before January 1, 2025.

In a letter dated June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated August 9, 2024, sent by registered mail and email, staff provided the owner with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered.

On September 19, 2024, Staff were contacted by a representative of the property owner to schedule a meeting between representatives of the owner, Cultural Heritage Staff, and representatives of a potential buyer of the property. On September 30, 2024, Staff met with these representatives to discuss the potential designation of this property.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENT**

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);
- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b)); 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 Owner.

In addition, Planning staff have emailed the Ward Councillor (Councillor B. Clark) for Ward 9 and provided an overview of the reasons for designation and the process for designating a property.

## **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

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**SUBJECT: Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (PED24201) (Ward 9) – Page 5 of 7**

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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 the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on February 9, 2024 (see photographs attached as Appendix “C” to Report PED24201) and available secondary and primary research sources (attached as Appendix “D” to Report PED24201). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets six of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

**Design / Physical Value**

1. The one-storey brick former church building at 2251 Rymal Road East, Stoney Creek was constructed in 1881, rebuilt on the site of the former circa 1858 church. The property has design or physical value as a representative example of the Gothic Revival architectural style as applied to a place of worship. The architectural features representative of the Gothic Revival style include the: gable roof with decorative wood brackets and brick dentils; red brick exterior with stone accents; large circular window opening with round arch stone hood mould, brick buttresses on the front and side elevations; lancet stained glass windows on the front elevation with stone hood moulds; lancet stained glass windows on the side elevations with brick voussoirs; wooden quatrefoil tracery on the stained glass windows on the front and side elevations; and, round arch stone hood-mould over semicircular stained glass transom on the front entry way.
2. This property displays a high degree of craftsmanship, as demonstrated by the: ornate brackets, stone hood mould above the circular window opening, lancet windows and main entrance on front elevation, windows with ornamental quatrefoil tracery and distinctive stained glass etched with floral patterns in red, green, yellow, and blue.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

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### **Historical / Associative Value**

4. This property has historical or associative value due to its status as one of the earliest places of worship in Saltfleet Township, and its association with the theme of nineteenth-century development in Saltfleet Township. In 1856, the land was purchased by Philip (1827-1906) and Catherine Hendershot (1832-1908), and in 1858 a church was built to serve the small community of Clinesville, renamed Elfrida in 1865. The church was rebuilt in 1881, though the cause of and extent of this rebuilding is unknown. Constructed as a Canadian Methodist Church, the congregation joined the United Church of Canada in 1925, serving the United Church Circuit that included Binbrook, Blackheath, and Trinity. In 1960, they joined with Trinity United Church in Hannon to form the Trinity-Elfrida Pastoral Charge. Elfrida United Church served as the only place of worship in the area with an active ladies' group until the arrival of Our Lady of the Assumption Catholic Parish in the 1950s. The Elfrida Church closed in 1991 and was later purchased in 1994 and converted into a kitchen and restaurant. Several restaurants have subsequently made their home in the former church.
5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. This property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.

### **Contextual Value**

7. The property is important in defining the former historic rural character of the area. 2251 Rymal Road East is surrounded by modern commercial and residential development, which is a juxtaposition to the nineteenth-century former church of a small rural settlement area. The property acts as a signpost to mark the location of historic Elfrida, and to remind the viewer of what this area once looked like.
8. The property is historically linked to its surroundings, being situated on its original location along the historic transportation corridor of Rymal Road and representing the last remaining non-residential building in the historic settlement area of Elfrida.
9. This property is considered a landmark, given its slight setback from the public right-of-way, its high visibility from the road and its distinctive Gothic Revival style, standing out against the backdrop of modern commercial construction.

**SUBJECT: Recommendation to Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church), under Part IV of the *Ontario Heritage Act* (PED24201) (Ward 9) – Page 7 of 7**

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Staff have determined that 2251 Rymal Road East, Stoney Creek, is 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 PED24201.

**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 the Municipal Heritage Committee, may decide to designate property, or decline to designate property.

**Decline to Designate**

By declining to designate, 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 property 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 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 the property to be an appropriate conservation alternative.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED24201 – Location Map

Appendix “B” to Report PED24201 – Statement of Cultural Heritage Value or Interested and Description of Heritage Attributes

Appendix “C” to Report PED24201 – Photographs

Appendix “D” to Report PED24201 – Research Sources

SD/sd

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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.



● Site Location



Key Map - Ward 9

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
2251 Rymal Rd E

Date:  
February 16, 2024

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SD/NB

### Subject Property

 2251 Rymal Road East, Hamilton  
(Ward 9)

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

### Description of Property

The 0.1-hectare property municipally addressed as 2251 Rymal Road East, Stoney Creek, is comprised of a one-storey brick building constructed as a place of worship in 1881, formerly known as the Elfrida United Church. It is located on the north side of Rymal Road East, between Swayze Road and the Upper Centennial Parkway, in the historic settlement area of Elfrida in the former Township of Saltfleet, in the community of Stoney Creek in the City of Hamilton.

### Statement of Cultural Heritage Interest or Value

The one-storey brick building, formerly known as the Elfrida United Church, was constructed in 1881, in the place of an earlier church constructed in 1858. The property has design or physical value as it is a representative example of the Gothic Revival style of architecture as applied to a place of worship. The property also displays a high degree of craftsmanship through the decorative brackets and tracery, the stone hood-moulds on the windows and the multi-coloured stained glass windows.

The property has historical value as it was one of the earliest places of worship in Saltfleet Township and is associated with the theme of the nineteenth-century development in Saltfleet. Originally built as a Methodist church and joining the United Church of Canada in 1925, this former place of worship served the historic settlement area of Elfrida until its closure in 1991 and conversion into a restaurant.

Contextually, this property is important in defining the former historic rural character of the area. It is historically linked to its surroundings, located on the historic Rymal Road transportation corridor and being the only remaining non-residential nineteenth-century building from the historic settlement area of Elfrida. Located close to the public right-of-way, it is a highly visible structure, juxtaposed against the surrounding modern commercial development, making it a local landmark.

### Description of Heritage Attributes

Key attributes that embody the design value of the property as being a representative example of the Gothic Revival architectural style demonstrating a high degree of craftsmanship, and historical value for its associations with places of worship in Saltfleet Township and nineteenth-century settlement in Elfrida, include:

- All elevations and roofline of the one-storey brick building, including its:
  - Front gable roof with projecting eaves and brick chimneys to the front and rear;
  - Decorative wooden brackets and brick detailing below the front (south) gable;

- Circular window opening in the front (south) elevation with a rounded stone hood-mould;
- Date stone on the front elevation reading: “C.M.C. Erected 1858 Rebuilt 1881”;
- Brick buttresses on the front (south) and side (east and west) elevations;
- Lancet windows with wooden quatrefoil tracery and etched stained glass with floral designs in red, green, yellow, and blue, including:
  - Stone hood-moulds in the front (south) elevation; and,
  - Brick voussoirs in the side (east and west) elevations;
- Round stone hood-mould over a semicircular transom above the front entrance;
- Decorative brick panels between the first storey and basement window bays;
- Flat-headed basement windows with stone lintels; and,
- Stone foundation.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of the historic settlement area of Elfrida and as a local landmark include its:

- Location on Rymal Road;
- Shallow setback from the public right-of-way; and,
- Visibility of the property from all directions.

Photographs

All images taken by City of Hamilton staff on February 9, 2024, unless otherwise noted.



Figure 1: South Elevation of subject property (Realtor.com, Retrieved February 8, 2024 from <https://www.realtor.ca/real-estate/26054415/2251-rymal-road-e-hamilton>).



Figure 2: East elevation.



Figure 3: West elevation.



Figure 4: Detail view of south elevation.



Figure 5: Detail view of window and buttresses on south elevation.





Figure 6: Detail view of rose window on south elevation.



Figure 7: Detail view of carved brackets on south elevation.



Figure 8: Detail view of archway over entrance on south elevation.



Figure 9: Southeast corner of subject property.



Figure 10: Detail view of east elevation.



Figure 11: Detail view of east elevation.



Figure 12: Aerial view showing physical context of subject property. (Realtor.com, Retrieved February 8, 2024 from <https://www.realtor.ca/real-estate/26054415/2251-rymal-road-e-hamilton>)



Figure 13: Looking northwest from Rymal Road East (City of Hamilton, 2013)



Figure 14: Front facade (City of Hamilton, 2013)



Figure 15: Side (west) facade (City of Hamilton, 2013)



Figure 16: Former Elfrida Church (Hamilton Public Library, Special Collections, c. 1952)

## Research Sources

“A New Role: Caterer opens business in historic Elfrida Church” Suzanne Bourret, *The Hamilton Spectator*, February 21<sup>st</sup>, 1996.

“Crafting Treasures from the past” Suzanne Bourret, *The Hamilton Spectator*, April 17<sup>th</sup>, 1996.

Hamilton’s Heritage Volume 7a: Inventory of Places of Worship”. Sharron Vattay, City of Hamilton Planning and Economic Development, September 2007. Accessed August 2<sup>nd</sup>, 2023. <https://www.hamilton.ca/sites/default/files/2022-06/heritageproperties-inventory-placesofworship-volume7a.pdf>

“Heavenly Hash: Chorus of brunch choices at former Church” Suzanne Bourret, *The Hamilton Spectator*, January 30<sup>th</sup>, 1999.

“Hogtown Smoke in Hamilton closed, up for sale, while owing over \$100K in unpaid wages and rent” Bobby Hristova, *CBC News*, February 13<sup>th</sup>, 2023.

“Old Church now beckons food worshippers” John Kernaghan, *The Hamilton Spectator*, May 25, 2002.

*PED13129: Request to Designate 2251 Rymal Road East (Stoney Creek)*. Alissa Golden and Erin Smith, City of Hamilton Planning and Economic Development, August 13<sup>th</sup>, 2013.

*PED15173: Request to Remove 2251 Rymal Road East (Former Elfrida Church) from the Register of Property of Cultural Heritage Value or Interest*. Chelsey Tyers and Steve Robichaud, City of Hamilton Planning and Economic Development, October 15<sup>th</sup>, 2015.

“Philip Hendershot”. Find-A-Grave. Accessed August 8, 2024.

[https://www.findagrave.com/memorial/86665521/philip-hendershot?\\_gl=1\\*1jc595t\\*\\_gcl\\_au\\*NDQzMDA3NzAuMTcyMzE0MTUzOA..\\*\\_ga\\*MTg5MTk3MjU2MC4xNjg3NTI2OTUz\\*\\_ga\\_4QT8FMEX30\\*MjQ3MmM3MzAtMTVjNS00YjM4LTgzZTI0MTA3Y2IzZDdiODczLjUzLjEuMTcyMzE0MTU3Mi4zMy4wLjA.\\*\\_ga\\_LMK6K2LSJH\\*MjQ3MmM3MzAtMTVjNS00YjM4LTgzZTI0MTA3Y2IzZDdiODczLjM2LjEuMTcyMzE0MTU3Mi4wLjAuMA..](https://www.findagrave.com/memorial/86665521/philip-hendershot?_gl=1*1jc595t*_gcl_au*NDQzMDA3NzAuMTcyMzE0MTUzOA..*_ga*MTg5MTk3MjU2MC4xNjg3NTI2OTUz*_ga_4QT8FMEX30*MjQ3MmM3MzAtMTVjNS00YjM4LTgzZTI0MTA3Y2IzZDdiODczLjUzLjEuMTcyMzE0MTU3Mi4zMy4wLjA.*_ga_LMK6K2LSJH*MjQ3MmM3MzAtMTVjNS00YjM4LTgzZTI0MTA3Y2IzZDdiODczLjM2LjEuMTcyMzE0MTU3Mi4wLjAuMA..)

*Saltfleet, Then and Now: 1792 1973*. The Corporation of the Town of Stoney Creek. D. G. Seldon Printing Ltd., Hamilton, Ontario, 1975.

“Stoney Creek church will get protection”. Hamilton Community News, *The Hamilton Spectator*, August 22, 2013.

“Trinity United Church Fonds”. United Church of Canada Archives. Accessed August 11<sup>th</sup>, 2023. <https://www.archeion.ca/trinity-united-church-hannon-ont-fonds>

“Visit the Vicar for salvation from hunger” John Kernaghan, *The Hamilton Spectator*, July 19<sup>th</sup>, 2008.





# Recommendation To Designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church)

October 25, 2024

Hamilton Municipal Heritage Committee

# 2251 Rymal Road East, Stoney Creek



South Elevation of subject property (Realtor.com, Retrieved February 8, 2024 from <https://www.realtor.ca/real-estate/26054415/2251-rymal-road-e-hamilton>).

2013 - Property listed on Municipal Heritage Register and added to designation workplan.

2015 – Owner submitted request for removal from Municipal Heritage Register. This request was denied.

March 2023 - Prioritized for Designation by January 1<sup>st</sup>, 2025



# Recommendation for Designation Under Part IV of the OHA

2251 Rymal Road East, Stoney Creek

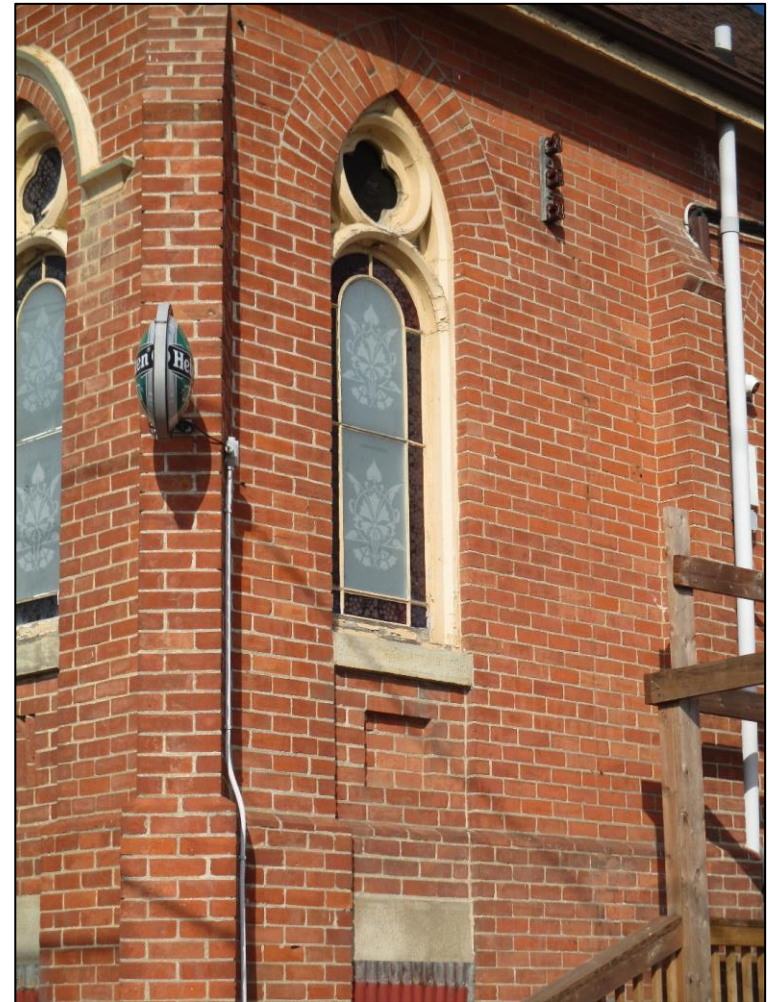
*Ontario Regulation 9/06* Criteria (6 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4 )
- Contextual (Criteria #7, 8, 9)



### Design / Physical Value

1. The property is a **representative example** of a **Gothic Revival** rural place of worship.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



## Historical / Associative Value

4. The property has association with the theme of nineteenth-century development in **Saltfleet Township.**
5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property is not considered to demonstrate the work or ideas of an architect, artist, builder, designer or theorist significant to the community



### Contextual Value

7. The property defines the **former historic rural character** of the surrounding area.
8. The property is **historically linked to its surroundings**.
9. The property is considered to be a **local landmark**.



Aerial view showing physical context of subject property. (Realtor.com, Retrieved February 8, 2024 from <https://www.realtor.ca/real-estate/26054415/2251-rymal-road-e-hamilton>)

# Statement of Cultural Heritage Value or Interest (Summary)

The single-storey brick structure at **2251 Rymal Road East** was built in 1881. It has design value as a **representative example** of a **rural place of worship** in the **Gothic Revival** style of architecture which displays a **high degree of craftsmanship**.

The property was one of the **earliest places of worship** in **Saltfleet Township** and is associated with the **nineteenth-century development** of **Saltfleet Township**.

Contextually, this property is **important** in **defining** the **former historic rural character** of the area and is **historically linked** to its surroundings. This distinctive and highly visible property is considered to be a local **landmark**.



# Description of Heritage Attributes

## (Summary)

- All elevations and roofline of the one-storey brick structure, including its:
  - Front gable roof with projecting eaves and brick chimneys ;
  - Decorative wooden brackets and brick detailing;
  - Circular window opening with a rounded stone hood-mould;
  - Date stone on the front elevation reading: “C.M.C. Erected 1858 Rebuilt 1881”;
  - Brick buttresses on the front and side elevations;
  - Lancet windows with wooden quatrefoil tracery and etched stained glass with floral designs in red, green, yellow, and blue, including:
    - Stone hood-moulds in the front elevation; and,
    - Brick voussoirs in the side elevations;
  - Round stone hood-mould over semicircular transom;
  - Decorative brick panels between the first storey and basement window bays;
  - Flat-headed basement windows with stone lintels; and,
  - Stone foundation.

The key contextual attributes include its:

- Location on Rymal Road;
- Shallow setback from the public right-of-way; and,
- Visibility of the property from all directions.

## Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 2251 Rymal Road East, Stoney Creek (Former Elfrida United Church)**, shown in Appendix "A" attached to Report PED24201, 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 PED24201, subject to the following:

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



Hamilton

QUESTIONS?




Hamilton

THANK YOU



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

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the <i>Ontario Heritage Act</i> (PED24190) (Ward 5)
<b>WARD(S) AFFECTED:</b>	Ward 5
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2423 Ext. 7163
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council's intention to designate 21-25 Jones Street, Stoney Creek, shown in Appendix "A" attached to Report PED24190, 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 PED24190, subject to the following:

- (a) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (b) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee 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 resource located at 21-25 Jones Street, Stoney Creek, known as the Powerhouse, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register. Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has 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 PED24190.

### **Alternatives for Consideration – See Page 7**

## **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 property. 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)).

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 property located at 21-25 Jones Street, Stoney Creek, shown in Appendix “A” attached to Report PED24190 is comprised of a one-storey brick structure constructed in 1894. The subject property was first surveyed for potential heritage interest in 1984.

In 2018, the property was listed on the Municipal Heritage Register and was added to staff’s designation workplan for further research and assessment of the property. As a result of 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 21-25 Jones Street, Stoney Creek, was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation. In a letter dated June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated July 19, 2024, sent by registered mail, staff provided them with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered. Staff have not received a response from the property owner to date.

On August 19, 2024, Ward 5 Councillor M. Francis commenced consultation with the Stoney Creek Historical Society regarding the potential designation of the subject property. On September 5, 2024, this consultation concluded with the Historical Society and Ward Councillor indicating their support for designation.

## **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 Owner; and,
- Stoney Creek Historical Society.

The Ward Councillor (Councillor M. Francis) for Ward 5 has been advised that this matter is to be considered by the Hamilton Municipal Heritage Committee and has been provided an overview of the reasons for designation and the process for designating a property.

## **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 the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on February 9, 2024 (see photographs attached as Appendix “C” to Report PED24190) and available secondary and primary research sources (attached as Appendix “D” to Report PED24190). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets 7 of the 9 criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The one-storey brick structure known as the Powerhouse, located at 21-25 Jones Street in Stoney Creek, was constructed in 1894. It has design or physical value as a rare surviving example of a powerhouse for an electric railway, and as the only surviving remnant of the four electric interurban railways which once operated in Hamilton, Ontario. The design of the structure was influenced by, and is representative of, the Romanesque Revival architectural style, as demonstrated by the: dentilated cornice; brick corbelling; round-headed window and door openings with relieving arches; and the brick pilasters and buttresses.



**SUBJECT: Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the *Ontario Heritage Act* (PED24190) (Ward 5) - Page 5 of 7**

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2. The property displays a high degree of artisanship through the: ornamental brick parapet; decorative sawtooth brick courses; brick corbelling; stone imposts and keystones on arched windows and doors; brick pilasters and buttresses; and extended stone sills.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The subject property has historical value due to its association with the Hamilton, Grimsby, and Beamsville Electric Railway (HG&B), and to the Cataract Power Company. It is also associated with the theme of Stoney Creek as a fruit-growing community. The Hamilton, Grimsby, and Beamsville Electric Railway was founded in 1891. It was one of the first electric interurban railroads in North America, and the first electrically powered railroad of significant length in Canada. The property at 21-25 Jones Street was built in 1894 as the powerhouse for the system, using a pair of coal fired steam engines attached to two Westinghouse generators to produce electricity at six hundred volts direct current. After a number of years of independent operation, it was purchased in 1905 by the Cataract Power Company, the Hamilton-based utility company which pioneered the long-distance transmission of electricity. The HG&B had been purchasing electricity from the Cataract Power Company prior to this takeover, as the inadequate water supply from Stoney Creek made their own powerhouse too unreliable. Between 1899 and 1905, the powerhouse was converted from a steam-driven generating station to a substation which converted the Cataract Power Company's alternating current to direct current electricity which the railway equipment could use.

Unlike electric interurbans in the United States, who focused entirely on passenger service, the Hamilton, Grimsby, and Beamsville Electric Railway made much of its money through moving freight in the form of fruit. The HG&B transported large quantities of fruit from growers on the Niagara Peninsula into Hamilton for transshipment to points across Canada. This greatly improved fruit farmers' abilities to reach distant markets with their perishable product and was the major source of the railway's revenue once passenger traffic declined with the spread of the automobile in the wake of the First World War. In 1920, the HG&B shipped 549 freight cars of Niagara Peninsula fruit, but this proved to be the high point of their success, with freight traffic declining through the 1920s due to the development of reliable freight trucks and improvements to the road system.

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

**SUBJECT: Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the *Ontario Heritage Act* (PED24190) (Ward 5) - Page 6 of 7**

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After years of financial losses, the Hamilton, Grimsby, and Beamsville Electric Railway was sold to the Ontario Hydro-Electric Power Commission, who announced the closure of the railway. Public protest delayed this closure, but the HG&B made its final run on June 30, 1931. All equipment, cars and locomotives were subsequently scrapped and all buildings and infrastructure demolished, with the exception of the subject property. The former powerhouse became a warehouse for the Ontario Hydro-Electric Power Commission until it was sold in 1986, the purchaser converting the property into a restaurant. The property has been open to the public as a restaurant since that time.

5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property demonstrates the work of prominent Hamilton architectural firm Stewart and Stewart. William Stewart (1832-1907), a Kentucky born architect, was active in Hamilton between 1885 and 1904. He designed a number of landmark institutional, commercial, and residential properties in the City, including Victoria Hall in Gore Park (a National Historic Site). His American born son, Walter Stewart (1871-1917), served as an apprentice under his father before joining the firm as a partner in 1893. The subject property represents an early collaboration between father and son, who were also responsible for designing the Hamilton, Grimsby, and Beamsville Electric Railway station on the corner of Main and Catherine Streets. Walter would later partner with Hamilton architect William Palmer Witton (1871-1947) as the famed architectural firm of Stewart and Witton.

### **Contextual Value**

7. The property is important in defining the character of the area. Easily visible from King Street across flanking public open spaces, including the Town Square Parkette and the Augustus Jones Fountain, the property occupies a very prominent location. Its red brick construction and exterior ornamentation are a defining feature in the late-nineteenth and early- twentieth century residential streetscape along Jones Street.
8. The property is visually, historically, functionally, and physically linked to its surroundings. It is located in the historic core of Stoney Creek along King Street East, where the track of the Hamilton, Grimsby and Beamsville Electric Railway ran. Its proximity to the Stoney Creek watercourse was vital to the operation of the boilers and steam engines which generated the railway's electricity.

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**SUBJECT: Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the *Ontario Heritage Act* (PED24190) (Ward 5) - Page 7 of 7**

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9. Being a distinctive and well-known structure located on a prominent site in the centre of the historic core of Stoney Creek that is highly visible from the public right-of-way, this property is considered to be a local landmark.

Staff have determined that 21-25 Jones Street, Stoney Creek is 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 PED24190.

### **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, 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 property 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 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 any of the properties to be an appropriate conservation alternative.

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED24190 – Location Map

Appendix “B” to Report PED24190 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

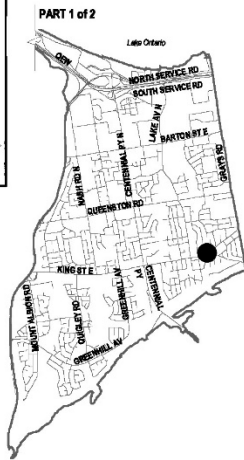
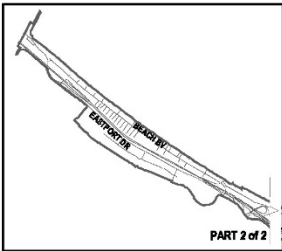
Appendix “C” to Report PED24190 – Photographs

Appendix “D” to Report PED24190 – Research Sources

SD/sd



● Site Location



Key Map - Ward 5

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
21 -25 Jones St

Date:  
February 16, 2024

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SD/NB

### Subject Property

21 - 25 Jones Street, Stoney Creek  
(Ward 5)

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

### Description of Property

The 0.344-hectare property municipally addressed as 21-25 Jones Street, Stoney Creek, is comprised of a single-storey brick building constructed in 1894. It is located on the north side of Jones Street, near the intersection of Jones Street and King Street East, in the historic core of Stoney Creek in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The brick structure located at 21-25 Jones Street, Stoney Creek, known as the Powerhouse, was constructed in 1894. It has design or physical value as a rare surviving example of an interurban railway powerhouse and as the only surviving structure of the four electric railways which once served Hamilton and the surrounding area. The building is representative of the Romanesque Revival style of architecture and the decorative exterior masonry elements, including the brick parapet, sawtooth courses, corbels, pilasters, and buttresses with stone accents, display a high degree of artisanship.

The property has historical value for its association with the Hamilton, Grimsby and Beamsville Railway, an early electric interurban railway which operated between 1894 and 1931. The Railway provided a vital transportation link for travelers before the proliferation of the automobile and is remembered now for its role in shipping the fruit grown by the orchards of the Niagara Peninsula. It is also associated with the Cataract Power Company, an early hydroelectric company founded by Hamiltonians which pioneered long distance power transmission and which both owned and supplied electricity to the railway. The property demonstrates the work of Walter (1871-1917) and William Stewart (1832-1907) of the firm Stewart and Stewart, a predecessor to the famed Hamilton architectural firm of Stewart and Witton.

A prominent and highly-visible local landmark, the Powerhouse is an important defining feature in the historic core of Stoney Creek and the surrounding residential streetscape on Jones Street. This property is visually, historically, functionally, and physically linked to its surroundings, being connected to the historic transportation corridor of King Street, and to the historic watercourse of Stoney Creek.

### Description of Heritage Attributes

Key attributes that embody the design value of the property as being a rare surviving example of an interurban powerhouse, representative of the Romanesque Revival Style of Architecture and in demonstrating a high degree of artisanship, and historical value for its association with the prominent architectural firm of Stewart and Stewart, the Hamilton, Grimsby and Beamsville Electric Railway and the Cataract Power Company, include:

- The front (south) and side (east and west) elevations and roofline of the single-storey brick building, including its:
  - Brick parapet with decorative brickwork and sawtooth brick courses;
  - Brick firewalls visible on side elevations;
  - Stone corbel on west elevation supporting edge of parapet;
  - Brick corbelling between the parapet and windows;
  - Round-headed window and door openings with brick voussoirs and stone imposts and keystones;
  - Semi-circular transom over door in south elevation;
  - Brick pilasters along front elevation and brick buttresses along the side elevations;
  - Capstones on the buttresses on the side elevations;
  - Continuous stone sill in the front elevation;
  - Shared stone sills in the side elevations; and,
  - Stone foundation.

Key attributes that embody the contextual value of the property as a local landmark and a defining feature of the historic core of Stoney Creek and of the historic residential streetscape of Jones Street and include its:

- Location fronting onto Jones Street at the public right-of-way;
- Proximity to the Stoney Creek watercourse; and,
- Visibility from King Street East.

Photographs

All images taken by City of Hamilton staff on February 9, 2024 unless otherwise noted.



Figure 1: South elevation of subject property.



Figure 2: South and west elevations of subject property.



Figure 3: West elevation showing modern entrance.



Figure 4: South and east elevations.





Figure 5: East elevation.



Figure 6: Detail view of windows and doorway on south elevation.



Figure 7: Detail view of parapet with decorative brickwork.



Figure 8: Detail view of decorative brickwork elements.



Figure 9: Detail view of decorative brickwork elements.



Figure 10: Detail view of windows and buttresses on west elevation.



Figure 11: Detail view of butress capstones and stone corbel on southwest corner.

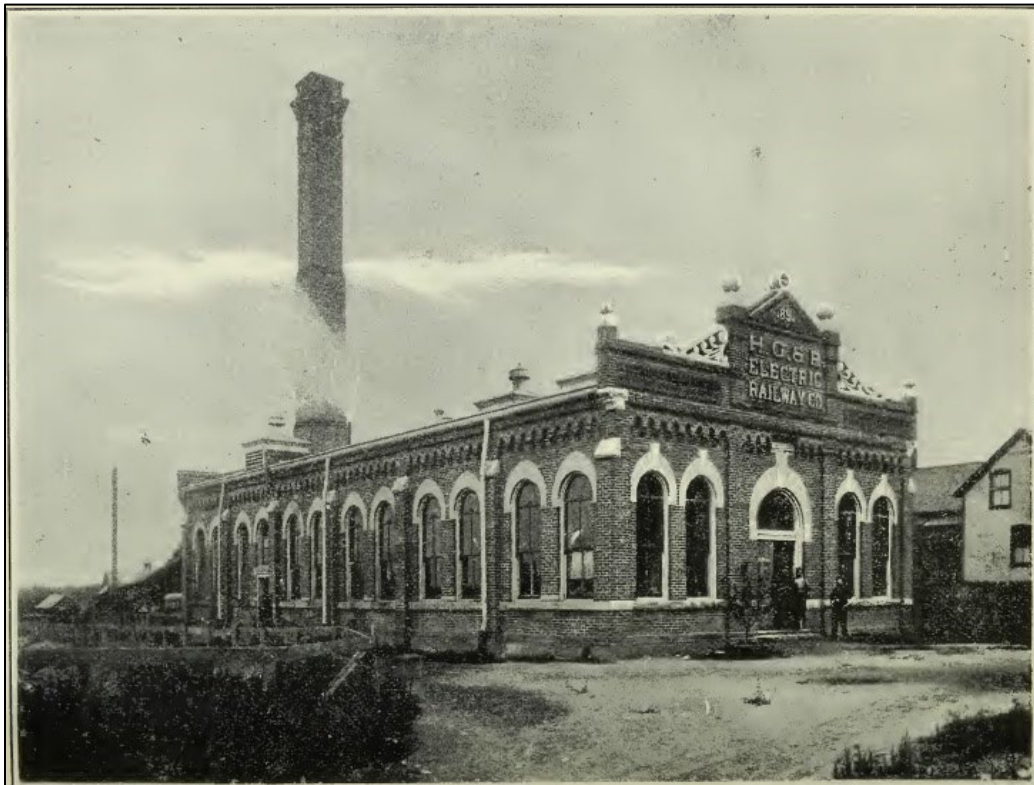


Figure 12: Powerhouse under steam, late nineteenth century (Ride Through the Garden of Canada).



Figure 13: Fruit Train in Grimsby, circa 1922 (Hamilton Transit History).

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# Recommendation To Designate 21-25 Jones Street, Stoney Creek (The Powerhouse)

October 25, 2024

Hamilton Municipal Heritage Committee

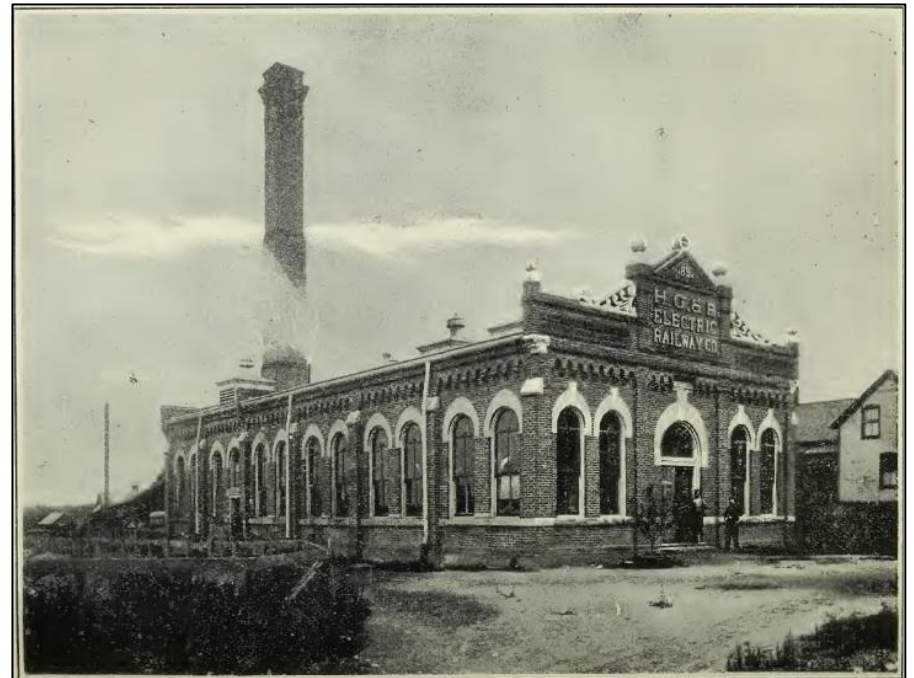
# 21-25 Jones Street, Stoney Creek





2018 - Property listed on Municipal Heritage Register and added to designation workplan.

March 2023 - Prioritized for Designation by January 1<sup>st</sup>, 2025



# Recommendation for Designation Under Part IV of the OHA

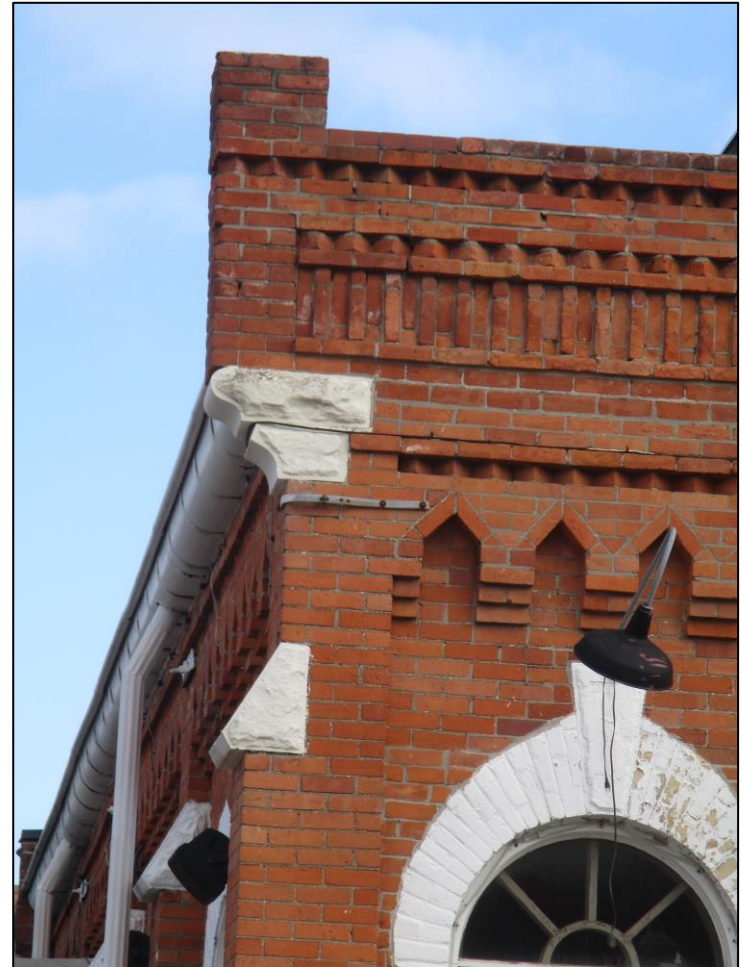
21-25 Jones Street, Stoney Creek  
*Ontario Regulation 9/06* Criteria (7 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4, 6 )
- Contextual (Criteria #7, 8, 9)



### Design / Physical Value

1. The property is a **rare example** of an **Interurban Powerhouse**.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.

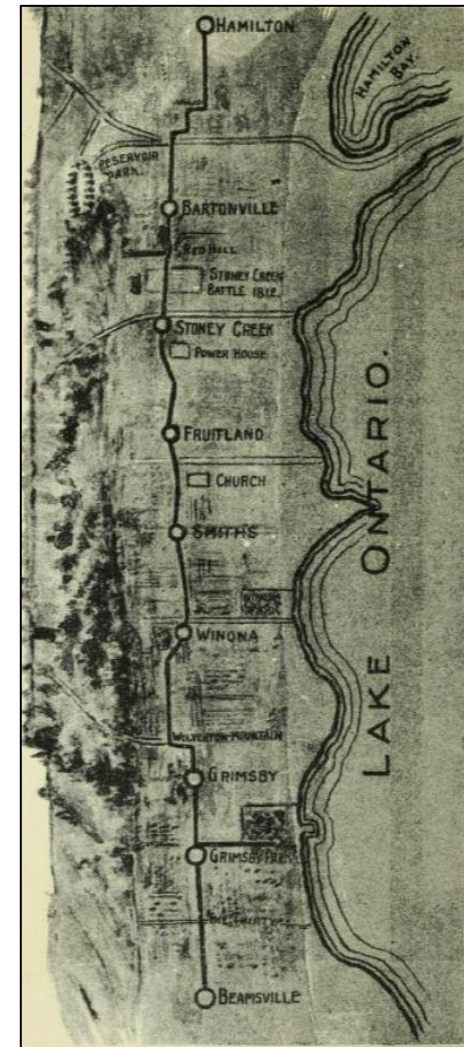


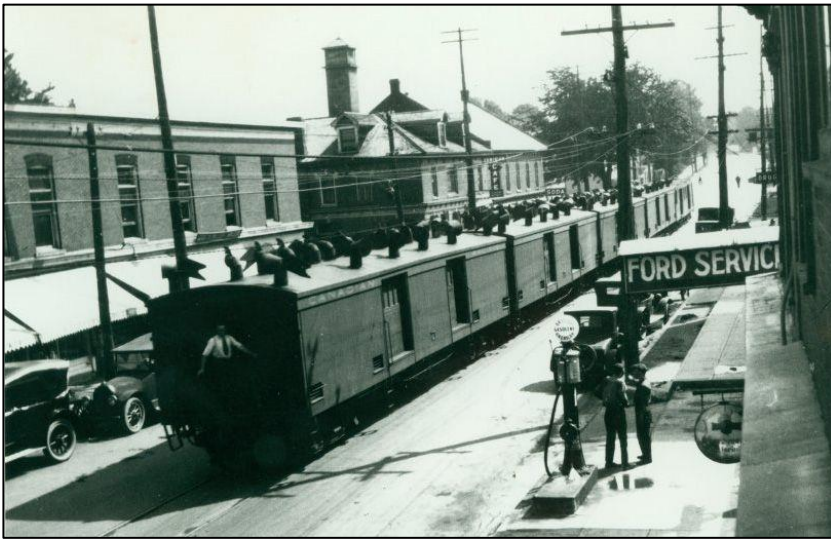
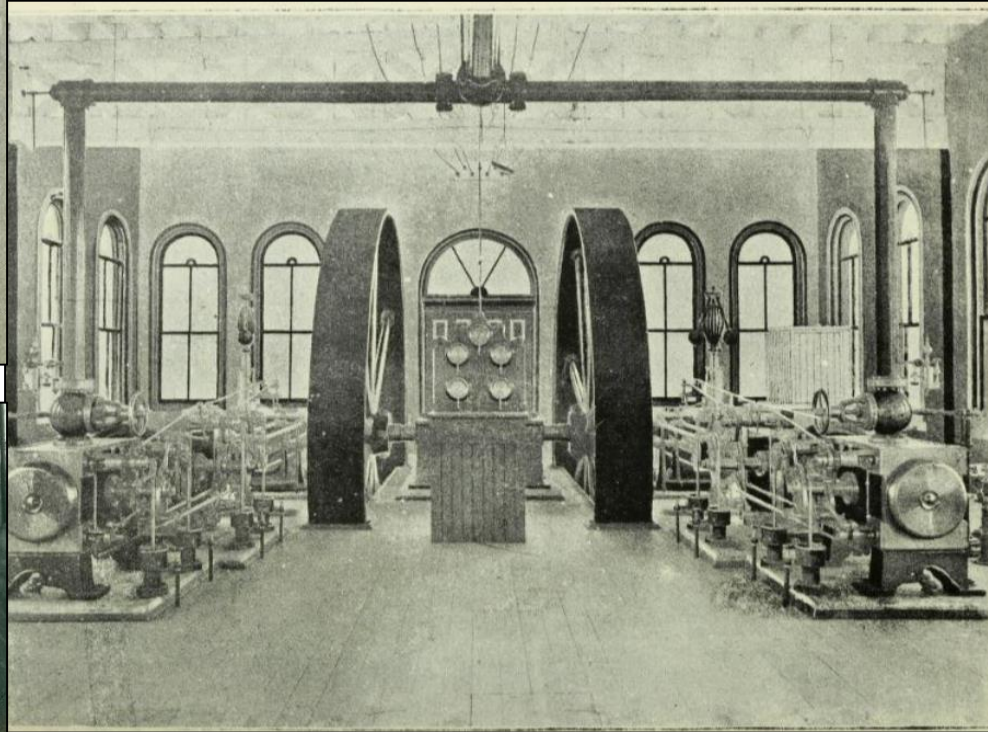
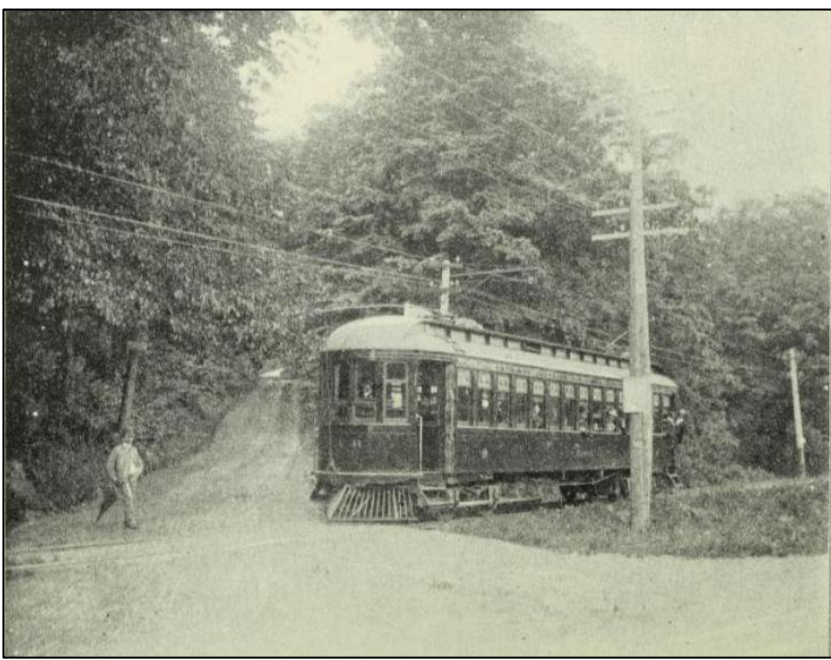
# Heritage Evaluation

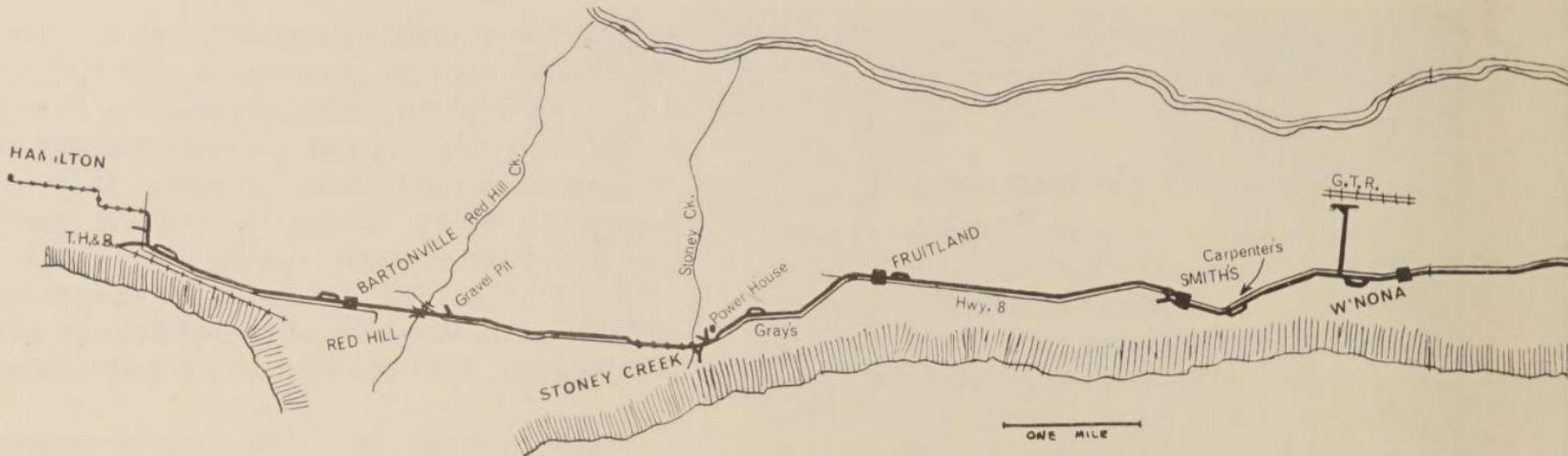
## Ontario Regulation 9/06 Criteria

### Historical / Associative Value

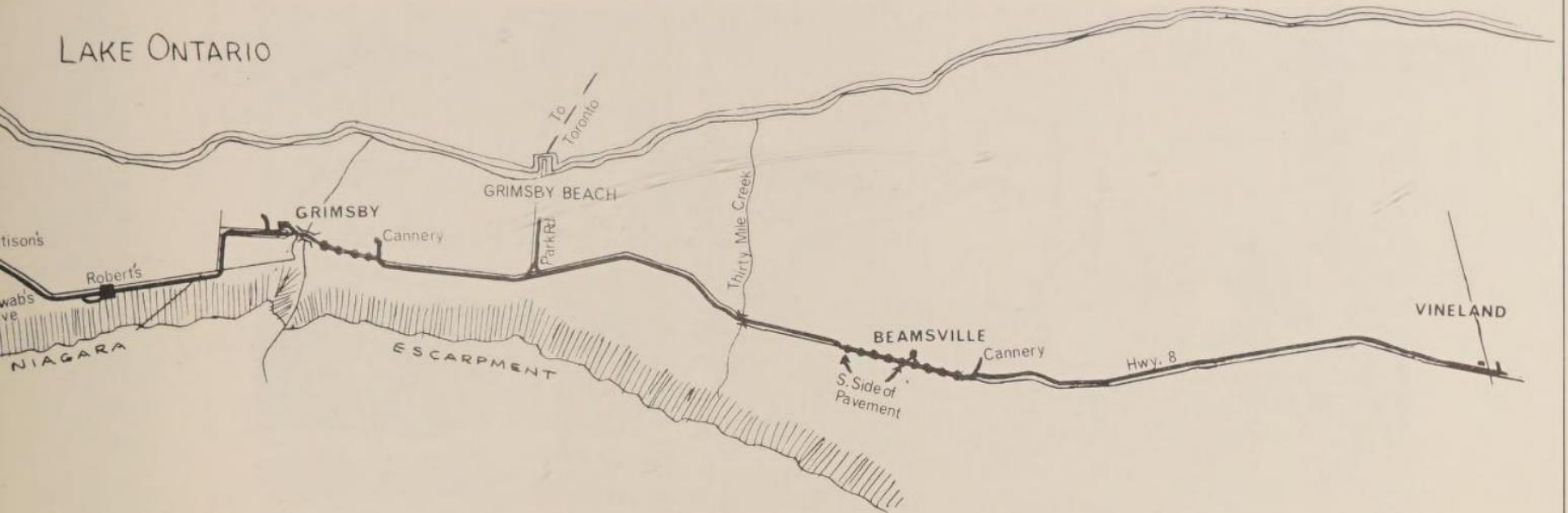
4. The property has direct associations with **Hamilton, Grimsby and Beamsville Electric Railway** and the **Cataract Power Company**.
5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property demonstrates the work of architectural firm **Stewart and Stewart**.







LAKE ONTARIO



## Contextual Value

7. The property helps **define** the historic character of downtown Stoney Creek.
8. The property is visually, historically, functionally and physically **linked to its surroundings.**
9. The property is considered to be a local **landmark.**



# Statement of Cultural Heritage Value or Interest (Summary)

The single-storey brick structure at **21-25 Jones Street** was built in 1894. It has design value as a **rare example** of an **Interurban powerhouse** and a **survivor** of Hamilton's four **electric railways** which displays a **high degree** of **craftsmanship**.

The property is associated with the **Hamilton, Grimsby and Beamsville Electric Railway** and the **Cataract Power Company**. It demonstrates the work of prominent Hamilton architectural firm **Stewart and Stewart**.

Contextually, this property is **important** in **defining** the historic character of **downtown Stoney Creek** and is **linked** to its surroundings. This large and distinctive structure highly visible from the public right-of-way is considered to be a local **landmark**.



# Description of Heritage Attributes (Summary)

- The front (south) and side (east and west) elevations and roofline of the single-storey brick structure, including its:
  - Brick parapet with decorative brickwork;
  - Brick firewalls;
  - Stone corbel supporting parapet;
  - Brick corbelling between parapet and windows;
  - Round-headed window openings with voussoirs, keystones and sills;
  - Brick pilasters and buttresses; and,
  - Stone foundation.

The key contextual attributes include its:

- Location fronting onto Jones Street; and,
- Proximity to the Stoney Creek watercourse; and,
- Visibility from King Street East.

# Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 21-25 Jones Street, Stoney Creek**, shown in Appendix "A" attached to Report PED24190, 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 PED24190, subject to the following:

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



Hamilton

QUESTIONS?




Hamilton

THANK YOU



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

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the <i>Ontario Heritage Act</i> (PED24136) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council's intention to designate 134 Cannon Street East, Hamilton (former Cannon Knitting Mills), shown in Appendix "A" attached to Report PED24136, 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 PED24136, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resources located at 134 Cannon Street East, Hamilton, a former industrial complex known as the Cannon Knitting Mills, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register and is a high priority on the City's list of candidates for designation. This recommendation to designate is being prepared in response to a Formal Consultation application (FC-23-101) proposing redevelopment of the property, which includes the demolition of sections of the complex that have been identified as being of cultural heritage value or interest.

Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has 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 PED24136. Should the property be designated under the *Ontario Heritage Act*, staff would have long-term, legal protection in place against inappropriate alterations and demolition. Designation would encourage the adaptive reuse of the subject property as the structure would be eligible for development charge exemption as well as the grant and loan programs offered by the City of Hamilton to assist in the conservation, rehabilitation, and restoration of designated heritage properties.

### **Alternatives for Consideration – See Page 10**

## **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 property. 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*.

**SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 3 of 10**

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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) of the *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 property located at 134 Cannon Street East, Hamilton, shown in Appendix “A” attached to Report PED24136, is comprised of a complex of two-and-one-half-storey to four-storey brick industrial buildings constructed between 1866 and 1927, fronting onto Cannon, Mary, and Kelly Streets. The subject property was first surveyed for potential heritage interest in the 1970s.

In August 2014, staff prepared Report PED14191, which, as part of the Downtown Hamilton Built Heritage Inventory Project, recommended that 134 Cannon Street East be listed on the Municipal Heritage Register and added to staff’s designation workplan for further research and assessment of the property at a later date. The recommendations were approved by City Council as part of Planning Committee Report 14-014 in September 2014.

In 2018 and 2021, Formal Consultation applications (FC-18-058 and FC-21-123) were submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a mix of commercial and residential uses. Cultural Heritage Planning staff commented on the applications and advised that a Cultural Heritage Impact Assessment would be required to review the impacts of the proposal on the heritage resource and recommend measures to mitigate any impacts.

As a result of the recent 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 134 Cannon Street East was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation.

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**SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 4 of 10**

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In August 2023, Formal Consultation application FC-23-101 was submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a small hotel, commercial space, office space and residential towers. Cultural Heritage Planning staff commented on the application and indicated that they had prepared a preliminary cultural heritage evaluation for the subject property using the nine criteria outlined in Ontario Regulation 9/06 and had determined that the property is of sufficient cultural heritage value or interest to warrant designation under Part IV of the *Ontario Heritage Act*.

In a letter dated June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated August 9, 2024, sent via registered mail, staff provided the owner with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered.

On October 7, 2024, Staff met with the owner to discuss the staff recommendation to designate the property. The owner expressed some concern with the brick chimneys being included in the Description of Heritage Attributes, as the current development proposal for the site would require them to be removed to facilitate new construction above the existing complex of buildings. As a result of this discussion, staff removed the brick chimneys from the proposed list of heritage attributes. Staff determined that the removal of these chimneys would not compromise the cultural heritage value or interest of the subject property, and that any potential impact of the removal of these chimneys would be studied as part of the Cultural Heritage Impact Assessment which would be required as part of the proposed development of the site.

The owner did not express any other concerns with the staff recommendation to designate. Staff also advised the owner of the financial incentives that would be available to them once the property is designated, to help facilitate the retention and adaptive reuse of the existing heritage structures on site.

## **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);
- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b)); and,

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**SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 5 of 10**

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- 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 Owner.

In addition, Planning staff have emailed the Ward Councillor (Councillor C. Kroetsch) for Ward 2 and provided an overview of the reasons for designation and the process for designating a property.

## **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. Designated properties are also considered to be “protected heritage property” under the Provincial Policy Statement (2024), which shall be conserved through the *Planning Act* development application process.

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 the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on August 1, 2024 (see photographs attached as Appendix “C” to Report PED24136) and available secondary and primary research sources (attached as Appendix “D” to Report PED24136). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets eight of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The one-and-a-half-storey to four-storey complex municipally addressed as 134 Cannon Street East, Hamilton, known as the Cannon Knitting Mills, is an industrial complex constructed in stages between circa 1866 and 1927. This complex of connected buildings has design or physical value as it is a rare surviving example in Hamilton of an industrial complex whose evolution over time

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is visible in the distinct styles and periods of its constituent buildings. The property consists of five distinct structures and associated addresses constructed between circa 1866 and 1927:

- **Structure 1 - 130 Mary Street** is a four-storey brick building constructed circa 1866 with a side gable roof. An addition to the original circa 1855 Turnbull foundry, this is now the oldest part of the complex.
  - **Structure 2 - 122 Mary Street** is a three-and-a-half-storey brick building constructed circa 1880 with a rounded southwest corner, hip roof and three wooden dormers. It was built to replace the original stone Turnbull foundry constructed circa 1855.
  - **Structure 3 - 11 Kelly Street** is a three-storey brick building constructed circa 1910, which occupies the southeastern corner of the property. It connects 122 Mary Street to 134 Cannon Street.
  - **Structure 4 - 140 and 146 Mary Street** are two units of a three-storey brick building extending along Mary Street to the corner with Cannon Street East. The southern portion of this building was constructed in 1911 and the northern third completed in 1927. The eastern side of both units is one-and-a-half storeys with a louvred roof.
  - **Structure 5 - 134 Cannon Street East** is the northeastern corner of the property, a three-storey brick building constructed in 1920.
2. The property demonstrates a high degree of craftsmanship through the various decorative flourishes that enliven an otherwise utilitarian complex of structures, including:
- 11 Kelly Street has brick pilasters with pointed tops and stone accents, as well as brick relief work between pilasters.
  - 122 Mary Street has a rounded southwest corner, decorative wooden brackets under projecting eaves, wide windows with segmental arches that have stone skewbacks, curved wooden cornice with wooden dentils and decorative end brackets, and Corinthian capitals supporting a wooden cornice.
  - 130 Mary Street has wide windows with segmental arches that have stone skewbacks and keystones facing onto Cannon Street.
  - 146 Mary Street has a shaped parapet to accommodate a louver for ventilation. The central window of the parapet has a semicircular transom under a brick arch with stone keystone and end stones. The central window is flanked on either side by a smaller version of the same design. The windows are recessed to give the impression of pilasters.

**SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 7 of 10**

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- 134 Cannon Street East has a projecting bay on the first storey, featuring a wooden cornice, brick frieze with stone accents and paired brick pilasters as well as a wooden cornice over the entryway.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property has historical value due to its long-standing association with two of Hamilton's historic industries - textiles and metalworking, its association with the 1892 Moulders' Union Strike, as well as its association with several prominent Hamilton firms including the: Turnbull's Mary Street Foundry, Hamilton Pottery Company, Brown Boggs Company, Laidlaw Manufacturing Company, and Chipman-Holton Knitting Company.

The Turnbull brothers, William (1815 - 1894) and James (1826 – c.1870) established the Mary Street Foundry on this site circa 1856. This foundry was known for its stoves, wagon boxes, kettles, and farm implements. By the late 1860s, a brick addition to the original stone foundry allowed several other firms to occupy space at the Mary Street property. R. Campbell and Company, which produced enamelware pottery, established themselves on site circa 1866, and would later grow into the leading Hamilton Pottery Company, the largest in Canada, after moving to new premises in 1873. S. J. Moore, a tinsmith, occupied part of the site between 1870 and 1873. This craftsman's workshop would grow into a large toolmaking manufacturer, which is still in business today as the Brown Boggs Company.

By the mid-1870s, the expanding Mary Street Foundry was using the brick addition themselves. In 1874, William Turnbull retired, leaving control of the foundry to his business partner, Adam Laidlaw (1833-1901), who had joined the firm in 1869. Renamed A. Laidlaw and Co., and later the Laidlaw Manufacturing Company, the foundry continued to produce a range of stoves, hot air furnaces, hollow ware, and castings, later expanding to a wide range of heating systems and industrial equipment.

In January of 1892, the owners of Hamilton's foundries announced to the Moulders' Union that they would reduce wages by ten percent, and that any resistance to this decision would result in non-union replacement workers being brought in. As the Moulders' Union was determined to resist any wage cutbacks, 350 union moulders went on strike. The moulders were skilled craftsmen who created the moulds needed to form castings. Without them, the foundries could not produce. Both sides understood what was at stake: for the owners, further

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control over their shops; for the moulders, the preservation of their independence as craftsmen. The Moulders' Strike dragged on for months. The foundries imported strike-breakers from Quebec, the United States, and other part of Ontario. Responses from strikers ranged from financial incentives to leave Hamilton, to jeers and insults and finally to intimidation and violence.

In August 1892, the first crack appeared in the owner's united front. The Laidlaw Manufacturing Company agreed to employ union moulders in their shops - if they agreed to work alongside non-union moulders. Within a week the Moulders' Union was in control, with only union men employed. Unfortunately, this did not translate into a wider victory for the moulders. The strike would last a total of thirteen months before failing in February of 1893. Laidlaw was the only foundry to accept the union's demands. Laidlaw itself would go out of business only a year later in 1894.

For several years the various parts of the building complex were vacant, occasionally being home to short-lived businesses. In 1902, successful nurseryman William Arthur Holton (1863-1941) partnered with brothers Frank (1866-1930) and William (1871- 1922) Chipman, American hosiery investors, to form the Chipman-Holton Knitting Company, which purchased the former Laidlaw foundry and proceeded to convert it into a factory to produce hosiery. Chipman-Holton rapidly expanded their premises through construction between 1902 and 1927. The firm was famous for its line of "Buster Brown" boys' stockings and was reputed as one of the largest hosiery manufacturers in North America.

By the 1950s, changing economic conditions convinced the Chipman-Holton Knitting Company to merge with fellow Hamilton knitting firm Mercury Mills Ltd. The merged company went bankrupt in 1956. The former knitting mill complex was used for a variety of light industry between the 1960s and the early twenty-first century and has been unoccupied since the mid-2000s.

5. The property has the potential to yield information that contributes to the understanding of a community or culture. This property was an industrial site for 150 years, providing employment to generations of nearby residents. As a scene of unrest during Hamilton's labour disputes through the late-nineteenth to the early-twentieth centuries, the property could reveal insights into work culture at foundries and textile mills. A major part of life in the Beasley Neighbourhood, the property is a physical reminder of the neighbourhood's working-class roots, and the property could reveal insights into the lives and struggles of working-class Hamiltonians.
6. The property reflects the work and ideas of the prominent Hamilton architectural firm, Stewart & Witton, who were commissioned by William Arthur Holton (1863-

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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.

1941) to design alterations and expansions to the complex between 1902 and 1914. These included the construction of 11 Kelly Street and 140 and 146 Mary Street. Walter Stewart (1871-1917) was the son of prominent Hamilton architect William Stewart. Walter Stewart partnered with his father in 1893, forming W. & W. Stewart. Upon his father's retirement in 1904, Walter Stewart formed a partnership with William Witton (1871-1947), who had trained at the prominent Chicago architectural firm of Adler & Sullivan. Stewart and Witton practiced together until Stewart's death in 1917. The pair designed several residential, commercial, and industrial buildings in Hamilton and beyond, surviving examples of their industrial designs include the former Thornton and Douglas Ltd. Factory across the street at 147 Mary Street, now Welkom House; the former Tallman Brass Foundry at 70 Sanford Avenue North, now Park's Furniture; and the former American Can Company at 356 Emerald Street North, now Karma Candy.

### **Contextual Value**

7. The property is important in defining the character of the Beasley Neighbourhood. A surviving example of the industrial complexes that have mostly vanished from the neighbourhood, the property comprises a complex of buildings constructed over the course of most of a century. The earliest extant buildings point to Beasley's status as Hamilton's first industrial area, while the eclectic massing and style of the various additions speaks to the growth and continued presence of industry in Beasley over most of the nineteenth and twentieth centuries. Being surrounded by residential and commercial areas, the property defines the cheek-by-jowl nature of nineteenth-century Hamilton.
8. The property is historically, visually, and functionally linked to its surroundings. In its original location, the Victorian (1837-1901) and Edwardian (1901-1910) era factory complex is in the midst of a Victorian and Edwardian-era working class neighbourhood. It is linked: visually, to the workers' housing that symbiotically surrounds it; functionally, to its location, being in Hamilton's first industrial area and across the street from 147 Mary Street, another surviving garment factory; and, historically, being very close to the now defunct Grand Trunk Railroad freight yard at Ferguson Avenue and Cannon Street, a vital location for receiving raw materials and shipping out finished hosiery.
9. The property is considered a local landmark. Encompassing an entire half block, the complex of buildings on the property dominates the local area. Being far larger, and moderately taller than the housing stock that surrounds it, the property is a solid masonry block which rises over the local rooftops. It has a visual prominence in keeping with the importance the industry once held in the Beasley neighbourhood. Located on the historic Cannon Street transportation corridor, and

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**SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 10 of 10**

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near to the historic Wilson Street corridor, this is a distinctive and extremely visible property that is seen by large numbers of Hamiltonians each day.

Staff have determined that 134 Cannon Street East, Hamilton is 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 PED24136.

### **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, 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 property 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 any of the properties to be an appropriate conservation alternative.

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED24136 – Location Map

Appendix “B” to Report PED24136 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix “C” to Report PED24136 – Photographs

Appendix “D” to Report PED24136 – Research Sources

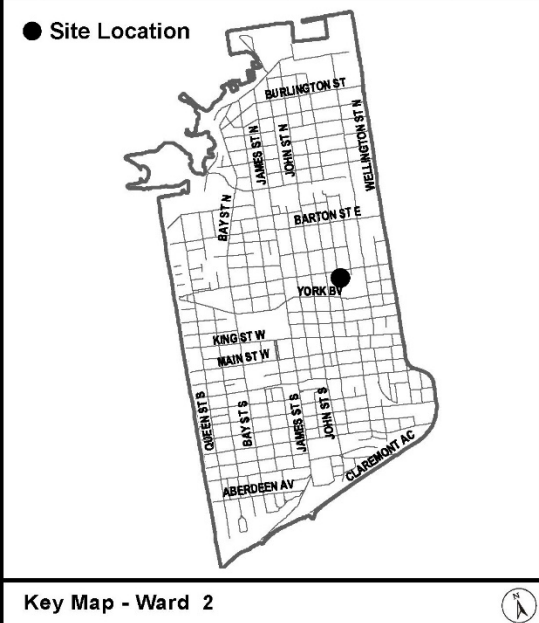
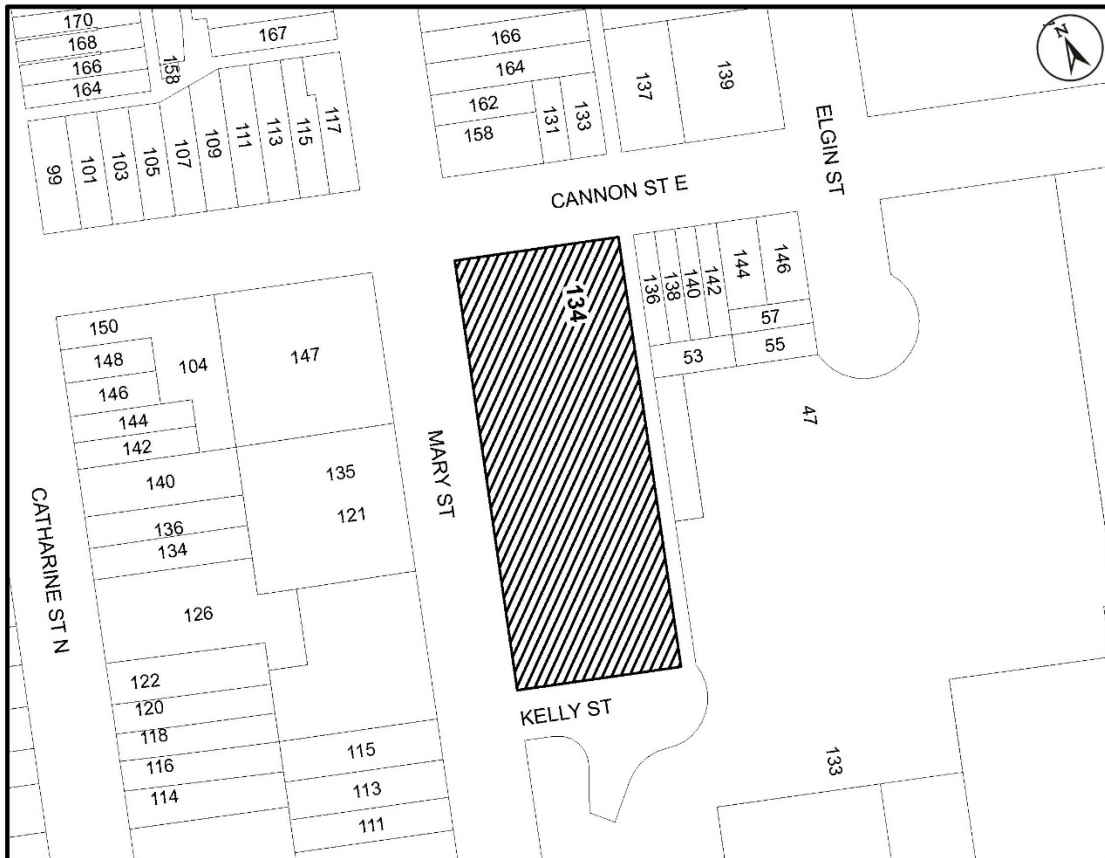
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## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
134 Cannon St E


Date:  
August 30, 2023

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SD/VS

### Subject Property

 134 Cannon Street East, Hamilton

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

### Description of Property

The 0.4-hectare property municipally addressed as 134 Cannon Street East, Hamilton is comprised of a former industrial complex of brick buildings, formerly known as the Cannon Knitting Mills. The complex is comprised of five distinct brick structures constructed between circa 1866 and 1927, including: 130 Mary Street, built circa 1866; 122 Mary Street, built circa 1880 to replace the original 1855 Turnbull foundry; 11 Kelly Street, built 1910; 140-146 Mary Street, built in 1911 and completed in 1927; and 134 Cannon Street, built 1920. The complex occupies the entire half block formed by Kelly Street, Mary Street and Cannon Street, located in the Beasley Neighbourhood, in the City of Hamilton.

### Statement of Cultural Heritage Value or Interest

The property, known as the Cannon Knitting Mills, has design or physical value as it is a rare surviving example of a nineteenth- to twentieth-century industrial complex in downtown Hamilton comprised of five distinct brick structures built over a 61 year period from circa 1866 to 1927. These various buildings which comprise the complex demonstrate a high degree of craftsmanship, including the: brick pilasters with pointed tops and stone accents on 11 Kelly Street; rounded corner entrance on 122 Mary Street with wooden cornice supported by Corinthian capitals; projecting eaves on 122 Mary with decorative wooden brackets; and shaped brick parapet designed to accommodate a rooftop louvre on the north elevation of 146 Mary Street.

The property has long-standing associations with two of Hamilton’s leading historic industries – textiles and metalworking, and is associated with several prominent Hamilton firms, including: the Turnbull brother’s Mary Street Foundry, the Laidlaw Manufacturing Company, and the Chipman-Holton Knitting Company, which was one of the most successful hosiery manufacturers in North America. The property is associated with a significant event in Hamilton’s labour history, as the Laidlaw Manufacturing Company was the only one of the foundries affected by the Moulders’ Strike of 1892 to accept the demands of the striking workers. The property also acted as an incubator for small firms which later expanded greatly, including the Hamilton Pottery Company, once the largest pottery manufacturer in Canada, and the still operating Brown Boggs Company.

The property is also associated with leading Hamilton architectural firm Stewart and Witton, who were responsible for designing two additions to the complex in the early-twentieth century: 11 Kelly Street in 1910 and 140-146 Mary Street (1911-1927). The pair designed a number of prominent residential, commercial, and industrial buildings in Hamilton and beyond. A surviving example of their industrial designs includes the former Thornton and Douglas Ltd. Factory, located across the street at 147 Mary Street, now Welkom House.



This property is a tangible reminder of the working-class roots of the Beasley neighbourhood and has the potential to yield information about the working-class communities of the surrounding area. As a surviving industrial complex surrounded by worker’s housing, the property defines the character of this part of Beasley, the earliest extant buildings pointing to Beasley’s status as Hamilton’s first industrial area, while the eclectic massing and style of the various additions speaks to the growth and continued presence of industry over most of the nineteenth and twentieth centuries. It is visually, historically, and functionally linked to its surroundings through its connections to local worker’s housing, to other surviving industrial sites in the area, and to the former rail yard on Ferguson Avenue. The property is also, as a distinctive and massive structure which rises over the rest of the neighbourhood, considered a prominent local landmark.

### Description of Heritage Attributes

Key attributes that embody the cultural heritage value of the property as a rare surviving example of an industrial complex whose evolution over time is evident in its component structures, its historical associations with Hamilton’s metal working industry, with the historic Mary Street Foundry and Laidlaw Manufacturing Company and with the Moulders’ Union Strike of 1892, as well as in demonstrating a high degree of artisanship, include:

- The front (west) elevation and roofline of the four-storey circa 1866 brick building at 130 Mary Street, including its:
  - Side gable roof;
  - Brick façade laid in Common bond;
  - Six bay façade separated by raised brick pilasters;
  - Paired segmentally-arched windows with brick voussoirs and wooden lug sills; and,
  - Large ground-floor windows in the two southernmost bays with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.
  
- The front (west) and side (south) elevations and roofline of the three-and-a-half-storey circa 1880 corner brick building at 122 Mary Street, including its:
  - Hip roof with a rounded corner and wood-framed dormers;
  - Projecting eaves with decorative wooden brackets, moulded frieze and decorative brick corbelling below;
  - Raised brick pilasters separating the bays with paired wooden brackets below the upper cornice;
  - Rounded southwest corner with a ground-floor entrance including a curved wooden cornice, decorative end brackets, wooden frieze with dentils, metal columns with Corinthian capitals and transoms;
  - Segmentally-arched window openings with brick voussoirs and wooden lug sills; and,
  - Large ground-floor windows on the west elevation with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.

Key attributes that embody the cultural heritage value of the property as a rare surviving example of an industrial complex whose evolution over time is evident in its component structures, its historical associations with Hamilton’s textile industry, the Chipman-Holton Knitting Company, and the architectural firm Stewart & Witton, as well as in demonstrating a high degree of artisanship, include:

- The front (south) and side (east) elevations of the three-storey 1911 brick building at 11 Kelly Street, including its:
  - Brick facades laid in Common bond;
  - Brick pilasters with pointed tops with diamond-shaped stone accents;
  - Flat-headed openings with stone sills and remaining multi-pane metal windows; and,
  - Decorative brickwork including courses of corbelled brick and relief work.
- The front (north) and side (west) elevations and roofline of the western portion of the 1911-1927 brick building at 140 and 146 Mary Street, including its:
  - Brick facades laid in Common bond;
  - Raised brick pilasters separating the bays;
  - Large flat-headed window openings with stone sills and remaining multi-pane metal windows;
  - Segmentally-arched openings in the ground floor of the three southern ground-floor bays with brick voussoirs and brick sills; and,
  - Stone foundation.
- The front (north) elevation and roofline of the eastern portion of the 1911-1927 brick building at 140 and 146 Mary Street (fronting onto Cannon Street East), including its:
  - Shaped brick parapet;
  - Central window with semi-circular transom, brick voussoirs and stone keystone, end stones and sills;
  - Flanking windows with semi-circular transoms, brick voussoirs and stone keystones, end stones and sills; and,
  - Recessed brickwork between first and second storey windows.
- The front (north) and side (east) elevation of the three-storey 1920 brick building at 134 Cannon Street East, including its:
  - Brick façades laid in Common bond;
  - Flat-headed window openings with stone lug sills;
  - Projecting ground-floor wooden cornice;
  - Decorative stone accents and banding;
  - Shallow paired brick pilasters; and,
  - Stone door surround.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of the Beasley Neighbourhood and as a local landmark include its:

- Location filling the half block formed by Cannon, Mary, and Kelly Streets.

### Photographs

All images taken by City of Hamilton staff in June, July, and August of 2024 unless otherwise noted.



Figure 1: Aerial view of the property showing division of structures. (Google Maps, marked up by staff)



Figure 2: Overhead view of subject property. (Google Earth)



Figure 3: View of the west façade of 130 Mary Street (Structure 1), built circa 1866. (Downtown Built Heritage Inventory, 2011).



Figure 4: View of 122 Mary Street (Structure 2) at the corner of Mary and Kelly Streets, built circa 1880.



Figure 5: View of the south façade of 11 Kelly Street (Structure 3), built circa 1910.



Figure 6: View of the west façade of 140-146 Mary Street (Structure 4) along Mary Street. Built circa 1911 and extended circa 1927. (Downtown Built Heritage Inventory, 2011).



Figure 7: View of the north façade of the western portion of 140-146 Mary Street (Structure 4) facing onto Cannon Street East.



Figure 8: View of the north façade of the eastern portion of 140-146 Mary Street (Structure 4) facing onto Cannon Street East, built circa 1927.





Figure 3: View of the front (north) elevation of 134 Cannon Street East (Structure 5) built circa 1920.



Figure 10: Northwestern corner of the property at the intersection of Cannon Street East and Mary Street. (Google Maps)



Figure 11: North elevation of the property looking west along Cannon Street East, including 136 Cannon Street East (Structure 5, left), eastern portion of 140-146 Mary Street (Structure 4, middle) and the western portion of 140-146 Mary Street (Structure 4, right).



Figure 12: West elevation of the property looking south along Mary Street, including 140-146 Mary Street (Structure 4, left), 130 Mary Street (Structure 1, middle right) and 122 Mary Street (Structure 2, far right).



Figure 13: West elevation looking north along Mary Street, including 122 Mary Street (Structure 2, right), 130 Mary Street (Structure 1, middle right) and 140-146 Mary Street (Structure 4, left).



Figure 14: Southwest corner of the property, including 122 Mary Street (Structure 2, left) and 11 Kelly Street (Structure 4, right), at the corner of Mary Street and the now pedestrianized portion of Kelly Street abutting Beasley Park.



Figure 15: South elevation, including 122 Mary Street (Structure 2, left) and 11 Kelly Street (Structure 4, right), and the now pedestrianized portion of Kelly Street abutting Beasley Park



Figure 16: Detail view of the entrance at 134 Cannon Street East (Structure 5).



Figure 17: Detail view of decorative elements at 134 Cannon Street East (Structure 5).



Figure 18: View of decorative elements of the eastern portion of 140-146 Mary Street (Structure 4), facing Cannon Street East.



Figure 19: Detail view of decorative elements on rounded entrance of 122 Mary Street (Structure 2).



Figure 20: Detail view of south elevation and bracketed eaves of 122 Mary Street (Structure 2).





Figure 4: Detail view of decorative elements along roofline of 11 Kelly Street (Structure 3).



Figure 5: Turnbull's Foundry, 1859. (Surtees Map)

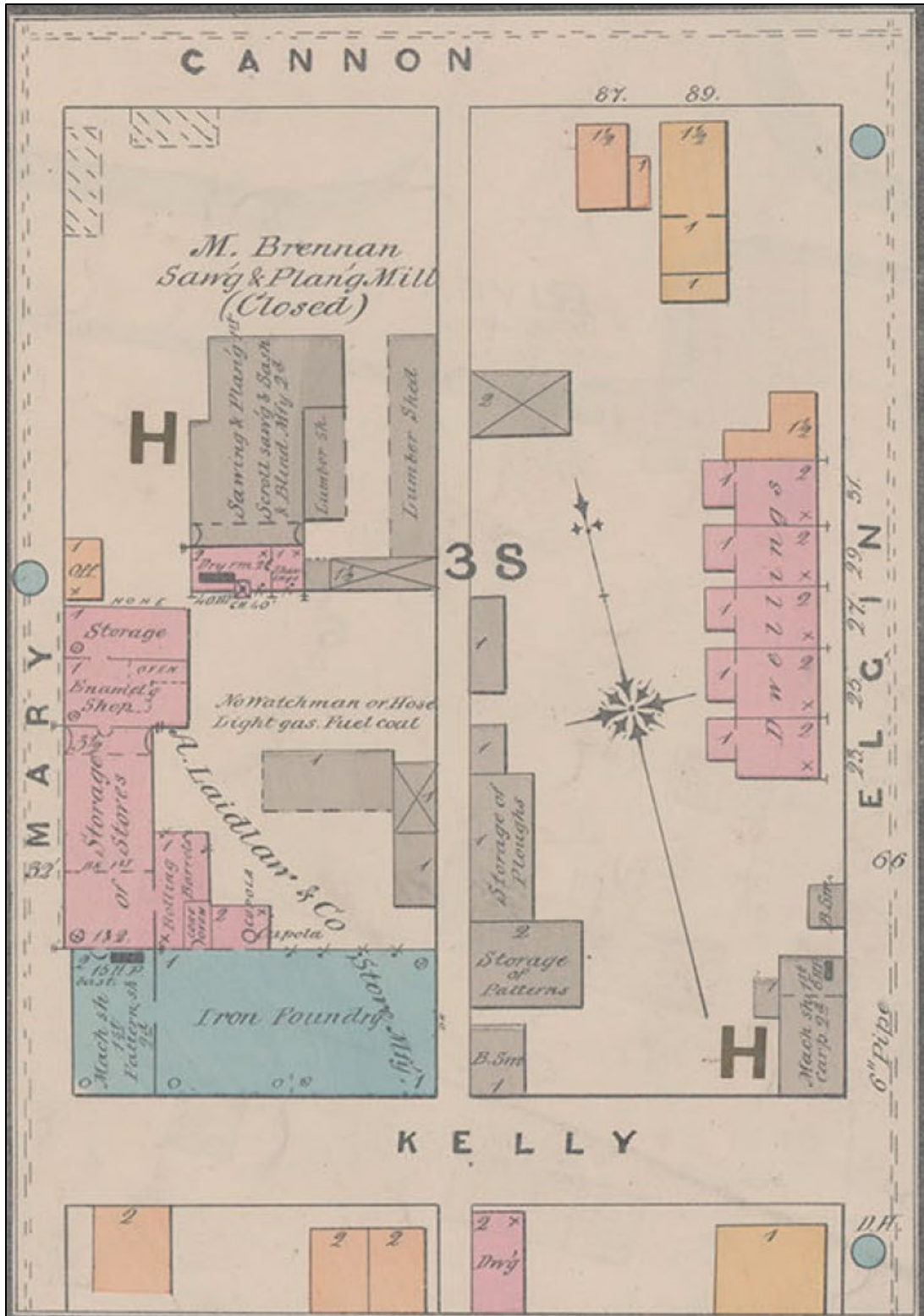


Figure 6: Fire Insurance Map for 1878, showing original stone building at 122 Mary Street and extant circa 1866 brick structure at 130 Mary Street. (Library and Archives Canada. Accessed September 2023. <http://central.bac-lac.gc.ca/.redirect?app=fonandcol&id=3837140&lang=eng>)

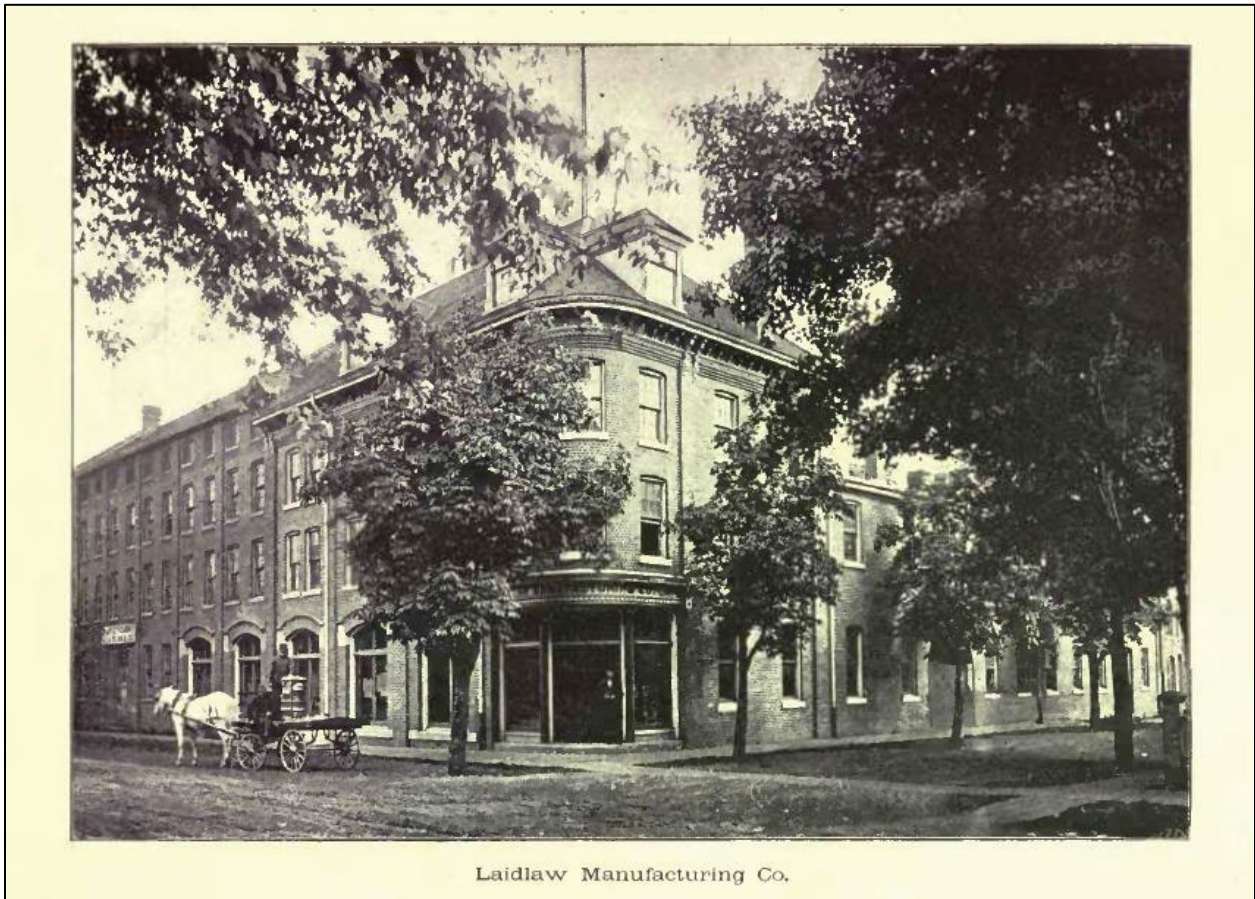


Figure 7: Laidlaw's Foundry, late-nineteenth century. (Birmingham of Canada)

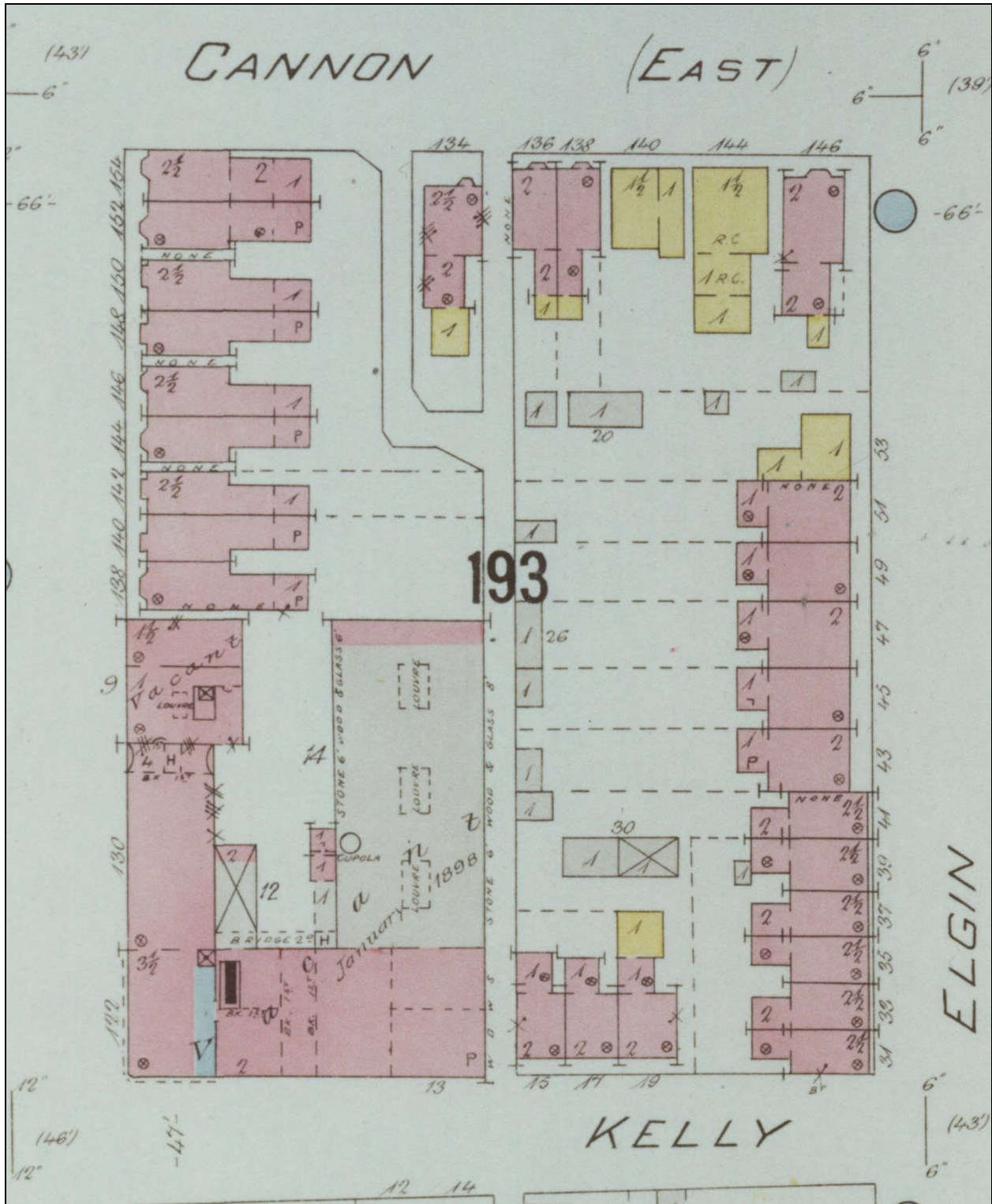


Figure 8: Fire Insurance Map for 1893, showing replacement circa 1880 brick structure at 122 Mary Street and brick extensions along Kelly Street. (McMaster Fire Insurance Map Collection)

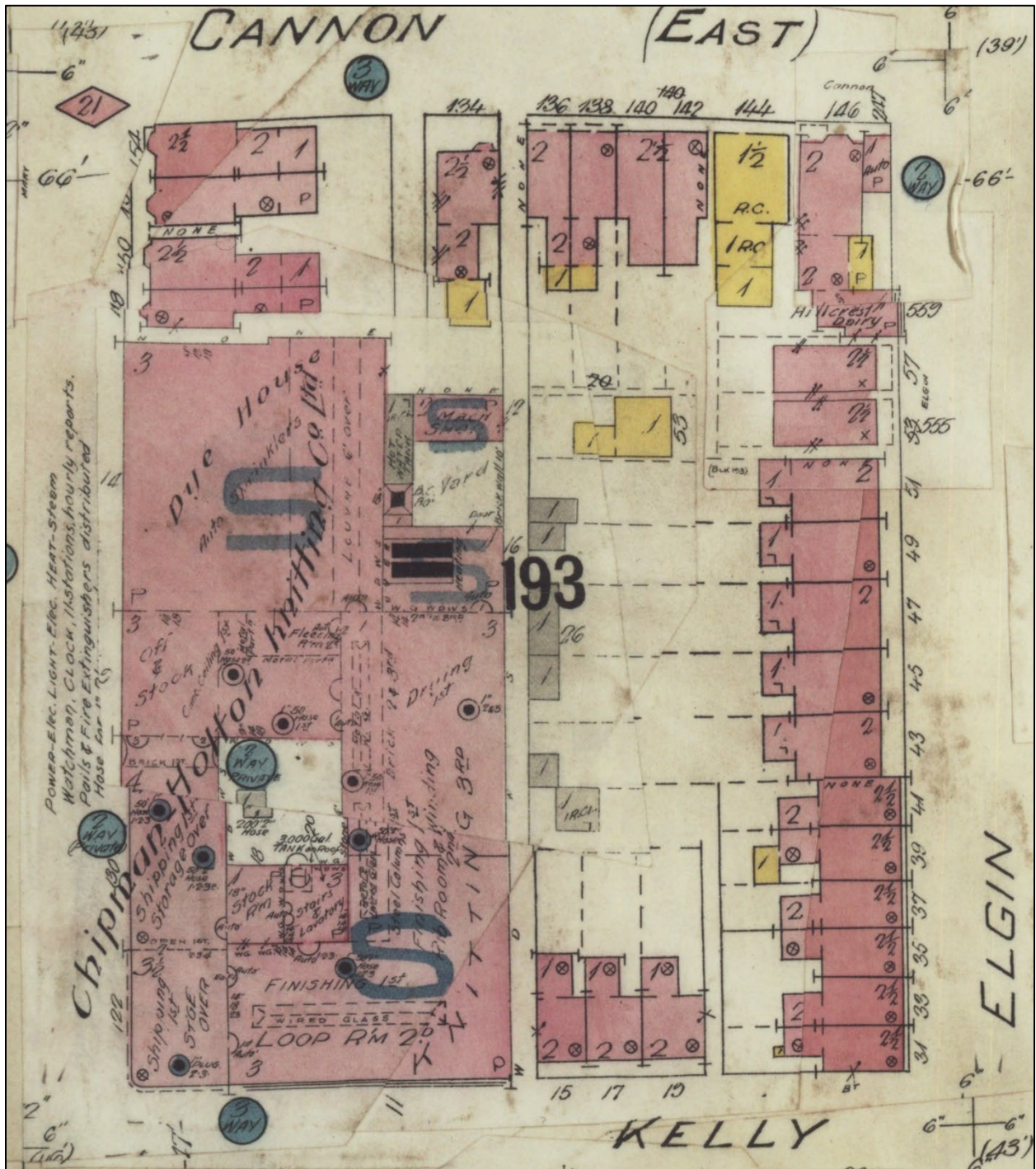
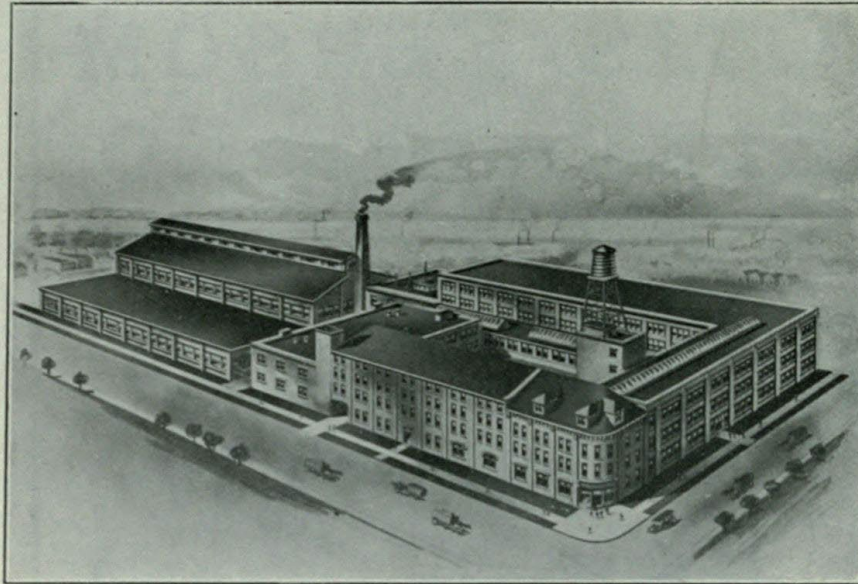


Figure 26: Fire Insurance Map for 1911, showing 140 Mary Street. (McMaster Fire Insurance Map Collection)



HAMILTON PLANT OF  
**The Chipman-Holton  
Knitting Co., Limited**

MANUFACTURERS OF



MILLS:  
Hamilton, Ontario  
Welland, Ontario

HEAD OFFICE ;  
Hamilton, Canada

E. H. WALSH & CO., SOLE AGENTS  
TORONTO    MONTREAL    WINNIPEG    ST. JOHN, N.B.    VANCOUVER

Figure 27: Chipman-Holton Knitting Company, circa 1913 (Hamilton Centennial Industrial Exposition 1913).

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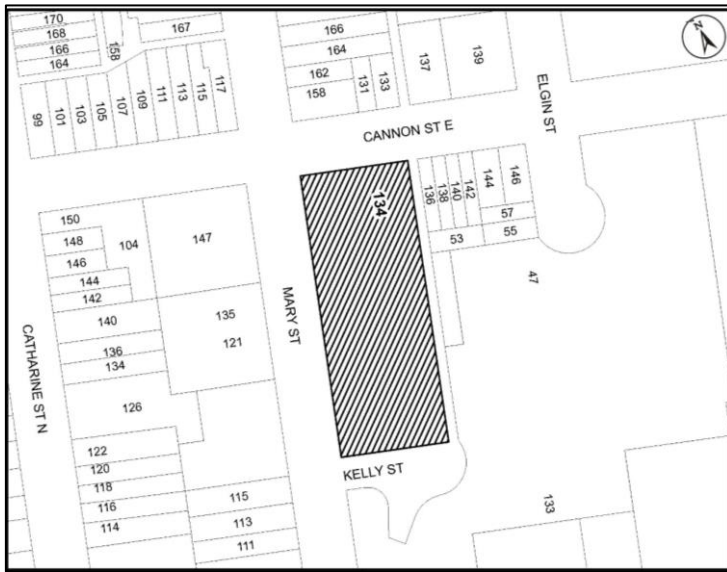


# Recommendation To Designate 134 Cannon Street East, Hamilton (Cannon Knitting Mills)

October 25, 2024

Hamilton Municipal Heritage Committee

# 134 Cannon Street East, Hamilton

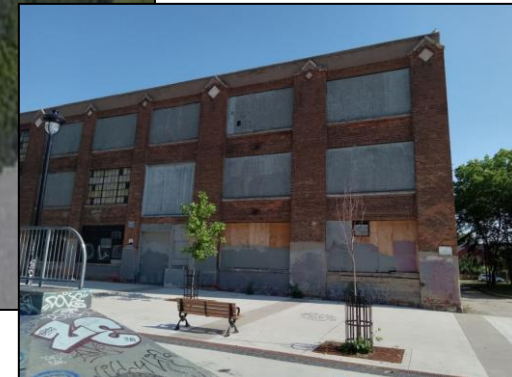


August 2014 - Property listed on Municipal Heritage Register.

March 2023 - Prioritized for Designation by January 1<sup>st</sup>, 2025



# Site Context

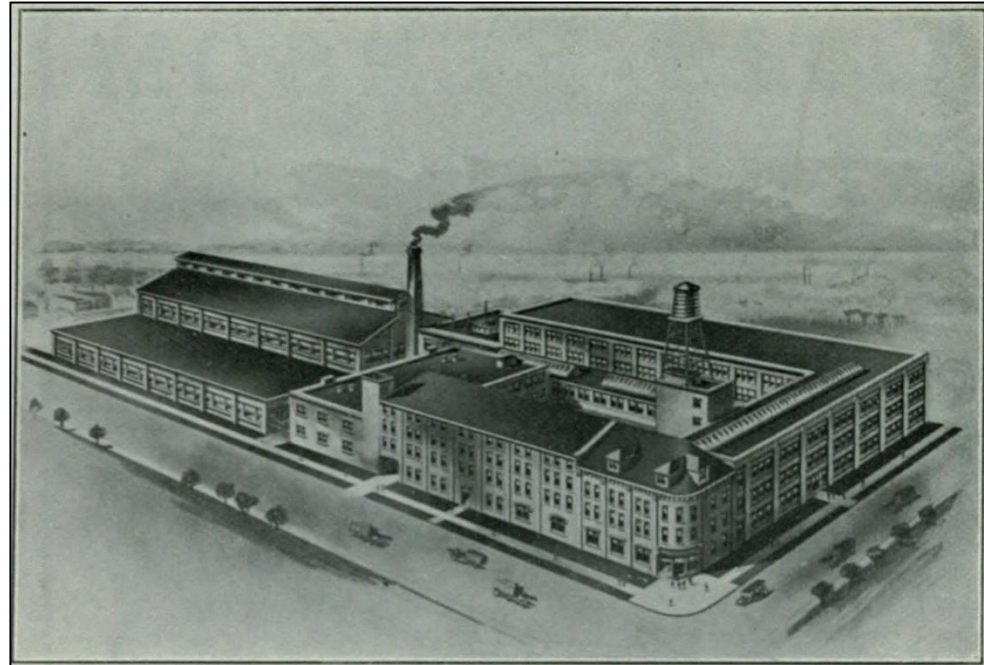


# Recommendation for Designation Under Part IV of the OHA

134 Cannon Street East, Hamilton

*Ontario Regulation 9/06* Criteria (8 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4, 5, 6 )
- Contextual (Criteria #7, 8, 9 )

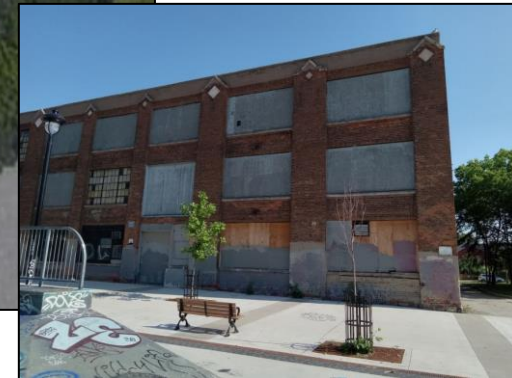


## Design / Physical Value

1. The property is a **rare example** of an **industrial complex** constructed in stages between circa **1866** and **1927**.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



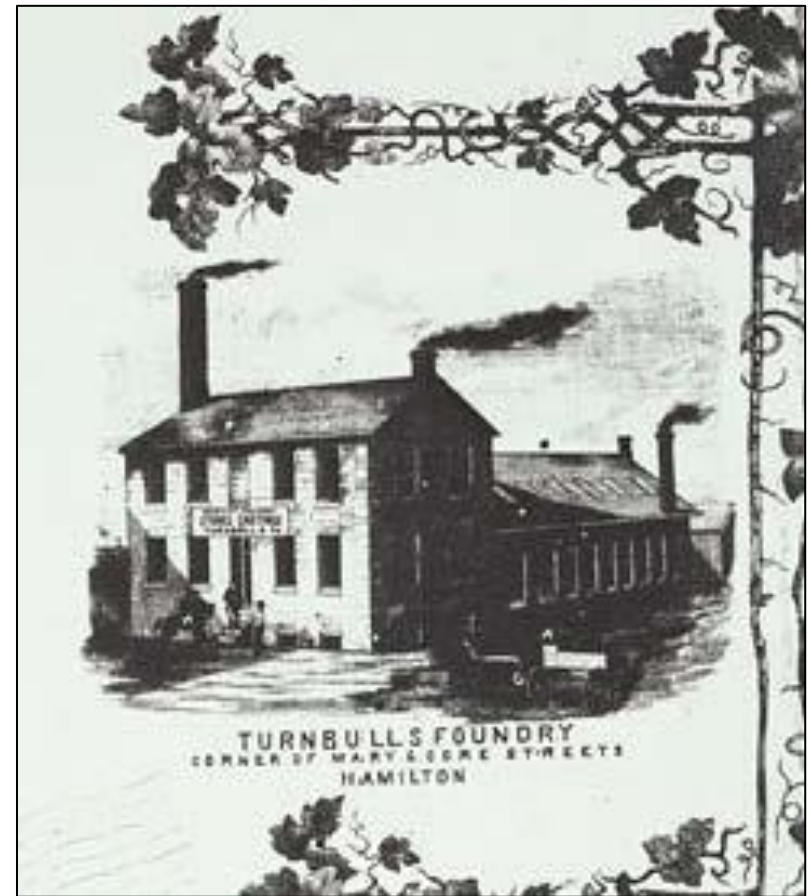
# Site Context

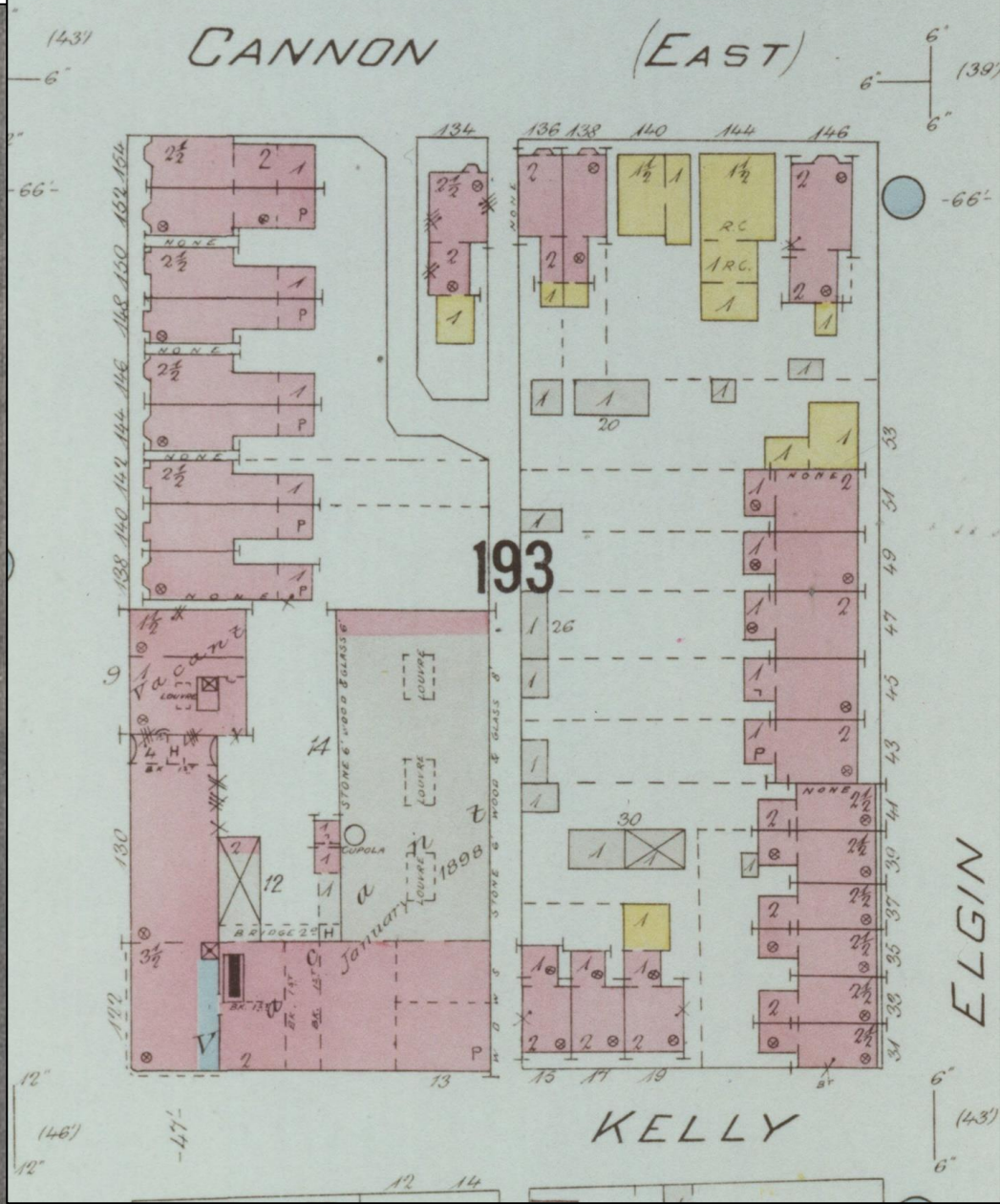
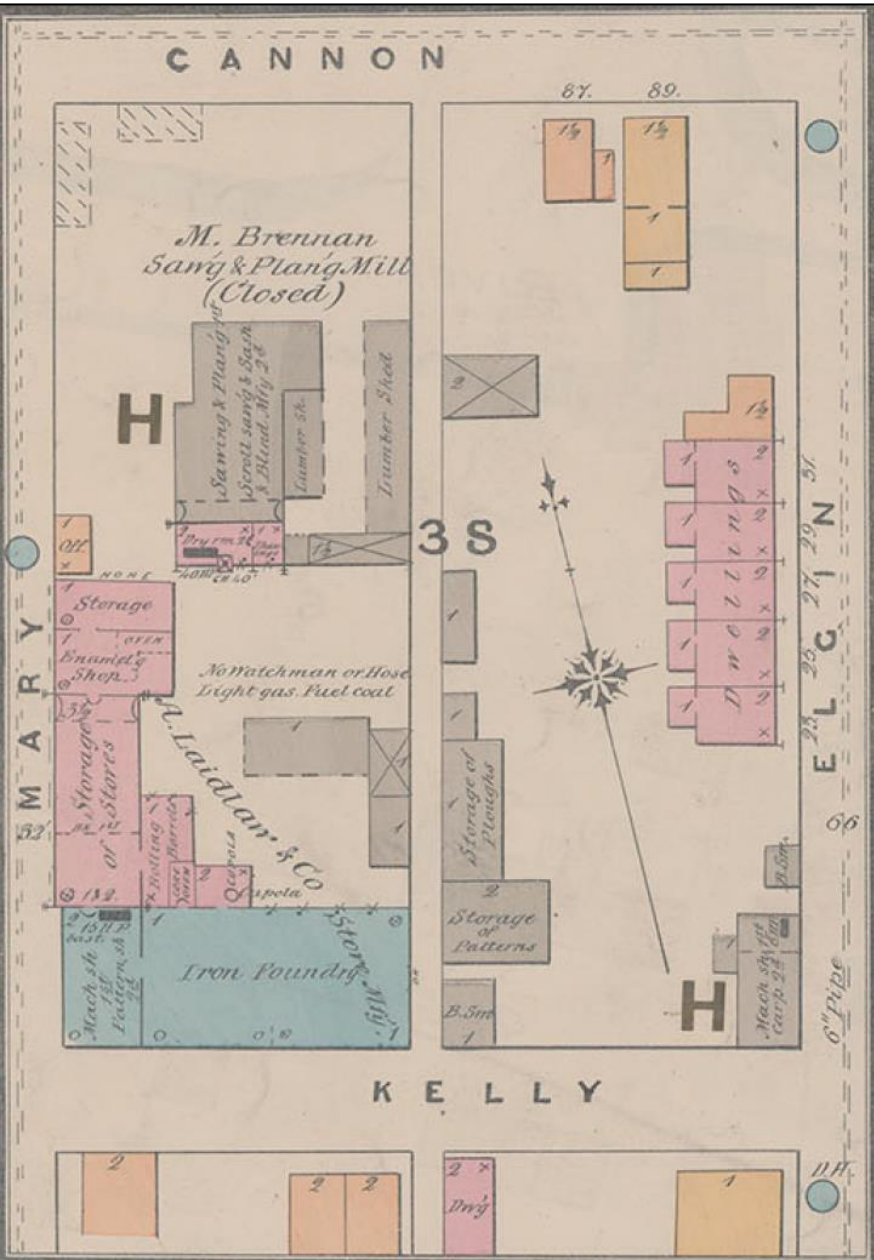




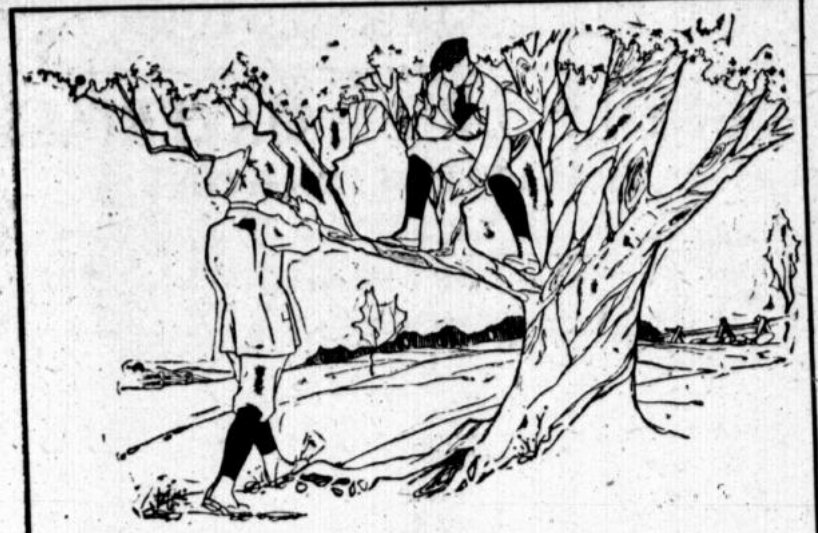
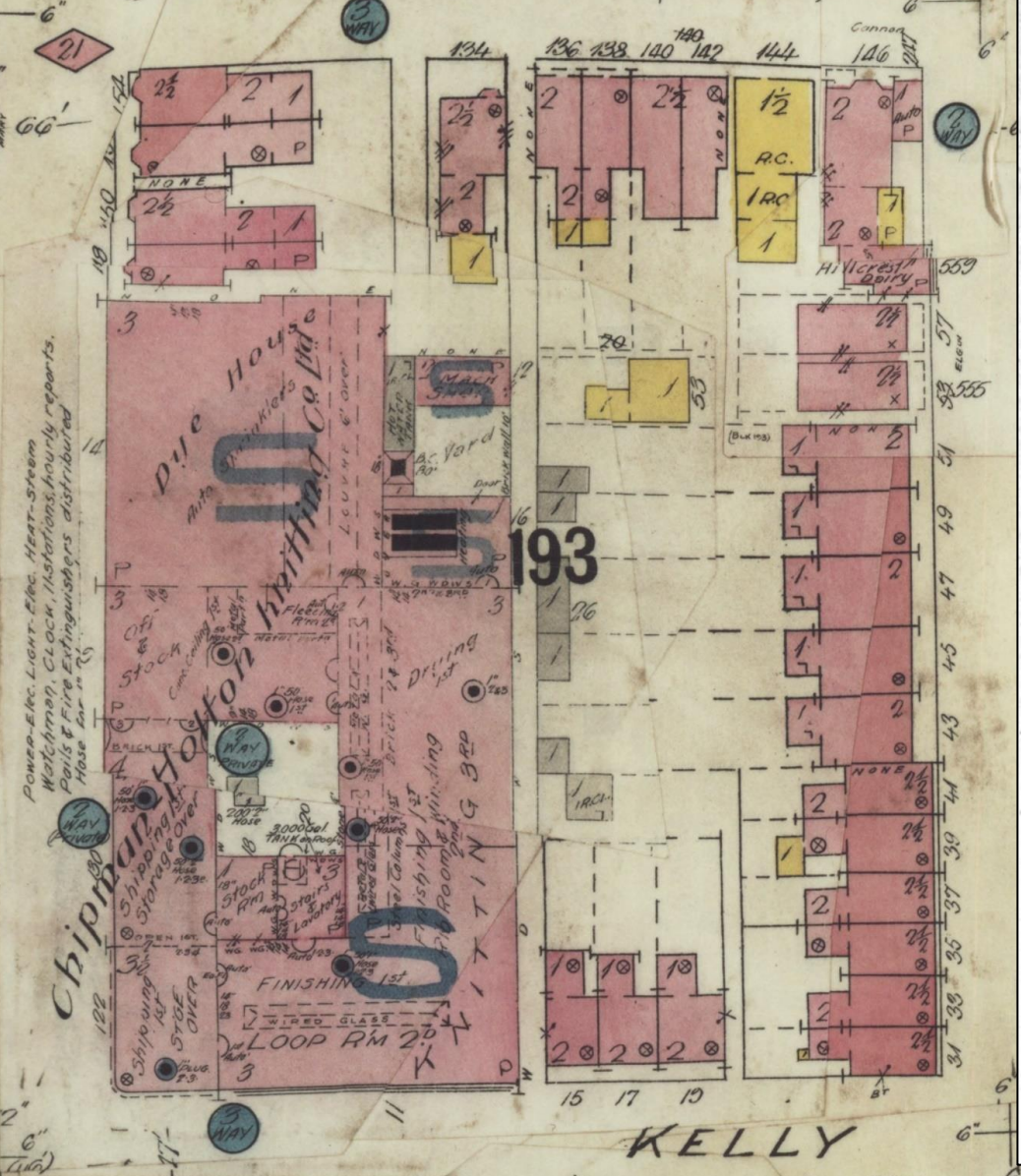
### Historical / Associative Value

4. The property is associated with two of Hamilton's historic industries- **textiles** and **metalworking**.
5. The property has the **potential** to yield information that **contributes** to an understanding of **Hamilton** as a **nineteenth-century industrial community**.
6. The property is considered to demonstrate the work or ideas of famed Hamilton architectural firm **Stewart & Witton**.





# CANNON (EAST)



## Stockings That Cost Less Because They Wear Longer

**Y**OUR boy is hard on stockings. Any normal, healthy boy is. You can't keep him from climbing trees and fences. But you can get him stockings that will stand this usage—that will give him extra wear and look well too. Just ask your dealer for Buster Brown Stockings.

Buster Brown Stockings wear longer because we knit them from extra-long yarn with double-ply legs and three-ply heels and toes. We make sure of Buster Brown quality

by spinning our own yarn. Our employees have had years of training, for special skill is necessary to knit Buster Brown Stockings.

You'll find them well-fitting and smoothly finished, for we knit good looks as well as durability into Buster Brown hosiery. They look well at all times.

Sold everywhere. Ask your dealer for Buster Brown durable hosiery.

**The Chipman-Holton Knitting Co., Limited**  
Hamilton, Ont.—Mills also at Welland





## The Chipman-Holton Knitting Company, Limited.

(LARGEST EXCLUSIVE MANUFACTURER OF HOSIERY IN THE DOMINION.)

Was established in 1902 for the manufacture of all kinds of seamless hosiery—wool, cashmere and cotton—for men, women and children. It specializes on the "Neverclarn" hole-proof hosiery, which is sold with a six-months' guarantee. It controls the sole Canadian rights for the manufacture of the famous "Buster Brown" stockings for boys. It also makes the "Rock Rib," "Hercules" and "Princess" brands of boys' and girls' hose.

The goods are sold exclusively through the wholesale trade; Messrs. E. H. Walsh & Company being selling agents, with offices in Manchester Building, Toronto, and Christine Building, Montreal.

## Contextual Value

7. The property defines the **character** of the **Beasley neighborhood**.
8. The property is **visually, historically and functionally linked to its surroundings**.
9. The property is **considered** to be a local **landmark**.



# Statement of Cultural Heritage Value or Interest (Summary)

The two-and-a-half-storey to four-storey brick complex at **134 Cannon Street East** was built in stages between 1866 and 1927. It has design value as a **rare example** of an **industrial complex** which evolved over time, which also displays a **high degree of craftsmanship**.

The historical value of the property lies in its association with two of Hamilton's leading **historic industries –textiles and metalworking-** and is associated with several Hamilton firms including the **Turnbull Foundry, Laidlaw Manufacturing** and the **Chipman-Holton Knitting Company**. It is also associated with leading Hamilton architectural firm **Stewart and Witton**.

Contextually, this property is **important** in **defining** the **character** of the **Beasley Neighbourhood**, and is **visually, historically and functionally linked** to its surroundings. As a distinctive and massive structure which dominates the local area, it is considered a landmark.

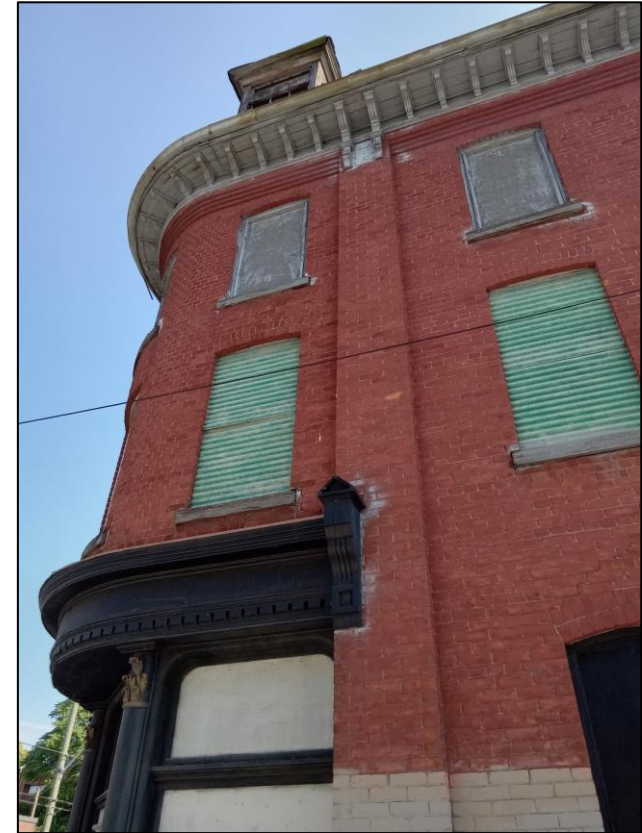
# Description of Heritage Attributes (Summary)

- The front (west) elevation and roofline of the four-storey circa 1866 brick building at 130 Mary Street, including its:
  - Side gable roof;
  - Brick façade laid in Common bond;
  - Six bay façade separated by raised brick pilasters;
  - Paired segmentally-arched windows with brick voussoirs and wooden lug sills; and,
  - Large ground-floor windows in the two southernmost bays with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.



## Description of Heritage Attributes (Continued)

- The front (west) and side (south) elevations and roofline of the three-and-a-half storey circa 1880 corner brick building at 122 Mary Street, including its:
  - Hip roof with a rounded corner and wood-framed dormers;
  - Projecting eaves with decorative wooden brackets, moulded frieze and decorative brick corbelling below;
  - Raised brick pilasters separating the bays with paired wooden brackets below the upper cornice;
  - Rounded southwest corner with a ground-floor entrance including a curved wooden cornice, decorative end brackets, wooden frieze with dentils, metal columns with Corinthian capitals and transoms;
  - Segmentally-arched window openings with brick voussoirs and wooden lug sills; and,
  - Large ground-floor windows on the west elevation with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.





# Description of Heritage Attributes (Continued)

- The front (south) and side (east) elevations of the three-storey 1911 brick building at 11 Kelly Street, including its:
  - Brick facades laid in Common bond;
  - Brick pilasters with pointed tops with diamond-shaped stone accents;
  - Flat-headed openings with stone sills and remaining multi-pane metal windows; and,
  - Decorative brickwork including courses of corbelled brick and relief work.



# Description of Heritage Attributes (Continued)

- The front (north) and side (west) elevations and roofline of the western portion of the 1911-1927 brick building at 140 and 146 Mary Street, including its:
  - Brick facades laid in Common bond;
  - Raised brick pilasters separating the bays;
  - Large flat-headed window openings with stone sills and remaining multi-pane metal windows;
  - Segmentally-arched openings in the ground floor of the three southern ground-floor bays with brick voussoirs and brick sills; and,
  - Stone foundation.



# Description of Heritage Attributes (Continued)

- The front (north) elevation and roofline of the eastern portion of the 1911-1927 brick building at 140 and 146 Mary Street (fronting onto Cannon Street East), including its:
  - Shaped brick parapet;
  - Central window with semi-circular transom, brick voussoirs and stone keystone, end stones and sills;
  - Flanking windows with semi-circular transoms, brick voussoirs and stone keystones, end stones and sills; and,
  - Recessed brickwork between first and second storey windows.



# Description of Heritage Attributes (Continued)

- The front (north) and side (east) elevation of the three-storey 1920 brick building at 134 Cannon Street East, including its:
  - Brick façades laid in Common bond;
  - Flat-headed window openings with stone lug sills;
  - Projecting ground-floor wooden cornice;
  - Decorative stone accents and banding;
  - Shallow paired brick pilasters; and,
  - Stone door surround.

The key contextual attributes include its:

- Location filling the half block formed by Cannon, Mary and Kelly Streets.



# Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 134 Cannon Street East, Hamilton (Cannon Knitting Mill)**, shown in Appendix "A" attached to Report PED24136, 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 PED24136, subject to the following:

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



Hamilton

QUESTIONS?



Hamilton

THANK YOU



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

FILE: HP2024-028

October 2, 2024

City of Hamilton  
c/o Brandylyn Tiffney  
125 St. Clair Avenue  
Hamilton, ON L8M 2N8

**Re: Heritage Permit Application HP2024-028: Replacement Tree Planting at 125 St. Clair Avenue, Hamilton (Ward 3) (St. Clair Avenue HCD, By-law No. 86-125)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-028 is approved for the designated property at 125 St. Clair Avenue, Hamilton in accordance with the materials submitted with the application for the following alterations:

- Planting a replacement tree (native Tulip Tree) in the front yard.

**Subject to the following conditions:**

- a) That any minor changes to the tree location 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
- a) That the installation of the alterations, in accordance with this approval, shall be completed no later than **September 30, 2026**. If the alterations are not completed by **September 30, 2026**, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

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



**Re: Heritage Permit Application HP2024-028: Replacement Tree Planting at 125  
St. Clair Avenue, Hamilton (Ward 3) (St. Clair Avenue HCD, By-law No. 86-125)  
- Page 2 of 2**

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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 Notice.

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, feel free to contact Emily Bent, Cultural Heritage Planner via email at [Emily.Bent@hamilton.ca](mailto:Emily.Bent@hamilton.ca).

Yours truly,



Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

cc: Emily Bent, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Nann, Ward 3



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

FILE: HP2024-026

October 2, 2024

Grace Ross  
24 Union Street,  
Flamborough, ON L0R 2H0

**Re: Heritage Permit Application HP2024-026: Exterior Alterations at 24 Union Street, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-026 is approved for the designated property 24 Union Street, Flamborough, in accordance with the materials submitted with the application for the following alterations:

- Replacement in kind of the wood board-and-batten siding on all exterior elevations, including:
  - Installation of new Maibec board-and-batten style wood siding with 9" wide vertical boards with 1-5/8" vertical battens, 4" x 4" outside corners, 6-inch top and bottom cords, 2" x 3" windowsills, and 1" x 4" trim, all in Citadel Blue solid stain colour; and,
  - Recapping the windowsills and trim with new metal;
- Replacement in kind of eavestrough and downspouts on the west elevation;
- Replacement of the four contemporary wood windows on the front (north) elevation with vinyl, hung windows; and,
- Repairs, as needed, to the remaining windows including patching, priming, and painting.

**Subject to the following conditions:**

- a) That the final details of the four rehabilitated or replaced front windows be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

- b) That 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) That the installation of the alterations, in accordance with this approval, shall be completed no later than **September 30, 2026**. If the alterations are not completed by **September 30, 2026**, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. 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 Notice.

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, feel free to contact Emily Bent, Cultural Heritage Planner via email at [Emily.Bent@hamilton.ca](mailto:Emily.Bent@hamilton.ca).

Yours truly,



Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

cc: Emily Bent, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor McMeekin, Ward 15



Mailing Address:  
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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

FILE: HP2024-027

September 26, 2024

City of Hamilton  
c/o Carolyn Samko  
28 James Street North, 2<sup>nd</sup> Floor  
Hamilton, ON L8P 4Y5

**Re: Heritage Permit Application HP2024-027: Planting of New Trees at 610 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239)**

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Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-027 is approved for the designated property at 610 York Boulevard, Hamilton (Dundurn Castle) in accordance with the submitted Heritage Permit Application for the following alterations:

- Planting of up to 23 new trees on the west side of Dundurn Park, adjacent to the parking lot, as follows:
  - Area 1 (old driveway entrance): 3 trees;
  - Area 2 (old driveway and 20<sup>th</sup>-century roadway along coach house): 6 trees to be planted; and
  - Area 3 (York Boulevard road allowance): up to 14 trees.

Subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) That the installation of the alterations, in accordance with this approval, shall be completed no later than September 30, 2026. If the alterations are not completed by September 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;

**Re: Heritage Permit Application HP2024-027: Planting of New Trees at 610 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239)**  
**Page 2 of 2**

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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 work. 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 Notice.

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, feel free to contact Dawn Cordeiro, Cultural Heritage Planner, at 905-546-2424 ext. 6145 or via email at [dawn.cordeiro@hamilton.ca](mailto:dawn.cordeiro@hamilton.ca).

Yours truly,



Anita Fabac, MCIP RPP  
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
Matt Gauthier, Legislative Coordinator  
Councillor Wilson, Ward 1

# Education & Communication Working Group

## Meeting Notes

Wednesday, April 3<sup>rd</sup>, 2024 (6:00 pm)  
WebEx Virtual Meeting

**Present:** Alissa Denham-Robinson (Chair), Sara Sandham, Graham Carroll, Karen Burke, Robin McKee,

**Regrets:** Janice Brown, Kristen McLaughlin, Stefan Spolnik, Julia Renaud,

**Staff Present:** Emily Bent, Cultural Heritage Planner

### 1. Changes to the Agenda

N/a

### 2. Declarations of Interest

N/a

### 3. Review of Previous Meeting Notes:

- a. February 3, 2024 - Approved by general consensus.

### 4. Policy & Administration

N/a

### 5. Publications & Print Projects

- a. Heritage Colouring Pages (Volume 3) – Verbal Update (Alissa D-R)

- i. The following draft pages were reviewed by the Working Group, to be added to Volume 3.

1. 44 Chatham St., Hamilton
2. Kerr House, 988 Concession St., Hamilton
3. Mountain Hospital, Hamilton (add address - 282 Mountain Park Ave.)

- b. Heritage Colouring Pages (Volume 4) – Verbal Update (Alissa)

- i. Students from Bernie Custis have completed assignments for Oct. – Dec. 2023 (Images have been provided by Mrs. Dywan for the WG to review).

The following images were reviewed:

1. Kirk House, Waterdown – Janice to provide draft text
2. Memorial Hall, Waterdown – Pages were completed and provided to the Flamborough Archives for their 50th Anniversary Event
3. Weeks of Waterdown – Karen to provide draft text for 5 Mill Steet, Waterdown

- ii. The students will be working on the American Hotel as the next graphic.

April 3, 2024

- iii. The Teacher and students would like to continue the project, if HMHC would like to continue the project.
  1. HMHC to provide images
  2. The students can do 2 properties per month until the end of the school year.
    - a. Package 1
      - i. New St. Marks - Graham to photograph
      - ii. 54/56 Hess (Recent Designations)
    - b. Package 2
      - i. Philpott
      - ii. Ancaster Hotel (Recent Designations)
    - c. Other future pages were discussed as follows:
      - i. Properties that we've lost. Lost heritage. (Could be the theme of a separate booklet) including the Tivoli
      - ii. Ancaster Property (Mason's Hall)
      - iii. Gasworks

## 6. Public Outreach and Events:

- a. Heritage Day Celebration - Update  
HMHC participated in this event organized by the City of Hamilton and Hamilton Wentworth Heritage Assoc. on Sat. Feb 24, 2024 @ 1pm (Dundurn Coach House).
- b. Doors Open Hamilton 2024  
Event organized by Hamilton Chapter of the Architectural Conservancy of Ontario Saturday May 4<sup>th</sup> (10am – 4pm) and Sunday May 5<sup>th</sup> (10am – 4pm)  
Theme: "Music in the Hammer"

The Working Group discussed the following items:

- HMHC will participate by hosting a display table to be located at St. Lawrence the Martyr Parish, 125 Picton Street E., Hamilton
  - We will promote the HMHC Awards, Future Nominations and our Heritage Colouring Books which will be available for handout. Staff to coordinate prints of the HMHC Colouring Books.
  - Alissa G. to follow-up with Tourism Office to make HMHC Colouring/Activity books available for Doors Open.
- a. HMHC Heritage Recognition Awards 2023-24
    - i. WG reviewed finalized list of Award Recipients
    - ii. WG members reviewed progress of remaining storyboards, research and photo assignments to be completed.
    - iii. WG discussed planning details for the in-person Celebration (food, set-up, promotion, etc.).
    - iv. Proposed schedule of key dates:

Working Period (Story Boards, etc.)	Ongoing
Deadline for Website Content	Staff to determine

Education & Communication Working Group

April 3, 2024

Working Period (Notification of Winners, Awards Prep, etc.)	March / April / May 2024
Website Content Due	Staff to determine
WG Meeting (In person @ City Hall) Package awards, prepare for the celebration, etc.	Wed. June 5, 2024
Website Launch	June 2024
Awards Celebration Event	June 13, 2024

**7. Other Business**

N/a

**8. Next Meeting:            Wednesday May 1, 2024 @ 6pm**



# Education & Communication Working Group

## Meeting Notes

Wednesday, May 1<sup>st</sup>, 2024 (6:00 pm)

WebEx Virtual Meeting

**Present:** Alissa Denham-Robinson (Chair), Sara Sandham, Graham Carroll, Karen Burke, Janice Brown, Kristen McLaughlin, Stefan Spolnik, Julia Renaud

**Regrets:** Robin McKee,

**Staff Present:** Emily Bent, Cultural Heritage Planner

### 1. Changes to the Agenda

N/a

### 2. Declarations of Interest

N/a

### 3. Review of Previous Meeting Notes:

N/a – No copy

### 4. Policy & Administration

N/a

### 5. Publications & Print Projects

#### a. Heritage Colouring Pages (Volume 4) – Verbal Update (Alissa)

- i. The Teacher and students would like to continue the project, if HMHC would like to continue the project. HMHC to provide additional images.

### 6. Public Outreach and Events:

#### a. Doors Open Hamilton 2024

Event organized by Hamilton Chapter of the Architectural Conservancy of Ontario  
Saturday May 4<sup>th</sup> (10am – 4pm) and Sunday May 5<sup>th</sup> (10am – 4pm)  
Theme: “Music in the Hammer”

The Working Group discussed the following items:

- HMHC will participate by hosting a display table to be located at St. Lawrence the Martyr Parish, 125 Picton Street E., Hamilton
- We will promote the HMHC Awards, Future Nominations and our Heritage Colouring Books which will be available for handout. Staff have coordinated prints of the HMHC Colouring Books.

April 3, 2024

- The Tourism Office has been provided copies of the HMHC Colouring/Activity books to have available to visitors for Doors Open.

a. HMHC Heritage Recognition Awards 2024-25

- i. A request was made to staff for the following:  
That the Award Nomination Form on the City's Website be updated to say the following:  
*"The Hamilton Municipal Heritage Committee is currently accepting nominations for the HMHC Heritage Recognition Awards. **The deadline for nominations is September 15<sup>th</sup>**. Please note that nominations received after this date may not be reviewed until the call for nominations in the following year"*

b. HMHC Heritage Recognition Awards 2023-24

- i. WG members reviewed progress of remaining storyboards, research and photo assignments to be completed.
- ii. WG discussed planning details for the in-person Celebration (food, set-up, promotion, etc.).
- iii. Proposed schedule of key dates:

Working Period (Story Boards, etc.)	Ongoing
Working Period (Notification of Winners, Awards Prep, etc.)	May 2024
Interim Working Meeting (Mid-May)	May 15 <sup>th</sup> (tentative)
Deadline for Website Content	Staff to determine (3 days advance)
WG Meeting (In person @ City Hall) Package awards, prepare for the celebration, etc.	Wed. June 5, 2024 4:00pm (Rm. 171)
Website Launch	June 2024
Awards Celebration Event	June 13, 2024

**7. Other Business**

N/a

**8. Next Meeting:** Wednesday June 5, 2024 @ 4pm – City Hall (in-person)

# Education & Communication Working Group

## Meeting Notes

Wednesday, May 15<sup>th</sup>, 2024 (6:00 pm)

WebEx Virtual Meeting

**Present:** Alissa Denham-Robinson (Chair), Sara Sandham, Graham Carroll, Karen Burke, Janice Brown, Kristen McLaughlin, Stefan Spolnik, Julia Renaud

**Regrets:** Robin McKee,

**Staff Present:** Emily Bent, Cultural Heritage Planner

**1. Changes to the Agenda**

N/a

**2. Declarations of Interest**

N/a

**3. Review of Previous Meeting Notes:**

N/a – No copy

**4. Policy & Administration**

N/a

**5. Publications & Print Projects**

N/a

**6. Public Outreach and Events:**

a. HMHC Heritage Recognition Awards 2023-24 – Check-in & Update

- i. WG members reviewed progress of remaining storyboards, research and photo assignments to be completed.
- ii. WG discussed planning details for the in-person Celebration (food, set-up, promotion, etc.).
- iii. Discussed preparations for June 5<sup>th</sup> when volunteers will assemble award packages, etc.

**7. Other Business**

N/a

**8. Next Meeting:** Wednesday June 5, 2024 @ 4pm – City Hall (in-person)

# Education & Communication Working Group

## Meeting Notes

Wednesday, June 5<sup>th</sup>, 2024 (6:00 pm)  
Hamilton City Hall – Rm. 171 (In-person)

**Present:** Alissa Denham-Robinson (Chair), Sara Sandham, Graham Carroll, Karen Burke, Janice Brown, Kristen McLaughlin, Stefan Spolnik, Julia Renaud

**Regrets:** Robin McKee,

**Staff Present:** Emily Bent, Cultural Heritage Planner  
Alissa Golden, Program Lead, Cultural Heritage

**1. Changes to the Agenda**

N/a

**2. Declarations of Interest**

N/a

**3. Review of Previous Meeting Notes:**

N/a – No copy

**4. Policy & Administration**

N/a

**5. Publications & Print Projects**

N/a

**6. Public Outreach and Events:**

- a. HMHC Heritage Recognition Awards 2023-24 – AWARD PREPARATION
  - i. WG members met to assemble Awards Packages.
  - ii. The WG reviewed the Award Presentation List, Roles & Responsibilities and the Event Program.
  - iii. WG discussed planning details for the in-person Celebration (food, set-up, promotion, etc.).

HMHC Awards Celebration to take place on Thursday June 13, 2024.

**7. Other Business**

N/a

**8. Next Meeting:** Wednesday July 3, 2024 @ 6pm (virtual)

# Education & Communication Working Group

## Meeting Notes

Wednesday, July 3<sup>rd</sup>, 2024 (6:00 pm)

Virtual Meeting (Microsoft Teams)

**Present:** Alissa Denham-Robinson (Chair), Janice Brown, Sara Sandham, Graham Carroll, Julia Renaud, Karen Burke, Emily Bent, Cultural Heritage Planner

**Regrets:** Robin McKee, Kristen McLaughlin, Stefan Spolnik,

**Also Present:** N/a

### 1. Changes to the Agenda

#### a. Membership Changes

Janice Brown and Kristen McLaughlin will be stepping away from E&C WG to pursue other volunteer opportunities. We value the work that they have done during their time on the Working Group and sincerely thank Janice and Kristen for sharing their time and talents with HMHC.

### 2. Declarations of Interest

N/a

### 3. Review of Previous Meeting Notes:

#### a. No copy

### 4. Publications & Print Projects

#### a. Heritage Colouring Pages (Volume 4) – Verbal Update (Alissa) – Bernie Custis is set to continue this project for the new school year.

##### i. Draft Text needed for the following pages:

1. Kirk House, Waterdown – Janice / Lyn – To be completed

##### ii. Layout to be completed for the following pages:

1. Kirk House, Waterdown – Alissa D-R – To be completed

##### iii. New Photos provided to students for the following properties:

###### Package 1

- New St. Marks
- 54/56 Hess (Recent Designations)

###### Package 2

- Philpott

July 3, 2024

- Ancaster Hotel (Recent Designations)  
Package 3
- Ancaster Property (Mason's Hall)
- Gasworks

b. New / Future Projects?

N/a

**5. Public Outreach and Events:**

a. HMHC Heritage Recognition Awards 2023-24

i. Wrap Up and Lessons Learned were discussed and recorded for future Award events including:

- a. Approx. 125 participants attended the 2024 event at Bridgeworks
- b. Food was very good and in accurate quantities. Review beverage options available for next time.
- c. Having nametags prepared was appreciated and very well received
- d. Consider introducing Award recipients to award Presenters at time of arrival – have a list available with the name tag distribution and Door Greeters
- e. Consider coordinating a dedicated volunteer to advance presentation slides on the laptop rather than the presenters
- f. It was helpful to have 2 volunteers distributing the awards but could be done by 1 person.
- g. Schedule a dedicated meeting 2 weeks prior to the Celebration to coordinate award presentation agenda, work through presentation content and review roles and responsibilities
- h. Consider trying to have more Spring/Summer content for property photos.

b. HMHC Heritage Recognition Awards 2024-25

Call for Public Nominations – deadline – September 15<sup>th</sup>

Proposed Date of future Awards Celebration – Thurs. June 12 2025 – to be verified

**6. Policy & Administration**

a. Plaquing Policy

- i. Working Group members provided with a brief project recap
- ii. Staff In-put to be requested in review of any future proposed plaquing protocol to be drafted by the Working Group.
- iii. Working Group discussed the potential “next steps” to making a recommendation. More details to be discussed at a dedicated meeting to be scheduled.

**7. Other Business**

N/a

**8. Next Meeting:**

~~Wednesday September 4, 2024 @ 6pm~~

Rescheduled to Thursday September 12, 2024

No meeting to be held in August.

# Education & Communication Working Group

## Meeting Notes

Thursday, September 12<sup>th</sup>, 2024 (6:00 pm)

Virtual Meeting (Microsoft Teams)

**Present:** Alissa Denham-Robinson (Chair), Kristen McLaughlin, Julia Renaud, Stefan Spolnik,

**Regrets:** Graham Carroll, Sara Sandham, Karen Burke, Robin McKee

**Staff Present:** Emily Bent, Cultural Heritage Planner  
Alissa Golden, Program Lead, Cultural Heritage  
Scott Dickenson, Planning Technician II - Cultural Heritage

### 1. Changes to the Agenda

N/a

### 2. Declarations of Interest

N/a

### 3. Review of Previous Meeting Notes:

- a. July 3, 2024 - Approved by general consensus.
- b. August 2024 - Working Group Meeting not held in August

### 4. Policy & Administration

- a. Plaquing Policy for Designated Heritage Properties (Alissa Golden / Scott Dickenson)
  - i. Review of Properties requiring plaques

#### 1. 130 Bay Street (Magnolia Hall (Former St. Mark's Church), Hamilton – City Owned

- a. Staff would like to apply to replace the original designation plaque that was stolen. A draft design was presented, using the same text as previous. The WG was in general agreement with the design and text. (Refer to Attachment)
- b. Members asked if other interpretive plaquing is proposed for the site. Following the meeting, Alissa Golden confirmed with Tourism and Culture staff that they are currently producing an interpretive panel on St. Marks and the site history to be installed inside the Hall.

## 2. Ancaster Designation Plaquing

- a. 176 Wilson Street East (Birch Lawn), Ancaster – privately owned
    - i. The WG was in general agreement with the draft text presented by Scott Dickenson. (Refer to Attachment)
  - b. 1166 Garner Road West (Shaver Homestead), Ancaster – privately owned
    - i. The WG was in general agreement with the draft text presented by Scott Dickenson. (Refer to Attachment).
    - ii. The WG inquired as to the use of the word “Nineteenth” versus writing this as a number to be consistent with other plaques. Staff to review the template with the Engraver. The template may not be able to accommodate superscript to write “19<sup>th</sup>”
  - c. Alissa Golden noted that these two Ancaster plaques are being paid for by the Councillor’s discretionary fund.
- ii. Overview of Plaquing Policy Review  
Alissa D-R provided a brief overview to WG members. Further discussion regarding a new Plaquing Policy will take place at a future meeting. Some items to note:
- a. Currently the City of Hamilton does not plaque part 5 properties in Heritage Conservation Districts. This may be something the WG wishes to address in a new policy. Financially for a budget discussion, there may be some staff time required to research property information to product a plaque.
  - b. Is there an opportunity to use QR codes to provide more historical information? For example – signage installed within a Heritage Conservation District or added to street signage could help to interpret the historical value of the area and the buildings within it.
  - c. How can we celebrate or bring attention to new heritage designation plaques that have been installed?
    - Host a celebration event (unveiling) in coordination with the local Councillor
    - Acknowledge plaqued properties at our Heritage Awards Celebration.

## 5. Publications & Print Projects

- a. Heritage Colouring Pages (Volume 4) – Verbal Update (Alissa D-R)
  - i. Alissa D-R to reach out the Mrs. Dywan at Bernie Custis Secondary School to follow-up on the project; now that the new school year has begun.



b. New / Future Projects?

- i. No new projects were proposed at this time.

**6. Public Outreach and Events:**

a. HMHC Heritage Recognition Awards 2024-25

- i. The Working Group generally discussed planning items for the next Award Celebration.
- ii. The deadline for the Call for Public Nominations has passed – September 15<sup>th</sup>.
- iii. HMHC and Working Group Members were encouraged to make their nomination submissions on-line prior to the next meeting.
- iv. At the next E&C meeting the Working Group will review the list of nominations received to date

**7. Other Business**

N/a

**8. Next Meeting(s):**

- a. (Plaquing Policy Review) - Wednesday October 2, 2024 at 6pm.
- b. (HMHC Heritage Awards Review) - Wednesday October 2, 2024 at 7pm



## HERITAGE PERMIT REVIEW SUB-COMMITTEE MINUTES 24-007

5:00 p.m.

Tuesday, September 17, 2024

Webex Virtual Streaming

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**Present:** Karen Burke (Chair), Graham Carroll (Vice Chair), Andrew Douglas  
Matthew LaRose, Katie McGirr, Carol Priamo, Andy MacLaren,  
Steve Wiegand

**Also**

**Present:** Dawn Cordeiro (Cultural Heritage Planner), Emily Bent (Cultural  
Heritage Planner)

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### FOR INFORMATION:

**(a) APPROVAL OF THE AGENDA (Item 2)**

**(MacLaren/Carroll)**

That the Agenda for September 17, 2024, be approved, as presented.

**CARRIED**

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

There were no Declarations of Interest.

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

**(i) August 20, 2024 (Item 4.1)**

**(Wiegand/Carroll)**

That the Minutes of August 20, 2024, meeting of the Heritage Permit  
Review Sub-Committee, be approved, as presented.

**CARRIED**

**(d) DISCUSSION ITEMS (Item 10)**

**(i) HP2024-027 – 610 York Boulevard, Hamilton (Dundurn Castle, Part IV)  
(Item 10.1)**

- Planting of up to 23 new trees on the west side of Dundurn Park, adjacent to the parking lot, as follows:
  - Area 1 (old driveway entrance): 3 trees;
  - Area 2 (old driveway and 20th-century roadway along coach house): 6 trees to be planted; and
  - Area 3 (York Boulevard road allowance): up to 14 trees

The Applicant, Carolyn Samko, Senior Project Manager – Culture Capital Projects, City of Hamilton, was present to respond to questions from Committee. The Sub-Committee considered the application and together with advice from staff, passed the following motion:

**(Carroll/MacLaren)**

(a) That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-027 be consented to, subject to the following Conditions:

- (i) That any minor changes to the proposed tree plantings 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
- (ii) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than September 30, 2026. If the alteration(s) are not completed by September 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

**CARRIED**

(ii) **HP2024-028 – 125 St. Clair Avenue, Hamilton (St. Clair Avenue HCD, Part V) (Item 10.2)**

- Planting a replacement tree (native Tulip Tree) in the front yard

The Subcommittee considered the application, and together with input and advice from staff, passed the following motion:

**(MacLaren/McGirr)**

(a) That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-028 be consented to, subject to the following Conditions:

- (i) That any minor changes to the tree location 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
- (ii) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than September 30, 2026. If the alteration(s) are not completed by September 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton

**CARRIED**

**(iii) HP2024-026 – 24 Union Street, Waterdown (Mill Street HCD, Part V)  
(Item 10.3)**

- Replacement in kind of the wood board-and-batten siding on all exterior elevations, including:
  - Installation of new Maibec board-and-batten style wood siding with 9" wide vertical boards with 1-5/8" vertical battens, 4" x 4" outside corners, 6-inch top and bottom cords, 2" x 3" windowsills and 1" x 4" trim, all in Citadel Blue solid stain colour; and,
  - Recapping the windowsills and trim with new metal.
- Replacement in kind of eavestrough and downspouts on west elevation;
- Replacement of the four contemporary wood windows on the front (north) elevation with vinyl, hung windows; and,
- Repairs, as needed, to the remaining windows including patching, priming and painting.

Jerry Benjamins, representative, and Grace Ross, owner, were present to respond to questions from Committee. The Subcommittee considered the application and together with advice from staff, passed the following motion:

**(MacLaren/McGirr)**

- (a) That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-026 be consented to, subject to the following Conditions:
  - (i) That the final details of the 4 rehabilitated or replaced front windows 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;

- (ii) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and
- (iii) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than September 30, 2026. If the alteration(s) are not completed by September 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**CARRIED**

**(e) ADJOURNMENT (Item 15)**

**(Carroll/LaRose)**

That, there being no further business, the Heritage Permit Review Sub-Committee, be adjourned, at 5:35 pm.

**CARRIED**

Respectfully submitted,

Karen Burke, Chair  
Heritage Permit Review  
Sub-Committee

Dawn Cordeiro  
Cultural Heritage Planner



# INFORMATION REPORT

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Heritage Designations Update, October 2024 (PED24187) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Alissa Golden (905) 546-2424 Ext. 1202
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## BACKGROUND

On March 29, 2023, Council approved the following recommendation as part of Report PED22211(a), which responded to the changes implemented as part of Bill 23, *Schedule 6, More Homes Built Faster Act, 2022*:

“That Cultural Heritage Planning staff be directed to update the Candidates for Part IV Designation list, as required, to identify properties of cultural heritage value or interest worthy of further review for potential designation under Part IV of the Ontario Heritage Act, and that the list be reported to the Hamilton Municipal Heritage Committee quarterly and be made publicly available.”

This Report provides a summary of heritage designation program work, including a list of new additions to the City’s list of candidates for Part IV designation.

## INFORMATION

### Candidates for Part IV Designation

Since the last Information Report updates to Hamilton Municipal Heritage Committee in August 2023 (see Report PED23169) and December 2023 (see Report PED23259),

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staff have evaluated and added the following properties to the public list of candidates for designation as a result of public, HMHC and owner requests, and/or from staff review:

- 99 Garner Road East, Ancaster (White Brick Church);
- 34 Baldwin Street, Dundas;
- 210 Aberdeen Avenue, Hamilton;
- 54 James Street North, Hamilton;
- 285 King Street West, Hamilton (Chantilly Apartments);
- 11 Liberty Street, Hamilton; and,
- 18 Liberty Street, Hamilton.

### **Property Designations**

Since the start of 2024, 23 properties have been processed for designation, as follows:

Ancaster:

1. **1166 Garner Road West, Ancaster** (Shaver Homestead)
  - Recommendation to Designate approved by Council on March 27, 2024.
  - Notice of Intention to Designate published on April 26, 2024.
  - Designation By-law No. 24-084 passed by Council on June 12, 2024.
  - Notice of By-law Passing issued June 24, 2024.
  - By-law Registered July 30, 2024.
2. **176 Wilson Street East, Ancaster** (Birch Lawn)
  - Recommendation to Designate approved by Council on January 24, 2024.
  - Notice of Intention to Designate published on February 6, 2024.
  - Designation By-law No. 24-066 passed by Council on May 8, 2024.
  - Notice of By-law Passing issued May 21, 2024.
  - By-law Registered July 30, 2024.
3. **241 Wilson Street East, Ancaster** (Ancaster Carriage Company Factory)
  - Recommendation to Designate approved by Council on January 24, 2024.
  - Notice of Intention to Designate published on February 6, 2024.
  - Designation By-law No. 24-067 passed by Council on May 8, 2024.
  - Notice of By-law Passing issued May 21, 2024.
  - By-law Registered July 30, 2024.
4. **311 Wilson Street East, Ancaster** (Orton House)
  - Recommendation to Designate approved by the Hamilton Municipal Heritage Committee on September 27, 2024.
  - Recommendation to Designate considered by Council on October 23, 2024.

5. **380-386 Wilson Street East, Ancaster** (Ancaster Hotel and Coach House)
  - Recommendation to Designate approved by Council on March 27, 2024.
  - Notice of Intention to Designate published on April 26, 2024.
  - Designation By-law No. 24-083 passed by Council on June 12, 2024.
  - Notice of By-law Passing issued June 24, 2024.
  - By-law Registered July 30, 2024.
  
6. **419 Wilson Street East, Ancaster** (Masonic Lodge)
  - Recommendation to Designate approved by Council on March 27, 2024.
  - Notice of Intention to Designate published on April 26, 2024.
  - Designation By-law No. 24-082 passed by Council on June 12, 2024.
  - Notice of By-law Passing issued June 24, 2024.
  - By-law Registered July 30, 2024.

Dundas:

7. **223 Governor's Road, Dundas** (Starfield)
  - Recommendation to designate to be considered by Hamilton Municipal Heritage Committee on November 22, 2024.
  
8. **85 King Street East, Dundas**
  - Recommendation to Designate approved by Council on August 16, 2024.
  
9. **291 King Street West, Dundas**
  - Recommendation to Designate approved by Council on July 12, 2024.
  - Notice of Intention to Designate published on July 25, 2024.
  - Designation By-law No. 24-162 passed by Council on September 25, 2024.
  - Notice of By-law Passing to be issued on October 9, 2024.
  
10. **7 Rolph Street, Dundas** (Lennard House / Mushroom House)
  - Recommendation to Designate approved by Council on August 16, 2024.
  - Notice of Intention to Designate published on September 5, 2024.

Flamborough:

11. **340 Dundas Street East, Flamborough** (Eager House)
  - Recommendation to Designate approved by Council on July 12, 2024.
  - Notice of Intention to Designate published on July 25, 2024.
  - Designation By-law No. 24-158 passed by Council on September 11, 2024.
  - Notice of By-law Passing issued September 27, 2024.



12. **265 Mill Street South, Flamborough** (Braebourne)
  - Recommendation to designate approved by the Hamilton Municipal Heritage Committee on September 27, 2024.
  - Recommendation to Designate considered by Council on October 23, 2024.
13. **6 Websters Falls, Flamborough** (Springdale)
  - Recommendation to Designate approved by Council on August 16, 2024.
  - Notice of Intention to Designate published on September 5, 2024.

Glanbrook:

14. **1320 Woodburn Road, Glanbrook** (Edmunds House)
  - Recommendation to designate approved by the Hamilton Municipal Heritage Committee on May 24, 2024.
  - Recommendation referred back to staff by Planning Committee on June 4, 2024, to allow for consultation with the property owners and Ward 11 Councillor.

Note: This property has been added to the public list of candidates for designation and is no longer being processed as a high priority for designation.

Hamilton:

15. **24 Blake Street, Hamilton** (Eastcourt Carriage House)
  - Recommendation to designate approved by the Hamilton Municipal Heritage Committee on September 27, 2024.
  - Recommendation to Designate considered by Council on October 23, 2024.
16. **134 Cannon Street East, Hamilton** (Former Cannon Knitting Mills)
  - Recommendation to designate considered by Hamilton Municipal Heritage Committee on October 25, 2024.
17. **2 Dartnall Road, Hamilton** (Former Harris Grain Elevator)
  - Recommendation to Designate approved by Council on May 22, 2024.
  - Notice of Intention to Designate published on May 31, 2024.
  - Designation By-law No. 24-145 passed by Council on August 16, 2024
  - Notice of By-law Passing issued September 5, 2024.
18. **7 Ravenscliffe Avenue, Hamilton** (The Barton)
  - Designation By-law No. 24-007 passed by Council on January 24, 2024.
  - Notice of By-law Passing issued January 30, 2024.
  - By-law Registered March 8, 2024.

19. **54 and 56 Hess Street South, Hamilton**
  - Designation By-law No. 24-010 passed by Council on January 24, 2024.
  - Notice of By-law Passing issued January 30, 2024.
  - By-law Registered March 8, 2024.
  
20. **634 Rymal Road West, Hamilton (Former Union School)**
  - Recommendation to Designate approved by Council on September 11, 2024.
  - Notice of Intention to Designate published on September 27, 2024.
  
21. **84 York Boulevard, Hamilton (Philpott Memorial Church)**
  - Recommendation to Designate approved by Council on March 27, 2024.
  - Notice of Intention to Designate published on April 15, 2024.
  - Planning Committee consideration of designation objections on June 18, 2024.
  - Council direction on July 12, 2024, for staff to negotiate heritage covenant agreement with the owner and report back by December 11, 2024.

Stoney Creek:

22. **21-25 Jones Street, Stoney Creek (Powerhouse)**
  - Recommendation to designate considered by Hamilton Municipal Heritage Committee on October 25, 2024.
  
23. **2251 Rymal Road East, Stoney Creek (Former Elfrida Church)**
  - Recommendation to designate considered by Hamilton Municipal Heritage Committee on October 25, 2024.

### **Proactive Register Listings Update**

The current City approach to listing properties on the Municipal Heritage Register is a strategic one; a property should not be listed on the Municipal Heritage Register unless it is under immediate threat of potential demolition or removal or is anticipated to trigger a Prescribed Event under the *Planning Act*. The *Ontario Heritage Act* requires that a property be listed on the Municipal Heritage 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 the 90-day restricted window.

Since implementing the proactive listing process in March 2023, staff have brought forward eight reports to the Hamilton Municipal Heritage Committee for consideration. Proactive listings have resulted from Formal Consultation applications and from perceived threats of redevelopment or substantial alteration of a property, typically resulting from a change of ownership.

Recent provincial amendments implemented as part of Bill 185, *Cutting Red Tape to Building More Homes Act, 2024*, now make the City of Hamilton's Formal Consultation application process voluntary instead of mandatory, which diminishes the City's ability to proactively list properties on the Municipal Heritage Register prior to a Prescribed Event. As such, the proactive listing of properties triggered by other events, such as a real estate listing and potential change in ownership that may indicate a redevelopment or substantial alteration to the property, becomes a vital component of the City's proactive listing process.

### **High Priority Work Plan into 2025-2026**


On June 24, 2024, the Hamilton Municipal Heritage Committee received Report PED24127, summarizing the impacts of provincial Bill 200, *Homeowner Protection Act, 2024*, which received Royal Assent on June 6, 2024. As a result of Bill 200, the expiry of "legacy listed properties" on the Municipal Heritage Register was extended by the province from January 1, 2025, to January 1, 2027. Staff continue to work through the approximately 60 Council-approved high priorities on the City's public list of candidates for designation, in addition to new requests for designation and the proactive screening and listing of properties that may be subject to Prescribed Events under the *Planning Act*.

Staff have been able to advance the heritage designations for 21 new properties in 2024. The additional two-year reprieve on de-listing will give staff time to continue to work through the existing high priority list, in addition to new designation requests and subsequent high priorities that may be flagged through the development application and Building Permit process. Staff resources will also be required to manage the administrative side of listing expiries, including notifying owners, and updating internal databases and mapping, and to review and bring forward additional designations related to proactive listings set to expire.

(AG/mb)



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

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Heritage Permit Application HP2024-023, Under Part V of the <i>Ontario Heritage Act</i> , to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5)
<b>WARD AFFECTED:</b>	Ward 5
<b>PREPARED BY:</b>	Dawn Cordeiro (905) 546-2424 Ext. 6145
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That Heritage Permit Application HP2024-023, for the demolition of the existing dwelling and detached garage on the Part V designated lands located at 940 Beach Boulevard, Hamilton, under Section 42 of the *Ontario Heritage Act*, be APPROVED with the following condition:
  - (i) That implementation of the demolition of the dwelling and detached garage, in accordance with this approval, shall be completed no later than November 30, 2026. If demolition is not completed by November 30, 2026, then this approval expires as of that date and no demolition shall be undertaken without a new approval issued by the City of Hamilton;
- (b) That appropriate notice of the Council decision on Heritage Permit Application HP2024-023 be served on the owner of 940 Beach Boulevard, Hamilton, and the Ontario Heritage Trust, as required under Section 42 of the *Ontario Heritage Act*.

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**SUBJECT: Heritage Permit Application HP2024-023, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5) – Page 2 of 6**

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**EXECUTIVE SUMMARY**

The subject property, located at 940 Beach Boulevard, Hamilton, is located in the Hamilton Beach Heritage Conservation District and designated under Part V of the *Ontario Heritage Act*. On May 25, 2022, Council approved Heritage Permit Application HP2022-007, to permit the demolition of the existing dwelling and garage on site to facilitate a severance into three parcels and to allow for future residential construction on the property. A Cultural Heritage Impact Assessment was submitted in support of the original Heritage Permit Application HP2022-007 (see Appendix “B” of Report PED22124(a)), which confirmed that the existing twentieth-century structures on the property do not have any heritage value and do not contribute to the character of the Hamilton Beach Heritage Conservation District.

Heritage Permit HP2022-007 expired on April 30, 2024, prior to the demolition of the structures on site. On July 31, 2024, staff received a request to renew the permit after its expiry, which requires new Council approval. The scope of the permit has not changed from the original application and staff remain supportive of the proposal to demolish the buildings on the property, as previously advised by the Heritage Permit Review Subcommittee and the Hamilton Municipal Heritage Committee.

The applicant also applied for consent to sever the property as part of Application B-24:48, which was considered and conditionally approved by the Committee of Adjustment on September 10, 2024. Any proposed new construction following severance of the property would require additional Heritage Permit application(s) and Council approval, in accordance with the *Ontario Heritage Act* and the policies and guidelines for new construction in the Hamilton Beach Heritage Conservation District Plan, to ensure they are compatible and sympathetic to the historic character of the area.

**Alternatives for Consideration – See Page 6**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: This Heritage Permit Application has been processed and considered in accordance with Section 42 of the *Ontario Heritage Act* for the demolition of a Part V designated property within the Heritage Conservation District. Section 42 (1) of the *Ontario Heritage Act* requires that an owner obtain a permit from the municipality to demolish or remove a building or structure on

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**SUBJECT: Heritage Permit Application HP2024-023, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5) – Page 3 of 6**

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the property. Council may decide to approve the permit, approve with conditions, or refuse it.

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

## **HISTORICAL BACKGROUND**

The subject property located at 940 Beach Boulevard, Hamilton (see Appendix “A” attached to Report PED22124(a)) was designated under Part V of the *Ontario Heritage Act* in 2000 as part of the Hamilton Beach Heritage Conservation District by By-law No. 00-135. The Hamilton Beach District area was historically known as a lakeside community with a long, rich history of human settlement, hunting and fishing grounds, as well as an important travel route around the lake. The District has an eclectic mix of single detached dwellings, many still reminiscent of the original summer cottage and seasonal homes constructed along the beach strip in the early twentieth century.

As identified in the property history included in the Cultural Heritage Impact Assessment attached as Appendix “B” to Report PED22124(a), the existing dwelling located on the property was constructed prior to 1954 and the garage after 1967. Previously the “Heath Cottage,” a single-storey frame dwelling with a wrap-around porch and single-storey accessory structure, was located on the northern half of the property, however, the Heath Cottage was removed prior to the construction of the current dwelling, a mid-century vernacular bungalow constructed of red brick on a concrete foundation with a small rear addition. Cut stone cladding is included on the east (front) elevation. The detached garage is also constructed of red brick with cut stone cladding on the east (front) elevation.

On May 25, 2022, Council approved Heritage Permit Application HP2022-007, to permit the demolition of the existing dwelling and garage on site to facilitate a severance into three parcels and to allow for future residential construction on the property. A Cultural Heritage Impact Assessment was submitted in support of the original Heritage Permit Application HP2022-007 (see Appendix “B” attached to Report PED22124(a)), which confirmed that the existing twentieth-century structures on the property do not have any heritage value and do not contribute to the character of the Hamilton Beach Heritage Conservation District. The Heritage Permit Review Subcommittee and the Hamilton Municipal Heritage Committee were consulted and recommended approval of the previous application at their meetings on April 19, 2022, and May 13, 2022, respectively.

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**SUBJECT: Heritage Permit Application HP2024-023, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5) – Page 4 of 6**

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Heritage Permit HP2022-007 expired on April 30, 2024, prior to the demolition of the structures on site. On July 31, 2024, staff received a request to renew the permit after its expiry, which requires new Council approval. The scope of the permit has not changed from the original application and staff remain supportive of the proposal to demolish the buildings on the property, as previously advised by the Heritage Permit Review Subcommittee and the Hamilton Municipal Heritage Committee.

On September 10, 2024, the Committee of Adjustment considered Application B-24:48 to sever the subject property into three parcels. The application was approved with conditions, including a condition to obtain heritage permit approval to demolish.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendations of this Report are consistent with Provincial and Municipal legislation, policy, and direction, including:

- *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*. (Provincial Planning Statement, 2024, Sub-section 4.6.1);
- Conserving the character of areas of cultural heritage significance, including designated heritage conservation districts (Urban Hamilton Official Plan, Volume 1, Chapter B.3.4.2.1(h)); and,
- Managing change in the Hamilton Beach Heritage Conservation District in accordance with the District Plan (By-law No. 00-135).

### **RELEVANT CONSULTATION**

- Property Owner;
- Heritage Permit Review Subcommittee;
- Hamilton Municipal Heritage Committee; and,

The Ward Councillor (Councillor Francis) for Ward 5 has been advised that this matter was to be considered by the Hamilton Municipal Heritage Staff and has been provided an overview of the Heritage Permit application and recommendation for approval.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The subject Heritage Permit Application HP2024-023 is seeking approval to renew a previously approved and expired permit HP2022-007, to demolish the existing dwelling and detached garage on the Part V designated property located at 940 Beach Boulevard, Hamilton, in the Hamilton Beach Heritage Conservation District.

The proposed demolition is required to facilitate a severance of the property into three

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**SUBJECT: Heritage Permit Application HP2024-023, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of the Existing Dwelling and Garage at 940 Beach Boulevard, Hamilton (PED22124(a)) (Ward 5) – Page 5 of 6**

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parcels for new residential construction. In support of the application, the following documents were submitted:

- Completed Heritage Permit Application form requesting renewal of previously approved Heritage Permit HP2022-007;
- Cultural Heritage Impact Assessment, prepared by LHC Heritage Planning and Archaeology (March 2022), attached as Appendix “B” to Report PED22124(a); and,
- Committee of Adjustment Application and Notice of Public Hearing for B-24:48.

The scope of the new application HP2024-023 is the same as the previously submitted and Council-approved permit HP2022-007, and staff’s analysis and recommendation remains the same, as outlined in Report PED22124.

In consideration of any Heritage Permit Application, staff must assess the impact of the displacement and disruption effects on the heritage resources. No heritage attributes for the subject property are identified but the proposal was assessed against the guidelines of the Hamilton Beach Heritage Conservation District Plan, while taking into account the recommendations of the supporting documentation.

As part of the supporting documentation, the Cultural Heritage Impact Assessment provided a property history, evaluation in accordance with Ontario Regulation 9/06 of the *Ontario Heritage Act*, and assessment of existing conditions of the property, including images of the pre-1954 dwelling (which is not the original Heath Cottage), post-1967 garage and streetscape. The Cultural Heritage Impact Assessment noted that the structures on the property are not contributing heritage buildings within the Beach Boulevard streetscape, which staff concur with. As such, the demolition of the existing structures would not result in displacement effects since valued heritage features are not being removed.

Minimal disruption effects are expected to the overall heritage context of the Hamilton Beach District as the applicant is seeking to construct three new dwellings. Any proposed new construction following severance of the property would require additional Heritage Permit application(s) and Council approval, in accordance with the *Ontario Heritage Act* and the policies and guidelines for new construction in the Hamilton Beach Heritage Conservation District Plan, to ensure they are compatible and sympathetic to the historic character of the area. As noted in the Cultural Heritage Impact Assessment, the designs for new construction should be reviewed for compliance early in the process. However, the design of the new dwellings is beyond the scope of this Heritage Permit Application to demolish the existing dwelling and garage on site.

Therefore, staff are supportive of the application as proposed because of the absence



of displacement effects and minimal disruption effects as a result of the proposed work.

## **ALTERNATIVES FOR CONSIDERATION**

### **1. Deny the Heritage Permit Application**

Hamilton Municipal Heritage Committee may advise Council to deny this application in its entirety. This is not being recommended by staff as the proposed buildings to be demolished do not have any identified heritage value contributing to the Hamilton Beach Heritage Conservation District.

### **2. Approve the Heritage Permit Application with additional or amended conditions.**

Hamilton Municipal Heritage Committee may advise Council to approve this application with additional or amended conditions of approval, as appropriate. This is not being recommended as staff feel that the Heritage Permit standard condition for expiry is sufficient and in line with the previous advice provided by the Heritage Permit Review Subcommittee and Hamilton Municipal Heritage Committee during their review of the previous application.

### **3. Approve the Heritage Permit Application with no conditions.**

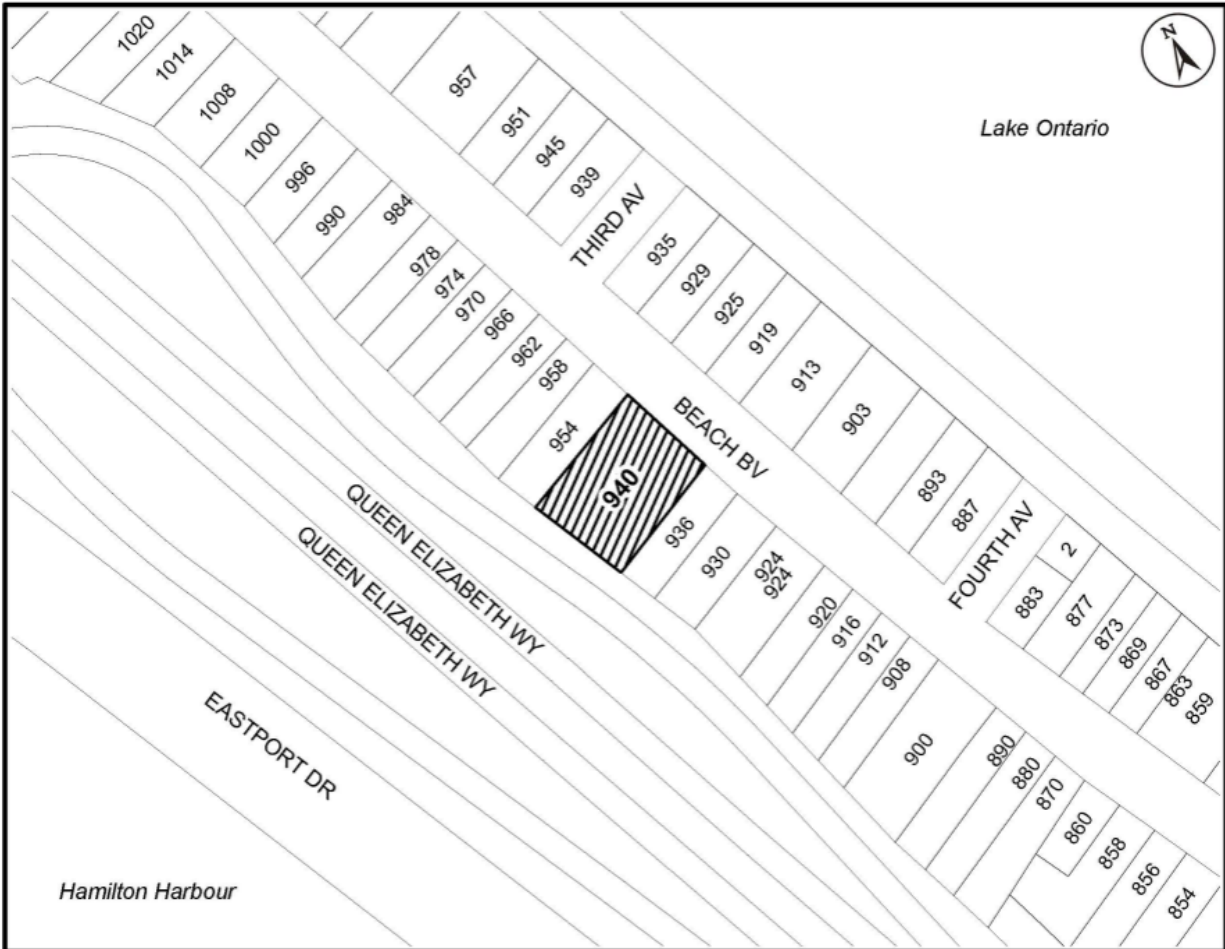
Hamilton Municipal Heritage Committee may advise Council to approve this application with no conditions. This alternative is not recommended, as a standard permit expiry condition ensures that, if the permit is not acted on in a reasonable amount of time, the approval expires and new approval is required prior to implementation of the proposed scope of work.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED22124(a) - Location Map


Appendix “B” to Report PED22124(a) - Cultural Heritage Impact Assessment

DC:mb




## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

  
 Hamilton

File Name/Number: HP2024-023	Date: September 13, 2024
Appendix "A"	Scale: N.T.S.
Planner/Technician: CR/AL	

**Subject Property**

 940 Beach Boulevard

# FINAL REPORT:

## Cultural Heritage Impact Assessment

940 – 946 Beach Boulevard,  
Hamilton, Ontario



**LHC | Heritage  
Planning and  
Archaeology**

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March 2022

Project # LHC0283

**LHC**

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## **RIGHT OF USE**

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## **REPORT LIMITATIONS**

The qualifications of the heritage consultants who authored this report are provided in Appendix A: Qualifications. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies. All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not a structural engineering assessment of the buildings unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the property or the condition of any heritage attributes.

The review of policy and legislation was limited to that information directly related to cultural heritage management and is not a comprehensive planning review. Additionally, soundscapes, cultural identity, and sense of place analyses were not integrated into this report.

Due to the ongoing COVID-19 pandemic, access to archives were limited.

Archaeological potential has not been assessed as part of this CHIA.

## EXECUTIVE SUMMARY

*The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results as well as limitations.*

LHC was retained 14 November 2021 by Shahzad Zia (the “**Owner**”) to undertake a Cultural Heritage Impact Assessment (**CHIA**) for 940-946 Beach Boulevard (the “**Property**”) in the City of Hamilton (the “**City**”), Ontario.

The Owner is proposing to demolish the existing dwelling and detached garage to allow for the severance of the Property into three parcels.

This CHIA is being prepared to evaluate the cultural heritage value of the Property, outline heritage planning constraints, assess potential adverse impacts on the cultural heritage value and heritage attributes of the property and surrounding area, and identify mitigation measures and alternatives to avoid or lessen impacts. This CHIA was undertaken in accordance with the recommended methodology outlined within the Ministry of Heritage, Sport, Tourism, and Culture Industries’ (**MHSTCI**) *Ontario Heritage Toolkit* and the City of Hamilton’s *Cultural Heritage Impact Assessment Guidelines* (2020).

The HIA resulted in the following findings and recommendations:

- In LHC’s professional opinion, the property municipally known as 940-946 Beach Boulevard does not meet the criteria of *O. Reg. 9/06* and is not a heritage structure which contributes to the character of the HCD.
- No potential project-related adverse impacts were identified for the adjacent cultural heritage resources with respect to the proposed demolition and severance. Given that no adverse impacts were identified, alternatives and mitigation measures were not explored.
- Design of future single detached residences on the retained and severed lots has not commenced. Any new dwellings are required to comply with HCD Plan guidelines and will be required to be compatible with the streetscape character. Design, massing, setback, and materials should take cues from the surrounding buildings, while avoiding replication. It is recommended that design be reviewed for compliance with the HCD Plan early in the process to allow for flexibility in the event alternatives are recommended to better conform with the HCD Plan and to conserve the streetscape character.

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## 1.0 INTRODUCTION TO THE PROPERTY

LHC was retained 14 November 2021 by Shahzad Zia (**the "Owner"**) to undertake a Cultural Heritage Impact Assessment (**CHIA**) for the property located at 940-946 Beach Boulevard (**the "Property"**) in the City of Hamilton (**the "City"**), Ontario.

The Property Owner is proposing to demolish the existing dwelling and detached garage to allow for the severance of the property into three parcels. This CHIA is being prepared to evaluate the cultural heritage value or interest of the Property and to outline heritage planning constraints and potential adverse impacts of the proposed demolition and severance. This CHIA was undertaken in accordance with the recommended methodology outlined within the Ministry of Heritage, Sport, Tourism, and Culture Industries' (**MHSTCI**) Ontario Heritage Toolkit and the City of Hamilton's 2020 *Cultural Heritage Impact Assessment Terms of Reference (CHIA ToR)*.

### 1.1 Property Owner

The Property is owned by Shahzad Zia of 202-2260 Bovaird Drive East, Brampton, Ontario.

### 1.2 Property Location

The Property is located on the west side of Beach Boulevard between 3<sup>rd</sup> Avenue and 4<sup>th</sup> Avenue in the Hamilton Beach area of the City of Hamilton, Ontario (Figure 1).

### 1.3 Property Description

The Property is an irregularly shaped polygon lot with the northern property line measuring 51.6 meters (m) and the southern property line measuring 48.5 meters (m). The eastern and western property lines taper slightly. The eastern property line measures 37.1 m and the western property line measures 38 m. The area of the lot is 0.46 acres (Figure 2). There are two buildings associated with the municipal address: a one-storey residence and a one-storey detached garage. A circular driveway extends from the road at the eastern corner of the property to the detached garage on the southern portion of the property.

### 1.4 Property Heritage Status

The property located at 940-946 Beach Boulevard is currently *designated* as part of the Hamilton Beach Heritage Conservation District under *Section 41 Part V* of the *Ontario Heritage Act*. The property is also included as part of the Hamilton Beach HCD cultural heritage landscape (designated), the Hamilton Beach Strip cultural heritage landscape (inventoried), and the Hamilton Beach historic neighbourhood inventory.



SCALE 1:1,500,000



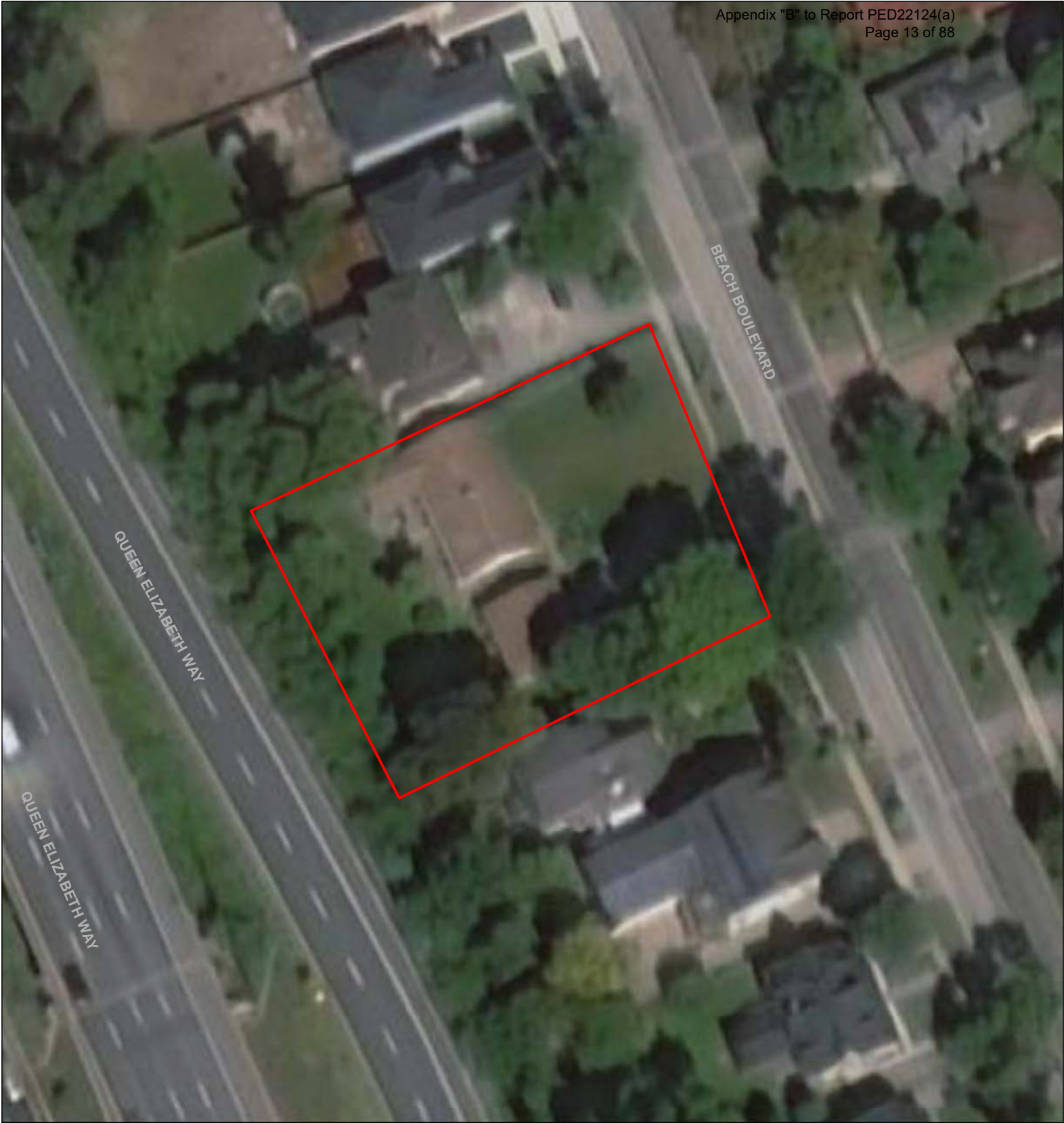
**Legend**

- Property

**NOTE(S)** 1. All locations are approximate.

**REFERENCE(S)**  
1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community  
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<b>TITLE</b> Location Plan	
<b>CLIENT</b> Shahzad Zia	
<b>PROJECT</b> Heritage Impact Assessment 940–946 Beach Boulevard, Hamilton, Ontario	
<b>PROJECT NO.</b> LHC0283	
<b>CONSULTANT</b>	YYYY-MM-DD 2022-02-16
	PREPARED LHC
	DESIGNED JG
	FIGURE # 1




**Legend**

 Property

**NOTE(S)** 1. All locations are approximate.

**REFERENCE(S)**  
 1. Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
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<b>TITLE</b> Current Conditions	
<b>CLIENT</b> Shahzad Zia	
<b>PROJECT</b> Heritage Impact Assessment 940–946 Beach Boulevard, Hamilton, Ontario	
<b>PROJECT NO.</b>	LHC0283
<b>CONSULTANT</b>	YYYY-MM-DD 2022-02-16
	PREPARED LHC
	DESIGNED JG
	FIGURE # 2

## 2.0 STUDY APPROACH

LHC follows a three-step approach to understanding and planning for cultural heritage resources based on the understanding, planning and intervening guidance from the Canada's Historic Places *Standards and Guidelines for the Conservation of Historic Places in Canada* and MHSTCI *Ontario Heritage Tool Kit*.<sup>1</sup> Understanding the cultural heritage resource involves:

- 1) Understanding the significance of the cultural heritage resource (known and potential) through research, consultation, and evaluation—when necessary.
- 2) Understanding the setting, context, and condition of the cultural heritage resource through research, site visit and analysis.
- 3) Understanding the heritage planning regulatory framework around the cultural heritage resource.

The impact assessment is guided by the Ontario Heritage Tool Kit, Heritage Resources in the Land Use Planning Process, Information Sheet #5, Heritage Impact Assessments and Conservation Plans. A description of the proposed development or site alteration, measurement of development or site impact and consideration of alternatives, mitigation and conservation methods are included as part of planning for the cultural heritage resource.<sup>2</sup> The HIA includes recommendations for design and heritage conservation to guide interventions to the Properties.

### 2.1 City of Hamilton Cultural Heritage Impact Assessment Terms of Reference (2020)

According to the City's Cultural Heritage Impact Assessment (CHIA) Terms of Reference (ToR):

...shall be required where the proposed development, site alteration, or redevelopment of lands has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

- Properties designated under any part of the *Ontario Heritage Act* or adjacent to properties designated under any part of the *Ontario Heritage Act*;
- Properties that are included in the City of Hamilton's Municipal Heritage Register or adjacent to properties included in the Register;
- A registered or known archaeological site or areas of archaeological potential;
- Any area for which a cultural heritage conservation plan statement has been prepared; or,
- Properties that comprise or are contained within cultural heritage landscapes that are included in the City of Hamilton's Municipal Heritage Register.

<sup>1</sup> Canada's Historic Places, "Standards and Guidelines for the Conservation of Historic Places in Canada", 2010, 3; MHSTCI, "Heritage Property Evaluation" Ontario Heritage Tool Kit, 2006, 18.

<sup>2</sup> MHSTCI, "Heritage Resources in the Land Use Planning Process" Ontario Heritage Tool Kit, 2006



Requirements of a CHIA submitted to the City include the following:

**Table 1: City of Hamilton's Cultural Heritage Impact Assessment Terms of Reference Requirements**

Requirement	Location
Location Plan showing and describing the contextual location of the site.	Figure 1
Existing site plan including current floor plans of built structures, where appropriate.	Figure 2
Concise written and visual description of the site identifying significant features, buildings, landscapes and views including any yet unidentified potential cultural heritage resources and making note of any heritage recognition of the property (ie. National Historic Site, Municipal Designation, etc.).	Section 5.0
Concise written and visual description of the context including adjacent properties and their recognition and any yet unidentified potential cultural heritage resource(s).	Section 5.0
Present owner and contact information.	Section 1.1
Comprehensive written and visual research and analysis of the cultural heritage value or interest of the site (both identified and not yet identified): physical or design, historical or associative, and contextual (for the subject property).	Section 6.0
Development history of the site including original construction, additions, and alterations with substantiated dates of construction (for the subject property).	Section 4.0
Relevant research material, including historic maps, drawings, photographs, sketches/renderings, permit records, land records, assessment rolls, Vernon's directories, etc. (for the subject property).	Section 2.3
Concise written and visual research and analysis of the cultural heritage value or interest of the adjacent properties, predominantly physical or design and contextual value (for adjacent properties).	Section 5.3
Statement of Cultural Heritage Value or Interest identifying the cultural heritage attributes. This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions. This statement is to follow the provincial guidelines set out in the <i>Ontario</i>	Section 6.2 and 6.3

Requirement	Location
<p><i>Heritage Tool Kit.</i> The statement of cultural heritage value or interest will be written in a way that does not respond to or anticipate any current or proposed interventions. The City may, at its discretion and upon review, reject or use the statement of cultural heritage value or interest, in whole or in part, in crafting its own statement of cultural heritage value or interest (Reasons for including on Register or Designation) for the subject property.</p>	
<p>Written and visual description of the proposed development or site alteration, including a proposed site plan, proposed building elevations, and proposed interior plans, where applicable.</p>	Section 7.0
<p>Description of the negative impacts upon the cultural heritage resource(s) by the proposed development or site alteration as identified in the Ontario Heritage Tool Kit, including but not limited to destruction of significant heritage attributes or features; alteration that is not sympathetic or is incompatible; shadows that alter the appearance of heritage attributes or change in the viability of associated natural features; isolation of a heritage attribute from its surrounding environment, context or a significant relationship; direct or indirect obstruction of significant views or vistas within, from, or of built and natural features; change in land use where the change in use negates the property's cultural heritage value; and, land disturbances that adversely affects a cultural heritage resource.</p>	Section 8.0
<p>Description of the alternatives or mitigation measures necessary to mitigate the adverse impacts of the development and/or site alteration upon the cultural heritage resource(s) including the means by which the existing cultural heritage resources shall be integrated and the manner in which commemoration of cultural heritage resources to be removed shall be incorporated.</p>	N/A
<p>The preferred strategy recommended to best protect and enhance the cultural heritage value and heritage attributes of the on-site and adjacent cultural heritage resource(s) including, but not limited to, a mitigation strategy, a conservation scope of work, an implementation and monitoring plan, recommendations for additional</p>	Section 9.2

Requirement	Location
studies/plans, and referenced conservation principles and precedents.	
A detailed list of cited materials including any photographic records, maps, or other documentary materials	Section 11.0

## 2.2 Legislative/Policy Review

The HIA includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy framework that applies to the Property. The impact assessment considers the proposed project against this framework.

## 2.3 Historic Research

Historical research was undertaken to outline the history and development of the Property and its broader community context. Primary historic material, including air photos and mapping, were obtained from:

- Library and Archives Canada;
- Hamilton Maps;
- McMaster University Digital Archive; and,
- Hamilton Public Library.

Secondary research was compiled from sources such as: historical atlases, local histories, architectural reference texts, available online sources, and previous assessments. All sources and persons contacted in the preparation of this report are listed as footnotes and in the report's reference list.

## 2.4 Site Visit

A site visit was conducted by Colin Yu on 10 December 2021. The primary objective of the site visit was to document and gain an understanding of the Property and its surrounding context. The site visit included a documentation of the surrounding area and exterior and interior views of the structures.

## 2.5 Impact Assessment

The MHSTCI's *Information Sheet #5: Heritage Impact Assessments and Conservation Plans*<sup>3</sup> outlines seven potential negative impacts to be considered with any proposed development or property alteration. The impacts include, but are not limited to:

- a) **Destruction** of any part of any significant heritage attribute or features;

<sup>3</sup> MHSTCI "Heritage Impact Assessments and Conservation Plans, Info Sheet #5" in *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Queen's Printer for Ontario, 2006)

- b) **Alteration** that is not sympathetic or is incompatible, with the historic fabric and appearance;
- c) **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
- d) **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
- e) **Direct or indirect obstruction** of significant views or vistas within, from, or built and natural features;
- f) **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and
- g) **Land disturbances** such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

The HIA includes a consideration of direct and indirect adverse impacts on adjacent properties with known or potential cultural heritage value or interest in Section 8.0.

## 3.0 POLICY FRAMEWORK

### 3.1 Provincial Planning Context

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *Planning Act*, the *OHA*, and the *PPS*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is an analysis of the applicable legislation and policy regarding the identification and evaluation of cultural heritage.

#### 3.1.1 The Planning Act, R.S.O. 1990, c.P.13

*The Planning Act* is the primary document for municipal and provincial land use planning in Ontario and was consolidated on 2 December 2021. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.<sup>4</sup>

Under Section 1 of *The Planning Act*:

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter...shall be consistent with [the *PPS*].<sup>5</sup>

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which makes the consideration of cultural heritage equal to all other considerations concerning planning and development within the province.

#### 3.1.2 Provincial Policy Statement (2020)

The *PPS* provides further direction for municipalities regarding provincial requirements and sets the policy foundation for regulating the development and use of land in Ontario. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS*. The Province deems cultural heritage and archaeological resources to provide important environmental, economic, and social benefits, and *PPS* directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

<sup>4</sup> Province of Ontario, "Planning Act, R.S.O. 1990, c. P.13," Last modified December 2, 2021, <https://www.ontario.ca/laws/statute/90p13>, Part I (2, d).

<sup>5</sup> Province of Ontario, "Planning Act," Part I S.5.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that long-term economic prosperity should be supported by:

- 1.7.1e encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Section 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. The subsections state:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.<sup>6</sup>

The definition of significance in the *PPS* states that criteria for determining significance for cultural heritage resources are determined by the Province under the authority of the *OHA*.<sup>7</sup> The *PPS* makes the consideration of cultural heritage equal to all other considerations and recognizes that there are complex interrelationships among environmental, economic and social factors in land use planning. It is intended to be read in its entirety and relevant policies applied in each situation.

A HIA may be required by a municipality in response to Section 2.6.1 and 2.6.3 to conserve built heritage resources, cultural heritage landscapes, and the heritage attributes of a protected heritage property.

### **3.1.3 Ontario Heritage Act, R.S.O. 1990, c.O.18**

The *OHA* (consolidated on 19 October 2021) and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning

<sup>6</sup> Province of Ontario, "Provincial Policy Statement," last modified May 1, 2020, <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>, 29.

<sup>7</sup> Province of Ontario, "Provincial Policy Statement," 51.

process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.<sup>8</sup>

Part I (2) of the *OHA* enables the Minister to determine policies, priorities, and programs for the conservation, protection, and preservation of the heritage of Ontario. The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.<sup>9</sup> *O. Reg. 9/06* and *Ontario Regulation 10/06 (O. Reg. 10/06)* outline criteria for determining cultural heritage value or interest and criteria for determining cultural heritage value or interest of provincial significance.

Individual heritage properties are designated by municipalities under Section 29, Part IV of the *OHA*. A municipality may list a property on a municipal heritage register under Section 27, Part IV of the *OHA*. A municipality may designate heritage conservation districts under Section 41, Part V of the *OHA*. An *OHA* designation applies to real property rather than individual structures.

Amendments to the *OHA* were announced by the Province under Bill 108: *More Homes, More Choices Act* and came into effect on July 1, 2021. Previously, municipal council's decision to protect a property determined to be significant under the *OHA* was final with appeals being taken to the Conservation Review Board, who played an advisory role. With Bill 108 proclaimed, decisions are appealable to the Ontario Land Tribunal for adjudication.

Sections 33 and 34 Part IV and Section 42 Part V of the *OHA* require owners of designated heritage properties to obtain a permit or approval in writing from a municipality/municipal council to alter, demolish or remove a structure from a designated heritage property. These sections also enable a municipality to require an applicant to provide information or material that council may need to decide, which can include a CHIA.

Under Section 27(3), a property owner must not demolish or remove a building or structure unless they give council at least 60 days notice in writing. Under Section 27(5), council may require plans and other information to be submitted with this notice which may include a CHIA.

### **3.1.4 Places to Grow Act, 2005, S.O. 2005**

The *Places to Grow Act* guides growth in the province and was consolidated 1 June 2021. It is intended:

- a) to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;

<sup>8</sup> Province of Ontario, "Ontario Heritage Act, R.S.O. 1990, c. O.18," last modified October 19, 2021, <https://www.ontario.ca/laws/statute/90o18>.

<sup>9</sup> Province of Ontario, "Ontario Heritage Act."

- b) to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;
- c) to enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across natural and municipal boundaries;
- d) to ensure that a long-term vision and long-term goals guide decision-making about growth and provide for the co-ordination of growth policies among all levels of government.<sup>10</sup>

This act is administered by the Ministry of Infrastructure and enables decision making across municipal and regional boundaries for more efficient governance in the Greater Golden Horseshoe area.

### 3.1.5 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Properties are located within the area regulated by *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan)*, which came into effect on 16 May 2019 and was consolidated on 28 August 2020.

In Section 1.2.1, the *Growth Plan* states that its policies are based on key principles, which includes:

Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.<sup>11</sup>

Section 4.1 Context, in the *Growth Plan* describes the area it covers as containing:

...a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources.<sup>12</sup>

It describes cultural heritage resources as:

The *GGH* also contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through development and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.<sup>13</sup>

Policies specific to cultural heritage resources are outlined in Section 4.2.7, as follows:

<sup>10</sup> Province of Ontario, "Places to Grow Act, 2005, S.O. 2005, c. 13," last modified June 1, 2021, <https://www.ontario.ca/laws/statute/05p13>, 1.

<sup>11</sup> Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," last modified August 2020, <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>, 6.

<sup>12</sup> Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 39.

<sup>13</sup> Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 39.



1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources; and,
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.<sup>14</sup>

Amendment 1 to *A Place to Grow* aligns the definitions of *A Place to Grow* with PPS 2020.

### **3.1.6 Municipal Act, 2001, S.O. 2001, c.25**

The *Municipal Act* was consolidated on 29 November 2021 and enables municipalities to be responsible and accountable governments with their jurisdiction.<sup>15</sup> The *Municipal Act* authorizes powers and duties for providing good government and is administered by the Ministry of Municipal Affairs and Housing.

Amongst the many powers enabled by the *Municipal Act* is the power to create by-laws within the municipality's sphere of jurisdiction.<sup>16</sup> Under Section 11 (3), lower and upper tier municipalities are given the power to pass by-laws on matters including culture and heritage.<sup>17</sup> This enables municipalities to adopt a by-law or a resolution by Council to protect heritage, which may include requirements for an HIA.

### **3.1.7 Provincial Planning Context Summary**

In summary, cultural heritage resources are considered an essential part of the land use planning process with their own unique considerations. As the province, these policies and guidelines must be considered by the local planning context. In general, the province requires significant cultural heritage resources to be conserved.

Multiple layers of municipal legislation enable a municipality to require a HIA for alterations, demolition or removal of a building or structure from a listed or designated heritage property. These requirements support the conservation of cultural heritage resources in Ontario following provincial policy direction.

## **3.2 Local Planning Context**

### **3.2.1 Urban Hamilton Official Plan (2013)**

The *Urban Hamilton Official Plan (UHOP)* was approved by Council on 9 July 2009, approved by the Ministry of Municipal Affairs and Housing on 16 March 2011, and came into effect on 16 August 2013. However, some policies, schedules, maps, and appendices are still under appeal

<sup>14</sup> Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 47.

<sup>15</sup> Province of Ontario, "Municipal Act, 2001, S.O. 2001, c.25," last modified December 9, 2021, <https://www.ontario.ca/laws/statute/01m25>.

<sup>16</sup> Province of Ontario, "Municipal Act," 11.

<sup>17</sup> Province of Ontario, "Municipal Act," 11(3).

by the Ontario Municipal Board (now the Ontario Land Tribunal).<sup>18</sup> The *UHOP* guides the management of the city, land use change, and physical development in the urban areas to 2043.<sup>19</sup>

Section 3.4 of Chapter B is dedicated to cultural heritage as indicated in the following section goal:

3.4.1.2 Encourage a city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic, and social strategy, where cultural heritage resources contribute to achieving sustainable, healthy, and prosperous communities.<sup>20</sup>

Policies related to cultural heritage resources as well as general policies pertaining to heritage are outlined by Section 3.4 of Chapter B and Section 3.4.3 of Chapter F of the *UHOP*. Policies most relevant to the Property and proposal have been included in Table 2 below. Any policies that are currently under appeal by the Ontario Land Tribunal and, therefore, are not in full force and effect have not been included in this table.

Table 2: Urban Hamilton Official Plan Relevant Policies<sup>21</sup>

Policy	Policy Text
<b>B3.4.2.1</b>	<p>The City of Hamilton shall, in partnership with others where appropriate:</p> <ul style="list-style-type: none"> <li>a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.</li> <li>b) Promote awareness and appreciation of the City’s cultural heritage and encourage public and private stewardship of and custodial responsibility for the City’s cultural heritage resources.</li> <li>c) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act, R.S.O., 1990 c. P.13 either through appropriate planning and design measures or as conditions of development approvals.</li> <li>d) Conserve the character of areas of cultural heritage significance, including designated heritage conservation district and cultural heritage</li> </ul>

<sup>18</sup> City of Hamilton, “Urban Hamilton Official Plan,” last modified 2 December 2021, <https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/urban-hamilton-official-plan>.

<sup>19</sup> City of Hamilton, “Chapter A – Introduction”, accessed 7 January 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2015-01-15/urbanhamiltonofficialplan-volume1-chaptera-intro-feb2021.pdf>.

<sup>20</sup> City of Hamilton, “Chapter B – Communities”, accessed 7 January 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2015-01-15/urbanhamiltonofficialplan-volume1-chapterb-communities-feb2021.pdf>.

<sup>21</sup> City of Hamilton, “Chapter B – Communities”; City of Hamilton, “Chapter F – Implementation,” accessed 7 January 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2017-08-01/urbanhamiltonofficialplan-volume1-chapterf-implementation-nov2021.pdf>.

Policy	Policy Text
	<p>landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.</p> <p>e) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton's cultural heritage resources.</p>
<b>B3.4.2.2</b>	<p>The City consists of many diverse districts, communities, and neighbourhoods, each with their own heritage character and form. The City shall recognize and consider these differences when evaluating development proposals to maintain the heritage character of individual areas.</p>
<b>B3.4.2.9</b>	<p>For consistency in all heritage conservation activity, the City shall use, and require the use by others, of the following criteria to assess and identify cultural heritage resources that may reside below or on real property:</p> <ul style="list-style-type: none"> <li>a) Prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development, and use of land in the City;</li> <li>b) Prehistoric and historical associations with the life or activities of a person, group, institution, or organization that has made a significant contribution to the City;</li> <li>c) Architectural, engineering, landscape design, physical, craft, or artistic value;</li> <li>d) Scenic amenity with associated views and vistas that provide a recognizable sense of position or place;</li> <li>e) Contextual value in defining the historical, visual, scenic, physical, and functional character of an area; and,</li> <li>f) Landmark value.</li> </ul>
<b>B3.4.2.10</b>	<p>Any property that fulfills one or more of the foregoing criteria listed in Policy B3.4.2.9 shall be considered to possess cultural heritage value. The City may further refine these criteria and provide guidelines for their use as appropriate.</p>
<b>B3.4.2.12</b>	<p>A cultural heritage impact assessment: (OPA 57 and OPA 64)</p> <ul style="list-style-type: none"> <li>a) Shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, R.S.O., 1990 c. P. 13 where the proposed development, site alteration, or redevelopment of</li> </ul>

Policy	Policy Text
	<p>lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption:</p> <ul style="list-style-type: none"> <li>i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;</li> <li>v. Properties that are comprised or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest</li> </ul>
<b>B3.4.2.13</b>	<p>Cultural heritage impact assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.3 – Cultural Heritage Impact Assessments. The City shall develop guidelines for the preparation of cultural heritage impact assessment.</p>
<b>B3.4.2.14</b>	<p>Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection. In the event that rehabilitation and reuse of the resource is not viable and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes at the expense of the applicant prior to demolition.</p>
<b>B3.4.3.6</b>	<p>The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.</p>
<b>B3.4.3.7</b>	<p>Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.</p>
<b>B3.4.4</b>	<p>The City shall require the protection, conservation, or mitigation of sites of archaeological value and areas of archaeological potential as provided for under the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act, the Cemeteries Act, or any other applicable legislation.</p>
<b>B3.4.5.2</b>	<p>The City shall encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the Planning Act, R.S.O., 1990 c. P.13 and heritage permit applications</p>

Policy	Policy Text
	under the Ontario Heritage Act, there shall be a presumption in favour of retaining the built heritage resource in its original location.
<b>B3.4.6.1</b>	A cultural heritage landscape is a defined geographical area characterized by human settlement activities that have resulted in changes and modifications to the environment, which is now considered to be of heritage value or interest. Cultural heritage landscapes may include distinctive rural roads, urban streetscapes and commercial mainstreets, rural landscapes including villages and hamlets, designed landscapes such as parks, cemeteries and gardens, nineteenth and twentieth century urban residential neighbourhoods, as well as commercial areas and industrial complexes.
<b>B3.4.6.5</b>	The City may in accordance with the Ontario Heritage Act by by-law prohibit or set limitations with respect to property alteration, erection, demolition, or removal of buildings or structures, or classes of buildings or structures, within the heritage conservation district study area.
<b>F3.2.3.1</b>	<p>Where the City requires a proponent to prepare a cultural heritage impact assessment it shall be undertaken by a qualified professional with demonstrated expertise in cultural heritage assessment, mitigation and management, according to the requirements of the City's Cultural Heritage Impact Assessment Guidelines, and shall contain the following:</p> <ul style="list-style-type: none"> <li>a) Identification and evaluation of all potentially affected cultural heritage resource(s), including detailed site(s) history and a cultural heritage resource inventory containing textual and graphic documentation;</li> <li>b) A description of the proposed development or site alteration and alternative forms of the development or site alteration;</li> <li>c) A description of all cultural heritage resource(s) to be affected by the development and its alternative forms;</li> <li>d) A description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,</li> <li>e) A description of the measure necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).</li> </ul>

### 3.2.2 Hamilton Beach Heritage Conservation District Plan (2000)

The Hamilton Beach Heritage Conservation District Plan was prepared and submitted to the City of Hamilton by Archaeological Services Inc. and Wendy Shearer Landscape Architect Limited in July 2000. This document builds on the heritage characteristics of Hamilton Beach and the rationale for the chosen boundary that were identified in the Heritage Assessment Report of June 2000 by "provid[ing] guidance in the care and protection of the heritage

character<sup>22</sup> of the district. The intent, as described in the document, is to direct change in a way that protects heritage buildings and their defining features as well as streetscape and landscape features including grass boulevards, street trees, hedgerows, front yard plantings, and mature boundary plantings. In terms of new construction, the district plan expects this “on newly created lots primarily on the west or harbour side of Beach Boulevard”<sup>23</sup> and lays out the following guidelines:

Only single detached residences are to be permitted. These residences will not be dominant elements in the streetscape and are to be designed in a manner that encourages development in depth on the lot rather than in horizontal width across the lot front. Residences will not exceed two storeys in height and garages will be located to the rear. Front gable and hip roofs will be encouraged. Porches and verandahs, (traditional building features), will also be encouraged utilizing contemporary designs.<sup>24</sup>

Guidelines most relevant to the Property and proposal have been included in Table 3 below.

Table 3: Hamilton Beach Heritage Conservation District Plan Relevant Guidelines<sup>25</sup>

Guideline	Guideline Text
3.2	<p>The designation of the <i>Hamilton Beach Heritage Conservation District</i> seeks to ensure the wise care and management of the heritage character of the area. Physical change and development are to be managed in a way that the component buildings, streets, beach and open spaces are either <b>protected</b> or <b>enhanced</b>.</p> <p><b>1) Land use and development</b></p> <p>The existing low density, low profiles, single detached residential environment within the Beach Heritage Conservation District will be maintained and encouraged. Other forms of residential development and new uses will be discouraged.</p> <p><b>2) Heritage buildings</b></p> <p>Existing heritage buildings will be protected and enhanced and individual property owners will be encouraged to maintain and repair individual heritage buildings. City Council and staff will provide guidance on funding sources and appropriate conservation practices as requested. Demolition of heritage structures will be actively and vigorously discouraged.</p>

<sup>22</sup> Archaeological Services Inc. and Wendy Shearer Landscape Architect, *The Hamilton Beach Heritage Conservation District: Guidelines for Conservation and Change*, July 2000, p.1.

<sup>23</sup> Archaeological Services Inc. and Wendy Shearer, *The Hamilton Beach Heritage Conservation District*, p. 2.

<sup>24</sup> Archaeological Services Inc. and Wendy Shearer, *The Hamilton Beach Heritage Conservation District*, p. 2.

<sup>25</sup> Archaeological Services Inc. and Wendy Shearer, *The Hamilton Beach Heritage Conservation District*.

Guideline	Guideline Text
	<p><b>3) Landscape character</b></p> <p>In addition to principles 1 and 2 the landscape character of the Hamilton Beach will be protected and enhanced by maintaining and managing individual traditional or historical street tree species, tree lines and grass boulevards and protecting public spaces from unsympathetic change and uses.</p> <p><b>4) New development, construction and public works</b></p> <p>All new development, construction and any public works will be encouraged only where it is clearly demonstrated that such changes will have both no adverse effects upon the heritage attributes of the district and will positively contribute to the character of the area.</p>
<b>5.2 New Lots</b>	Where new lots are to be created within the Hamilton Beach Heritage Conservation District they should be of similar width and depth as adjacent occupied lots.
<b>5.3 New construction</b>	<p>Construction on newly created lots or vacant lots will be required to be compatible with the character of adjoining properties and the streetscape of Beach Boulevard.</p> <p>As each existing building within the district is unique in appearance each new structure to be constructed within the <i>Hamilton Beach Heritage Conservation District</i> will be constructed in a manner that <b>avoids replication</b> of any single style, type or appearance whether of heritage or contemporary design. The intent is that no two buildings should look alike.</p> <p>New construction should also appear to be “new” and not pretend to be historical or simply old by copying historic details that have no relevance in contemporary construction such as shutters and multi-paned sash windows.</p>

The district plan contains further design considerations for new construction within the Hamilton Beach HCD, which should be consulted for the design of the new residences on the new and retained lots.

### 3.2.3 City of Hamilton Zoning By-law 6593 (1950, consolidated 12 April 2019)

The present City of Hamilton is an amalgamation of former municipalities (Ancaster, Dundas, Flamborough, Glanbrook, Hamilton, and Stoney Creek) and, as a result, currently has a total of eight zoning by-laws. Each former municipality has its own zoning by-law.<sup>26</sup> The City of Hamilton’s *Comprehensive Zoning By-law No. 05-200* came into effect on 25 May 2005 and is

<sup>26</sup> City of Hamilton, “Zoning By-law”, last modified 5 June 2018, <https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/zoning-by-law>.

currently being implemented in stages.<sup>27</sup> The Property is not yet subject to the comprehensive zoning by-law and is currently subject to *Zoning By-law 6593*. The Property is zoned C/S-1436a Urban Protected Residential Etc. which supports the following uses and regulations as shown in Table 4 and Table 5. This zoning does not have accompanying cultural heritage regulations.

Table 4: Zoning By-law 6593 C/S-1436a Permitted Uses<sup>28</sup>

Permitted Use	Permitted Use	Permitted Use
Single Family Dwelling with accommodation of no more than three lodgers	Foster Home	Residential Care Facility for no more than six residents
Retirement Home for no more than six residents	Day Nursery	School of learning with exceptions
Seminary	Library, art gallery, museum, observatory, community centre or other cultural, recreational or community building or structure except as a business	Bowling green, tennis court, playground, playfield, play lot or other recreational use except as a business
Urban Farm	Community Garden	Private Garage
Parking Spaces	Storage Garage	

Table 5: Zoning By-law 6593 C/S-1436a Regulations<sup>29</sup>

Regulation	Requirements
Maximum Height	Two-and-a-half storeys (building) or 11 metres (structure)
Minimum Front Yard Depth	6 metres
Minimum Side Yard Width	1.7 metres or 1.5 metres with a common swale
Minimum Rear Yard Depth	7.5 metres
Minimum Lot Width	12 metres
Minimum Lot Area	360 square metres

<sup>27</sup> City of Hamilton, "Zoning By-law No. 05-200", last modified 13 December 2021, <https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/zoning-by-law-no-05-200>.

<sup>28</sup> City of Hamilton, "Section Nine," Zoning By-law 6593, accessed 7 January 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2015-03-30/hamilton-zoning-by-law-6593-june13-2019.pdf>, 9-1 to 9-5.

<sup>29</sup> City of Hamilton, "Section Nine," Zoning By-law 6593, 9-1 to 9-5.



It is important to note that policy 6.4 states that:

No lot or tract of land shall be reduced in area, by alienation, building construction or otherwise, so as to make any yard, either of a building or structure hereafter erected or of an existing building or structure, less than as required for a building or structure hereafter erected, nor shall any lot or tract of land upon which an existing building or structure is situate, and which provides less than the yard requirements would be for such existing building or structure if it were one hereafter erected, be further reduced by building construction, alienation or otherwise, but this provision shall not be deemed to prohibit the sale of one dwelling of a pair of semi-detached dwellings or of any dwelling of a row of attached dwellings, provided all the rooms of the same are lighted and ventilated from a yard upon the premises so sold, and from a street, (8835/59).<sup>30</sup>

### **3.2.4 Local Planning Context Summary**

The City considers cultural heritage resources to be of value to the community and values them in the land use planning process. Through its *OP* policies, the City has committed to identifying and conserving cultural heritage resources including archaeological resources. A CHIA is required when a proposed development is on or adjacent to a recognized heritage property.

<sup>30</sup> City of Hamilton, "Section 6," Zoning By-law 6593, accessed 7 January 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2015-03-30/hamilton-zoning-by-law-6593-june13-2019.pdf>, 6-2.

## 4.0 RESEARCH AND ANALYSIS

### 4.1 Physiographic Context

The Property is located on the Iroquois Plain physiographic region, bordering western Lake Ontario that once formed the body of water known as Lake Iroquois. Lake Iroquois was formed during the last glacial recession.<sup>31</sup>

The Iroquois Plain includes, but is not limited to, portions of Toronto, Scarborough, and the Niagara Fruit Belt and varies in its physiographic composition. The City of Hamilton is largely within the Ontario lakehead portion of the Iroquois Plain and, as such, is highly suited to the development of ports and the formation of urban centers such as Dundas, Burlington, and Hamilton.<sup>32</sup>

The area covered by the Iroquois Plain contains a significant portion of the province's population.<sup>33</sup> It is also an area of specialized farming. For example, the Niagara Fruit Belt produces the majority of the province's tender fruit crop, and the same area contains a variety of vineyards.<sup>34</sup> As of 2008, major specialized agricultural sectors among the western lakehead of Lake Ontario include, among others, horse and pony ranches, mushroom farms, and a variety (and substantial quantity) of greenhouse vegetable operations.<sup>35</sup> The proximity of Lake Ontario produces some climatic influences and the area has very fertile soil.<sup>36</sup> Moreover, offshore areas of sand and long-lasting sandbars act as aquifers, providing freshwater to many farms and villages.<sup>37</sup> Deposits of gravel have been essential sources for roadbuilding, while the recession of the old lakebed has resulted in sources of clay for brick manufacture.<sup>38</sup>

### 4.2 Early Indigenous History

#### 4.2.1 Paleo Period (9500-8000 BCE)

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Wisconsin glacier.<sup>39</sup> During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was like the present-day sub-arctic and vegetation was dominated by spruce and pine forests.<sup>40</sup> The initial occupants of the province had distinctive stone tools. They

<sup>31</sup> L.J. Chapman and D.F. Putnam, *The Physiography of Southern Ontario* (2<sup>nd</sup> edition), (Toronto: university of Toronto Press, 1973), 324.

<sup>32</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 326.

<sup>33</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 335.

<sup>34</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 336.

<sup>35</sup> City of Hamilton, "Hamilton Agricultural Profile 2008, 2.14," last modified 2008, <http://www2.hamilton.ca/NR/rdonlyres/4196D9CB-29AD-4865-8BA1-3F6444C1D7CE/0/Jan12PED09021.pdf>

<sup>36</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 336.

<sup>37</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 336.

<sup>38</sup> Chapman and Putnam, *The Physiography of Southern Ontario*, 336.

<sup>39</sup> Christopher Ellis and D. Brian Deller, "Paleo-Indians," in *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990), 37.

<sup>40</sup> EMCWTF, "Chapter 3: The First Nations," in *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks* (Toronto: TRCA, 2002). <http://www.trca.on.ca/dotAsset/37523.pdf>.

were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) who lived in small groups and travelled over vast areas, possibly migrating hundreds of kilometres in a single year.<sup>41</sup>

## 4.2.2 Archaic Period (8000-1000 BCE)

During the Archaic archaeological period (8000-1000 BCE), the occupants of southern Ontario continued their migratory lifestyles, although living in larger groups and transitioning towards a preference for smaller territories of land – possibly remaining within specific watersheds. People refined their stone tools during this period and developed polished or ground stone tool technologies. Evidence of long-distance trade has been found on archaeological sites from the Middle and Later Archaic times including items such as copper from Lake Superior, and marine shells from the Gulf of Mexico.<sup>42</sup>

## 4.2.3 Woodland Period (1000 BCE – CE 1650)

The Woodland period in southern Ontario (1000 BCE – CE 1650) represents a marked change in subsistence patterns, burial customs, and tool technologies, as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BCE), Middle Woodland (400 BCE – CE 500) and Late Woodland (CE 500 - 1650).<sup>43</sup> The Early Woodland is defined by the introduction of clay pots which allowed for preservation and easier cooking.<sup>44</sup> During the Early and Middle Woodland, communities grew and were organized at a band level. Peoples continued to follow subsistence patterns focused on foraging and hunting.

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agricultural village-based communities around during the Late Woodland. During this period people began cultivating maize in southern Ontario. The Late Woodland period is divided into three distinct stages: Early (CE 1000–1300); Middle (CE 1300–1400); and Late (CE 1400–1650).<sup>45</sup> The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded village sites which included more and larger longhouses. By the 1500s, Iroquoian communities in southern Ontario – and more widely across northeastern North America –organized themselves politically into tribal confederacies. Communities south of Lake Ontario at this time included the Haudenosaunee Confederacy, made up of the Mohawks, Oneidas, Cayugas, Senecas, Onondagas, and Tuscarora, and groups including the Anishinaabe and Neutral (Attiwandaron).<sup>46</sup>

<sup>41</sup> EMCWFT, "Chapter 3: The First Nations," (Toronto: TRCA, 2002).

<sup>42</sup> EMCWFT, "Chapter 3: The First Nations," (Toronto: TRCA, 2002).

<sup>43</sup> EMCWFT, "Chapter 3: The First Nations," (Toronto: TRCA, 2002).

<sup>44</sup> EMCWFT, "Chapter 3: The First Nations," (Toronto: TRCA, 2002).

<sup>45</sup> EMCWFT, "Chapter 3: The First Nations," (Toronto: TRCA, 2002).

<sup>46</sup> Six Nations Elected Council, "Community Profile," Six Nations of the Grand River, last modified 2013, accessed May 7, 2021, <http://www.sixnations.ca/CommunityProfile.htm>; University of Waterloo, "Land acknowledgment," Faculty Association, accessed May 7, 2021, <https://uwaterloo.ca/faculty-association/about/land-acknowledgement>; Six Nations Tourism, "History," accessed May 7, 2021, <https://www.sixnationstourism.ca/history/>.

### 4.3 Seventeenth- and Eighteenth-Century Historic Context

French explorers and missionaries began arriving in southern Ontario during the first half of the 17th century, bringing with them diseases for which the Indigenous peoples had no immunity. Also contributing to the collapse and eventual dispersal of the Huron, Petun, and Attiwandaron, was the movement of the Haudenosaunee Confederacy from south of Lake Ontario. Between 1649 and 1655, the Haudenosaunee Confederacy waged military warfare on the Huron, Petun, and Attiwandaron, pushing them out of their villages and the general area.<sup>47</sup> Many of the Attiwandaron merged with Haudenosaunee groups to the west and south. More than forty Attiwandaron settlements have been identified by archaeologists within 40 km of the City of Hamilton. These settlements were large, fenced-in villages; however, their influence and settlement extended across southwestern Ontario.<sup>48</sup>

In the eighteenth century, the Mississauga moved into the Attiwandaron's territory and established Lake Ontario as a French fur trading post. Following the Battle of the Plains of Abraham in 1759, the British gained control of the area and began to purchase large sections of land from the Mississaugas.<sup>49</sup> Hamilton, as well as a large portion of southwestern Ontario, was one of these sections of land that was purchased in the Between the Lakes Purchase of 1792.<sup>50</sup>

<sup>47</sup> Mississaugas of the Credit First Nation, "The History of the Mississaugas of the New Credit First Nation," Mississaugas of the New Credit First Nation, last modified 2018, <http://mncfn.ca/wp-content/uploads/2018/04/The-History-of-MNCFN-FINAL.pdf>.

<sup>48</sup> William C. Noble, "The Neutral Confederacy," *The Canadian Encyclopedia*, accessed 25 January 2022, <https://www.thecanadianencyclopedia.ca/en/article/neutral>.

<sup>49</sup> John C. Weaver, "Hamilton," *The Canadian Encyclopedia*, accessed 25 January 2022, <https://www.thecanadianencyclopedia.ca/en/article/hamilton>.

<sup>50</sup> Mississaugas of the New Credit First Nation Land Cessions, 1781-1820 and Rouge Tract Claim, 2015. Accessed December 4, 2018. <http://mncfn.ca/wp-content/uploads/2017/01/Treaty-Map-Description.jpg>.

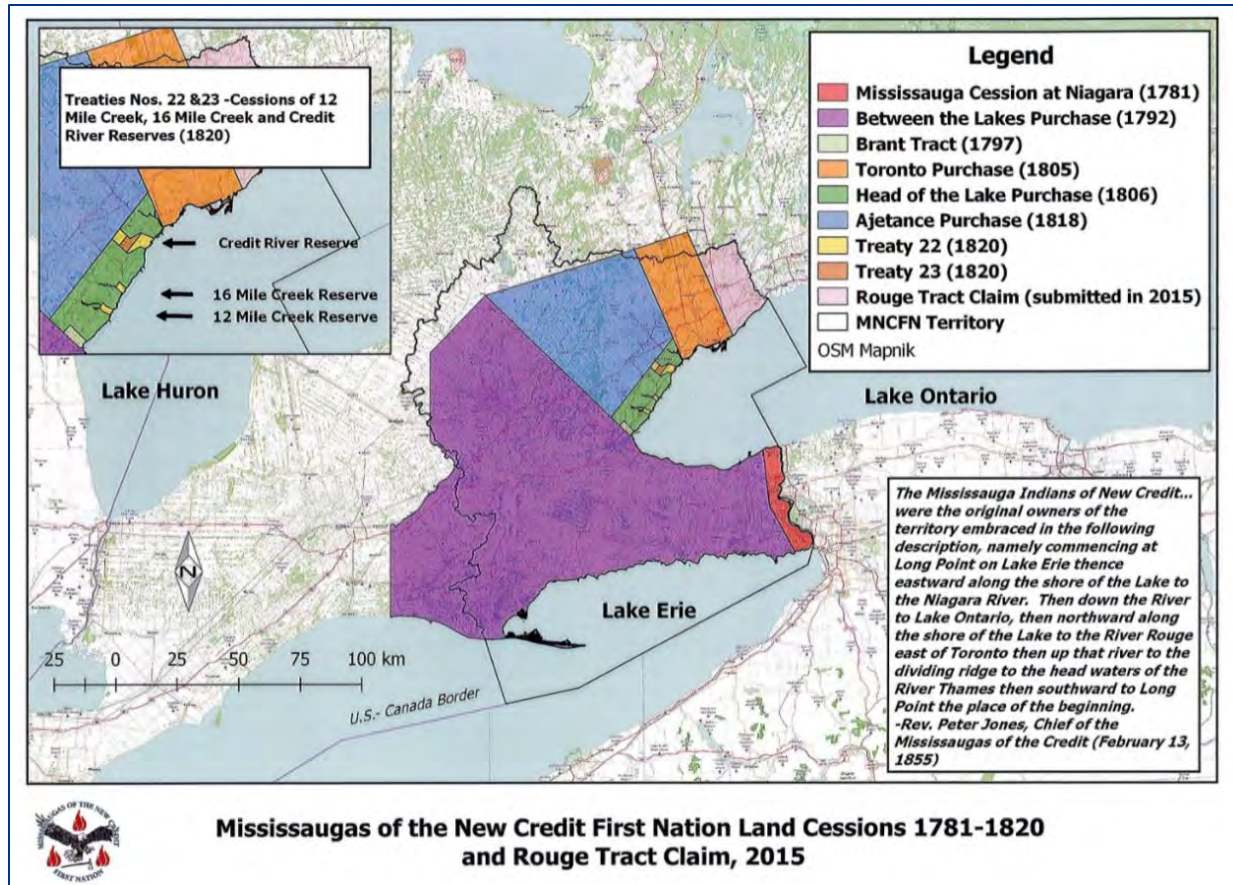


Figure 3: Mississaugas of the New Credit First Nation Land Cessions<sup>51</sup>

#### 4.4 City of Hamilton

In the late eighteenth century, the British Crown sought to settle the Niagara region and offered two hundred acres of land to any Loyalist family that settled in the area.<sup>52</sup> In 1791, Augustus Jones surveyed Barton (Township No. 8) and Saltfleet Townships and laid out lots and concessions; however, the area remained largely undeveloped and unoccupied for a number of years.<sup>53</sup> In 1815, George Hamilton, a veteran of the War of 1812, purchased 257 acres in Barton Township (known as Head of the Lake at the time) from James Durand for 1750 pounds, and began planning streets and selling parcels of his estate to new arrivals. When Head of the Lake became the administrative seat of the Gore District in 1816, it was renamed Hamilton.<sup>54</sup>

<sup>51</sup> Mississaugas of the New Credit First Nation Land Cessions, 1781-1820 and Rouge Tract Claim, 2015.

<sup>52</sup> Weaver, "Hamilton."

<sup>53</sup> Bill Manson, *Footsteps in Time: Exploring Hamilton's Heritage Neighbourhoods* (Burlington, ON: North Shore Publishing, 2003).

<sup>54</sup> Weaver, "Hamilton."

Growth began in the late 1820s with the construction of a new canal through Burlington Beach that provided entry into Burlington Bay.<sup>55</sup> By 1823, there were around 1,000 residents<sup>56</sup>, a significant increase from the 31 families recorded in 1792.<sup>57</sup> The canal provided a boost to the community and transformed Hamilton into a significant port. This was complimented by extensive migration from the United Kingdom in the following decade. These new residents brought with them building technology and institutions that were well suited to the landscape, including mercantile houses, granaries, and manufacturing plants.<sup>58</sup>

In 1833, Hamilton was incorporated as a town. The following year, Allan McNab and other prominent residents raised money to fund the construction of a railway. However, economic concerns and the Rebellions of 1837 delayed construction until 1851. The railway attracted new industries like stove and farm-implement foundries, ready-made clothing, and sewing machine manufacturing. Expansion of the railway network in the early 1900s sparked an industrial and residential construction boom, which lasted until 1913. The focus on wartime products during the world wars shifted post-war production to appliances, automobiles, and houses. The closure of textile mills and knit-wear factories in the 1950s and 1960s making Hamilton dependent on steel and its related industries. Manufacturing continues to play an important role in Hamilton's economy.<sup>59</sup>

Hamilton incorporated as a city in 1846.<sup>60</sup> In January 2001, Hamilton amalgamated with the surrounding municipalities of Flamborough, Glanbrook, Stoney Creek, Ancaster, and Dundas to form the modern boundaries of the City of Hamilton.<sup>61</sup>

#### 4.5 Burlington Beach

The Township of Saltfleet and the City of Hamilton aided the development of the Beach Strip throughout the 1800s; however, it remained entirely independent of both. The provincial government created the Beach Commission as a special form of government to address local concerns including enforcing local by-laws, collecting taxes, and supervising the police and fire departments. The area remained independent until 1957 when the City of Hamilton annexed the portion of the Beach Strip south of the canal. The City of Burlington annexed the section of the Beach Strip north of the canal in 1964.<sup>62</sup>

<sup>55</sup> Weaver, "Hamilton."

<sup>56</sup> Hamilton Public Library, "A History of the City of Hamilton," accessed January 28, 2022, [http://epe.lac-bac.gc.ca/100/200/301/ic/can\\_digital\\_collections/cultural\\_landmarks/hamhist.htm](http://epe.lac-bac.gc.ca/100/200/301/ic/can_digital_collections/cultural_landmarks/hamhist.htm).

<sup>57</sup> Manson, *Footsteps in Time*.

<sup>58</sup> Weaver, "Hamilton."

<sup>59</sup> Weaver, "Hamilton."

<sup>60</sup> Weaver, "Hamilton."

<sup>61</sup> Waterloo Region Record, "Hamilton got stronger after amalgamation," last updated April 13, 2020, accessed January 28, 2022, <https://www.therecord.com/news/waterloo-region/2018/09/14/hamilton-got-stronger-after-amalgamation.html>.

<sup>62</sup> Hamilton Beach Millennium Project, "A Proud Community," accessed January 28, 2022, <https://www.flickr.com/photos/-jm/6615289599/in/album-72157625341450228/>.

The Hamilton Beach Canal was completed in 1832 and required constant maintenance (dredging) to prevent sand build-ups and to allow entrance into Burlington Bay for larger ships<sup>63</sup> (see Figure 4 and Figure 5). In the 1870s, prominent and wealthy Hamilton residents constructed summer homes on the Beach Strip<sup>64</sup> (see Figure 6). In 1876, the Hamilton and Northwestern railway established a streetcar line along the Beach Strip allowing all Hamilton residents to enjoy the area's recreational activities (fishing, swimming, picnicking, and strolling). Its popularity sparked the establishment of resorts, an amusement park, a yacht club, and other attractions along the Beach Strip (Figure 5). After World War I and the introduction of the automobile and improved roads, tourists started travelling further for weekend trips and holidays resulting in the decline of the Beach Strip as a recreational and vacation space and the conversion to a year-round residential community (Figure 6).<sup>65</sup> Streetcars were replaced with automobiles and buses in 1929.<sup>66</sup> (see Figure 7).



Figure 4: Canal and Beach Boulevard c. 1880s (HPL Archives)

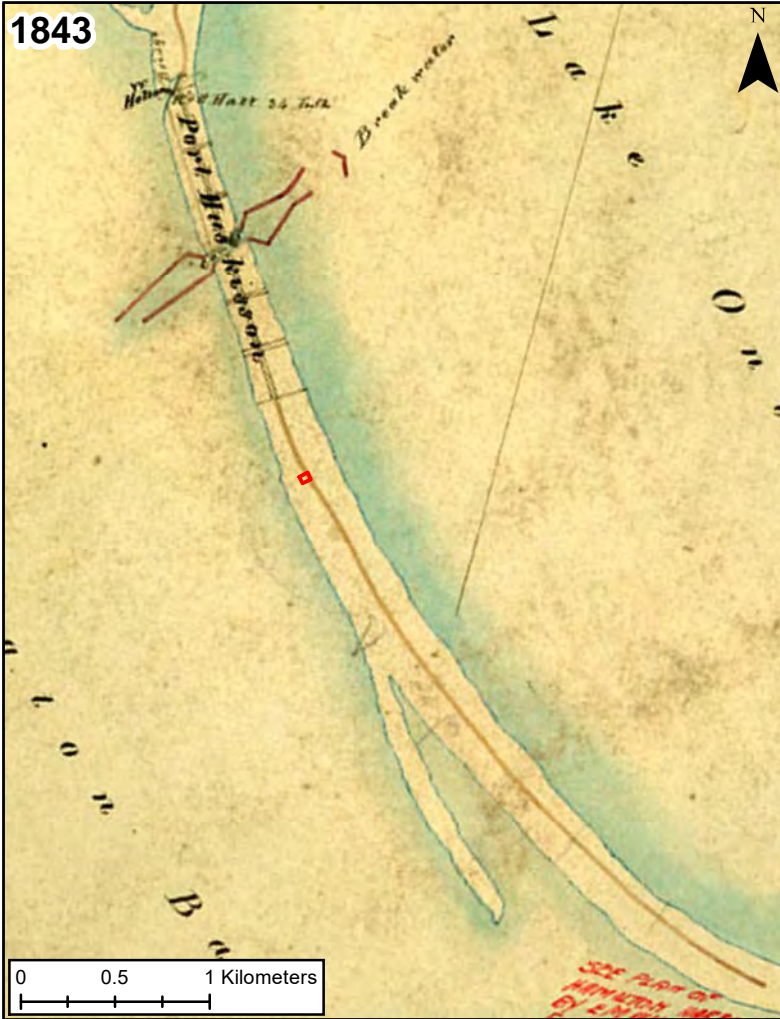
<sup>63</sup> Hamilton Beach Millennium Project, "A Hub of Activity," accessed January 28, 2022, <https://www.flickr.com/photos/-jm/5147977228/in/photostream/>.

<sup>64</sup> Hamilton Beach Millennium Project, "Hamilton's Playground," accessed January 28, 2022, <https://www.flickr.com/photos/-jm/6615106795/in/album-72157625341450228/>.

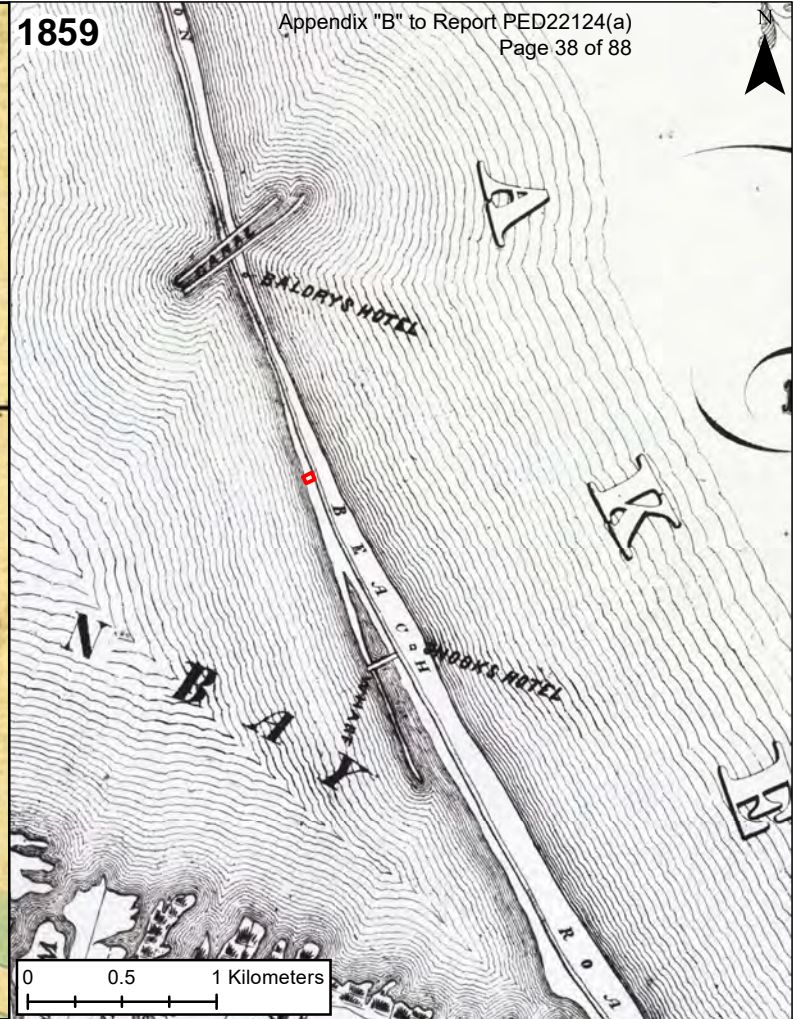
<sup>65</sup> Hamilton Beach Millennium Project, "Hamilton's Playground."

<sup>66</sup> Hamilton Beach Millennium Project, "A Hub of Activity."

1843



1859



1875



Legend

Property

TITLE  
Historic Maps Showing the Property

CLIENT  
Shahzad Zia

PROJECT PROJECT NO. LHC0283  
Heritage Impact Assessment 940-946 Beach Boulevard, Hamilton, Ontario

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

- Russell, A., "Burlington Beach, Flamboro Township", ([http://ao.minisisinc.com/SCRIPTS/MW/MAIN.DLL/121620400/2/1/34637?RECORD&DATABASE=IMAGES\\_WEB](http://ao.minisisinc.com/SCRIPTS/MW/MAIN.DLL/121620400/2/1/34637?RECORD&DATABASE=IMAGES_WEB): accessed February 28, 2022), digitized map, Archives of Ontario, scale 1:31,680, Kingston: Surveyor General's Office, 1843.
- Surtees, R. "Map of the County of Wentworth Canada West", (<https://www.arcgis.com/apps/webappviewer/index.html?id=8cc6be34f6b54992b27da17467492d2f>: accessed February 24, 2022), digitized map, Hamilton: Hardy Gregory, 1859.
- Page & Smith, "Township of Saltfleet". In: Page & Smith, "Illustrated Historical Atlas of the County of Wentworth", (<https://digital.library.mcgill.ca/countyatlas/searchmapframes.php>: accessed February 28, 2022), digitized sheet, scale unknown, Toronto: Page & Smith, 1875.

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CONSULTANT YYY-MM-DD 2022-02-28



PREPARED	LHC
DESIGNED	JG
FIGURE #	5





Figure 6: The Beach, Hamilton Ont., Canada. c. 1890s Postcard (HPL Archives)



Figure 7: Beach Boulevard c. 1940s (HPL Archives)



Figure 8: Beach Boulevard c. 1958 (HPL Archives)

#### 4.6 Property History

Registered Plan 318, dated 19 March 1878, indicates that the Property is among a large parcel owned by John Brown. Prior to this, historic mapping shows little development in the vicinity of the Property, although several residences had been constructed along Beach Boulevard prior to 1875 (Figure 5). It is unclear when the Property was first subdivided and developed; however, the 1900 Fire Insurance Plan for Burlington Beach shows the Property as two separate parcels; lots 422 and 424.

In 1900, "Heath Cottage" a one-storey frame residence with a wrap-around porch and one storey outbuilding or shed is shown on the northern half of the Property, while a two-storey wood frame structure with two outbuildings is shown on the south half of the Property in the approximate location of the extant garage (Figure 9). Heath Cottage, appears to be the structure shown as late as 1934 on aerial imagery. The two-storey residence on the south half of the Property is not visible on the 1934 air photo (Figure 10).

Heath Cottage was removed and replaced with the current residence some time before 1954.<sup>67</sup> By 1960, the rear addition and back patio had been added.<sup>68</sup> The garage, which is not present in any of the retrieved aerial images was not built until sometime after 1967.<sup>69</sup> Interestingly, the 1963 image appears to show a fence dividing the northern (house) and southern (garage) portions of the property. This suggests that the property was once two parcels that were later merged, potentially when the garage was added (Figure 10).<sup>70</sup> The property abstracts have not been located in the land registry documents.



Figure 9: Overlay of 1900 Fire Insurance Plan over modern air photo.

<sup>67</sup> Publisher Unknown, "Greater Hamilton Area, from Caledonia to Vineland, 1934-10-09," Flightline A4866-Photo 73, accessed February 16, 2022, <http://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A71876.>; Publisher Unknown, "Regional Municipality of Hamilton-Wentworth and surrounding area, 1954," Flightline 4313-Photo 131, accessed February 16, 2022, <https://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A73015.>

<sup>68</sup> Canadian Aero Service Ltd., "Wentworth County, excluding most of the City of Hamilton, 1960-05-21," Flightline 60134-Photo 192, accessed February 16, 2022, <http://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A77000.>

<sup>69</sup> Ontario Department of Lands and Forests, Division of Surveys and Engineering, Aerial Surveys Section, "Parts of southwest Hamilton, including Ancaster, the Hamilton Beach Strip and part of Burlington, 1967," Flightline 675-Photo 78, accessed February 16, 2022, <https://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A81754.>

<sup>70</sup> Publisher Unknown, "Queen Elizabeth Way and Highway 2 corridor, 1963-11-01," Flightline J2633-Photo 136, accessed February 16, 2022, <http://digitalarchive.mcmaster.ca/islandora/object/macrepo%3A79921.>



**Legend**

Property

---

**TITLE**  
Aerial Photos of the Property

**CLIENT**  
Shahzad Zia

**PROJECT**  
Heritage Impact Assessment 940–946 Beach Boulevard, Hamilton, Ontario

**PROJECT NO.** LHC0283

**NOTE(S)**  
1. All locations are approximate.

**REFERENCE(S)**

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<b>CONSULTANT</b>	YYYY-MM-DD	2022-02-16
	<b>PREPARED</b>	LHC
	<b>DESIGNED</b>	JG
	<b>FIGURE #</b>	10

## 5.0 ASSESSMENT OF EXISTING CONDITIONS

### 5.1 940-946 Beach Boulevard

The property municipally known as 940-946 Beach Boulevard is comprised of a mid-century vernacular bungalow on a concrete foundation with a small gabled, rectangular rear addition on a cinder block foundation (Figure 11 and Figure 14) and a one-storey, rectangular detached garage with a concrete foundation (Figure 21). The property is accessed from Beach Boulevard by the circular driveway in front of the detached garage at the southern end of the property (Figure 25). The interior of the structure is modern in design; however, the design of the fireplace, the floor in front of it, the flooring in the front foyer, and the shower are uncharacteristic of modern design (Figure 17 and Figure 18).

The residence is constructed of red brick laid in running bond with cut stone cladding on the east elevation and a medium-pitch side gable roof with vinyl cladding beneath each gable, a central red brick chimney, and overhanging eaves (Figure 11 and Figure 12). The building can be accessed through a main, central contemporary door with an exterior glass and metal door located in the inset covered porch on the east elevation (Figure 11), a contemporary door with an exterior glass and metal door at the northern end of the inset covered porch on the east elevation (Figure 19), a central contemporary door with a large window and a wooden screen door on the west elevation (Figure 14), and a contemporary door adjoined to three windows with an exterior glass and metal door on the southern elevation of the rear addition. The rear addition's door windows are boarded up from the outside (Figure 13 and Figure 20). Windows are found on all elevations.

The north elevation has a central rectangular, paired casement window with a stone lug sill, a rectangular fixed window divided into four sections with a stone lug sill and a tall, thin rectangular fixed window with a stone lug sill at the eastern end of the elevation (Figure 15). The east elevation has a large picture window divided into three sections immediately north of the main entrance and two long rectangular windows divided into three sections with a picture window in the centre flanked by casement windows, stone lug sills and decorative wood shutters at both ends of the elevation (Figure 11). The south elevation has a small rectangular, paired casement window with a stone lug sill at the eastern end of the elevation and a tall rectangular, paired casement window with a stone lug sill near the western end of the elevation (Figure 12).

The southwestern corner of the residence features a small sunroom area with six tall single hung vinyl windows (three on the south elevation, three on the west elevation) with a red brick lug sill. Immediately north of the sunroom windows on the west elevation is a tall rectangular 10-pane fixed window with an air-conditioner sized gap between the bottom of the window and the red brick lug sill shared with the sunroom windows (Figure 12 and Figure 14). The western elevation also features a rectangular, paired casement window with a stone lug sill, a small rectangular fixed window with a stone lug sill and an awning, and a long rectangular window divided into three sections with a central picture window flanked by a casement window and a single hung sash window and a stone lug sill (Figure 14). The rear addition has a long rectangular window divided into three sections with a central picture window flanked by two

single hung sash windows and a stone lug sill on the south elevation (Figure 13), a long rectangular window divided into three sections with a central picture window flanked by two single hung sash windows and a stone lug sill on the west elevation (Figure 14), and a small, thin rectangular fixed window with a stone lug sill on the north elevation (Figure 15).

The detached garage is constructed of red brick laid in running bond with cut stone cladding on the east elevation and has a shallow pitch gable roof with overhanging eaves (Figure 21). The building can be accessed through the two garage doors on the east elevation, a contemporary door covered in plywood sheets on the west elevation, and a wood door with a window at the eastern end of the north elevation (Figure 21, Figure 23 and Figure 24). The north and south elevations each feature a central rectangular sliding window with stone lug sills (Figure 22 and Figure 24).



Figure 11: View of the east elevation of the residence



Figure 12: View of the south elevation of the residence



Figure 13: View of the south elevation of the rear addition



Figure 14: View of the west elevation of the residence and its rear addition



Figure 15: View of the north elevation of the residence and its rear addition; Source: Google Streetview November 2016





Figure 16: View of the residence's concrete foundation



Figure 17: View of the fireplace and the front foyer floor

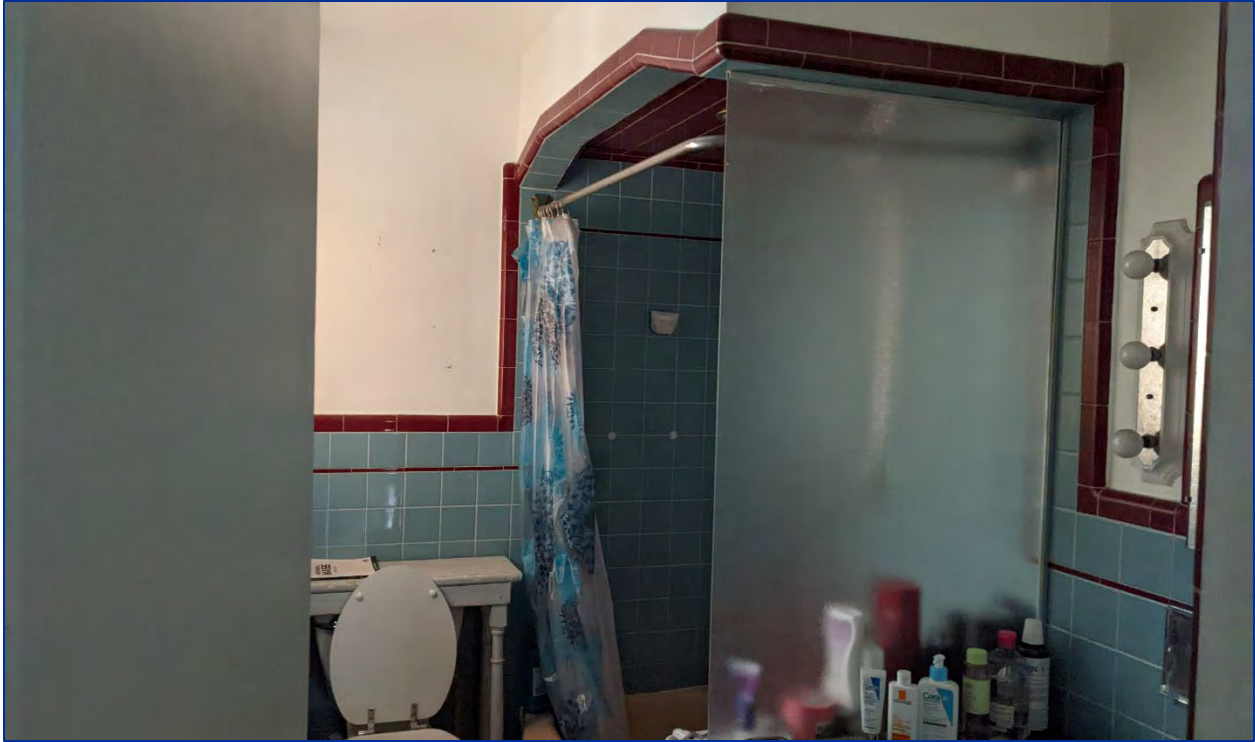


Figure 18: View of the shower



Figure 19: View of the inset covered porch



Figure 20: View of the interior of the boarded-up door



Figure 21: View of the east elevation of the detached garage



Figure 22: View of the south elevation of the detached garage



Figure 23: View of the west elevation of the detached garage



Figure 24: View of the north elevation of the detached garage; Source: Google Streetview February 2021



Figure 25: View of the circular driveway from the north side of the detached garage

## 5.2 Surrounding Context

The Property is located in the northeast portion of the City of Hamilton. It is approximately 124 metres (m) from the southwestern shore of Lake Ontario, approximately 7.4 kilometres (km) northeast of downtown Hamilton, and approximately 4.2 km southeast of downtown Burlington.

The topography of the area is flat and is defined by the size and shape of the land bridge and the location of the Queen Elizabeth Way (QEW). The Property is situated on a strip of land that forms an almost complete bridge between the City of Hamilton and the City of Burlington with a canal situated approximately in the center of the land bridge. Along the western edge of the land bridge is the QEW. The vegetation of the area consists of young and mature deciduous trees and landscaped yards fronting residential properties (Figure 26 and Figure 27).

The Property is bounded by Beach Boulevard to the east, the QEW to the west, and residential properties to the north and south. Beach Boulevard is a local road running the length of the southern portion of the land bridge. It is a two-lane road with a bike lane in the southbound lane flanked by sidewalks and curbs on both sides of the street and streetlights on the east side of the street (Figure 28 and Figure 29).

The surrounding area is comprised of residential properties that are one to two storeys in height with shallow to moderate setbacks. Parcel lots are generally 13 m to 27 m wide and 44 m to 50 m deep. Building materials primarily consist of wood with some stone and brick, and some modern materials like vinyl siding (Figure 30 and Figure 31).

Recognized as a Locally Significant Cultural Heritage Resource, the Hamilton Beach Heritage Conservation District Cultural Heritage Landscape (CHL) extends the length and breadth of the HCD and is bounded by Beach Boulevard Park #2, Dieppe Park, the QEW, and the southwestern shoreline of Lake Ontario, ending approximately 61 metres (m) south of Fourth Avenue. In addition, the Property is located within the Hamilton Beach Strip Cultural Heritage Landscape, which is comprised of the same area as the other CHL.



Figure 26: View north along Beach Boulevard from the sidewalk in front of the Property



Figure 27: View south along Beach Boulevard from the sidewalk in front of the Property



Figure 28: View south along Beach Boulevard from in front of 930 Beach Boulevard





Figure 29: View south along Beach Boulevard from north of the corner of Fourth Avenue



Figure 30: View south along Beach Boulevard from in front of 957 Beach Boulevard



Figure 31: View north along Beach Boulevard from in front of 957 Beach Boulevard

### 5.3 Adjacent Heritage Properties

The Urban Hamilton Official Plan (UHOP) has a definition for adjacency with respect to cultural heritage. Chapter G defines adjacent as “in regard to cultural heritage and archaeology, those lands contiguous to, or located within 50 metres of, a *protected heritage property*.”<sup>71</sup> The PPS defines adjacent as “those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan”.<sup>72</sup> Using the UHOP definition, there are thirteen adjacent heritage properties within 50 m of the Property.

Table 6 presents adjacent heritage properties along Beach Boulevard in an approximately 50 m area surrounding the Property. Images are sourced from Google Streetview. All adjacent properties are either designated under Part V of the OHA as part of the Hamilton Beach Heritage Conservation District or under Section 29 Part IV of the OHA.

<sup>71</sup> City of Hamilton, “Chapter G – Glossary,” accessed 11 February 2022, <https://www.hamilton.ca/sites/default/files/media/browser/2015-01-15/urbanhamiltonofficialplan-volume1-chapterg-glossary-nov2021.pdf>.

<sup>72</sup> Province of Ontario, “Provincial Policy Statement,” 39.

Table 6: Adjacent Heritage Properties

Address	Heritage Recognition	Notes	Image
<b>903 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 1910 <sup>73</sup>	
<b>913 Beach Boulevard</b>	Part IV Designation	c. 1891 <sup>74</sup>	
<b>919 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 1905 <sup>75</sup>	
<b>924 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 1880 <sup>76</sup>	

<sup>73</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*, <https://spatialolutions.maps.arcgis.com/apps/webappviewer/index.html?id=ef361312714b4caa863016bba9e6e68f>.

<sup>74</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>75</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>76</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

Address	Heritage Recognition	Notes	Image
925 Beach Boulevard	Part V Designation – Hamilton Beach HCD	c. 1948 <sup>77</sup>	
929 Beach Boulevard	Part V Designation – Hamilton Beach HCD	c. 1920 <sup>78</sup>	
930 Beach Boulevard	Part V Designation – Hamilton Beach HCD	c. 2012 <sup>79</sup>	
935 Beach Boulevard	Part V Designation – Hamilton Beach HCD	c. 1880 <sup>80</sup>	
936 Beach Boulevard	Part V Designation – Hamilton Beach HCD	c. 1900 <sup>81</sup>	

<sup>77</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>78</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>79</sup> City of Hamilton, *Interactive Mapping Air Photo Base Maps*,

<https://spatialolutions.maps.arcgis.com/apps/webappviewer/index.html?id=ef361312714b4caa863016bb a9e6e68f>.

<sup>80</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>81</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

Address	Heritage Recognition	Notes	Image
<b>954 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	No date indicated in the interactive mapping; however, it is depicted in the 1999 Air Photograph <sup>82</sup>	
<b>958 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 2017 <sup>83</sup>	
<b>962 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 2017 <sup>84</sup>	
<b>966 Beach Boulevard</b>	Part V Designation – Hamilton Beach HCD	c. 2019 <sup>85</sup>	

<sup>82</sup> City of Hamilton, *Interactive Cultural Heritage Mapping*.

<sup>83</sup> City of Hamilton, *Interactive Mapping Air Photo Base Maps*.

<sup>84</sup> City of Hamilton, *Interactive Mapping Air Photo Base Maps*.

<sup>85</sup> City of Hamilton, *Interactive Mapping Air Photo Base Maps*.

## 6.0 EVALUATION

### 6.1 Ontario Regulation 9/06 Evaluation

The property at 940-946 Beach Boulevard was evaluated against *O. Reg. 9/06* under the *OHA* using research and analysis presented in Section 4.0 and 5.0 of this CHIA.

Table 7: *Ontario Regulation 9/06* Evaluation for 940-946 Beach Boulevard

Criteria	Criteria Met	Justification
<b>1. The property has design value or physical value because it,</b>		
i. is a rare, unique, representative, or early example of a style, type, expression, material, or construction method,	No	The Property is not a unique, representative, and early example of a style, type, expression, material, or construction method.
ii. displays a high degree of craftsmanship or artistic merit, or	No	The Property does not display a high degree of craftsmanship or artistic merit. The building exhibits vernacular and simple building methods common at the time of construction.
iii. demonstrates a high degree of technical or scientific achievement.	No	The Property does not demonstrate a high degree of technical or scientific achievement. It was constructed using common building methods at the time of construction.
<b>2. The property has historical or associative value because it,</b>		
i. has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community,	No	The Property does not have direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	No	The Property does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
iii. demonstrates or reflects the work or ideas of an architect,	No	The Property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a

Criteria	Criteria Met	Justification
artist, builder, designer or theorist who is significant to a community.		community. The building was built using common materials and methods at the time of construction. It is unknown who constructed the building.
<b>3. The property has contextual value because it,</b>		
i. is important in defining, maintaining, or supporting the character of an area,	No	<p>The Property is not important in defining, maintaining, or supporting the character of the Beach Boulevard streetscape.</p> <p>The Property's location on Beach Boulevard is defined by one to two storey residential properties with shallow to moderate setbacks that are constructed of primarily wood.</p>
ii. is physical, functionally, visually, or historically linked to its surroundings, or	No	<p>The Property is not physically, functionally, visually, or historically linked to its surroundings.</p> <p>The Property's location on Beach Boulevard is defined by one to two storey residential properties with shallow to moderate setbacks that are constructed of primarily wood.</p>
iii. is a landmark.	No	<p>The Property is not a landmark. The MHSTCI defines landmark</p> <p>...as a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous...<sup>86</sup></p> <p>The building does not meet this criterion.</p>

### 6.1.1 Summary

In LHC's professional opinion, the property municipally known as 940-946 Beach Boulevard does not meet *O. Reg. 9/06* criteria and is not a contributing heritage building within the Beach Boulevard streetscape.

<sup>86</sup> MHSTCI, *Standards & Guidelines for Conservation of Provincial Heritage Properties: Heritage Identification & Evaluation Process*, 2014, [http://www.mtc.gov.on.ca/en/heritage/MTCS\\_Heritage\\_IE\\_Process.pdf](http://www.mtc.gov.on.ca/en/heritage/MTCS_Heritage_IE_Process.pdf), 17.

## 7.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposal for the Property is to demolish the existing dwelling and detached garage in order to allow for the severance of the Property into three parcels of similar size (Figure 32). The retained parcel to the north would measure approximately 13 m by 50 m with an approximate area of 625 m<sup>2</sup>. The new parcel would comprise an area of approximately 12 m x 49 m with an approximate area of 588 m<sup>2</sup>. The retained parcel to the south would measure approximately 13 m x 48 m with an approximate area of 600m<sup>2</sup>. The existing parcel lot—originally two separate properties—is approximately double the size of the adjacent properties (Figure 27).

The current proposal seeks demolition of the extant structures with a view to constructing detached, single dwellings on the two retained parcel and the new severed parcel. Design of the new dwellings has not commenced.

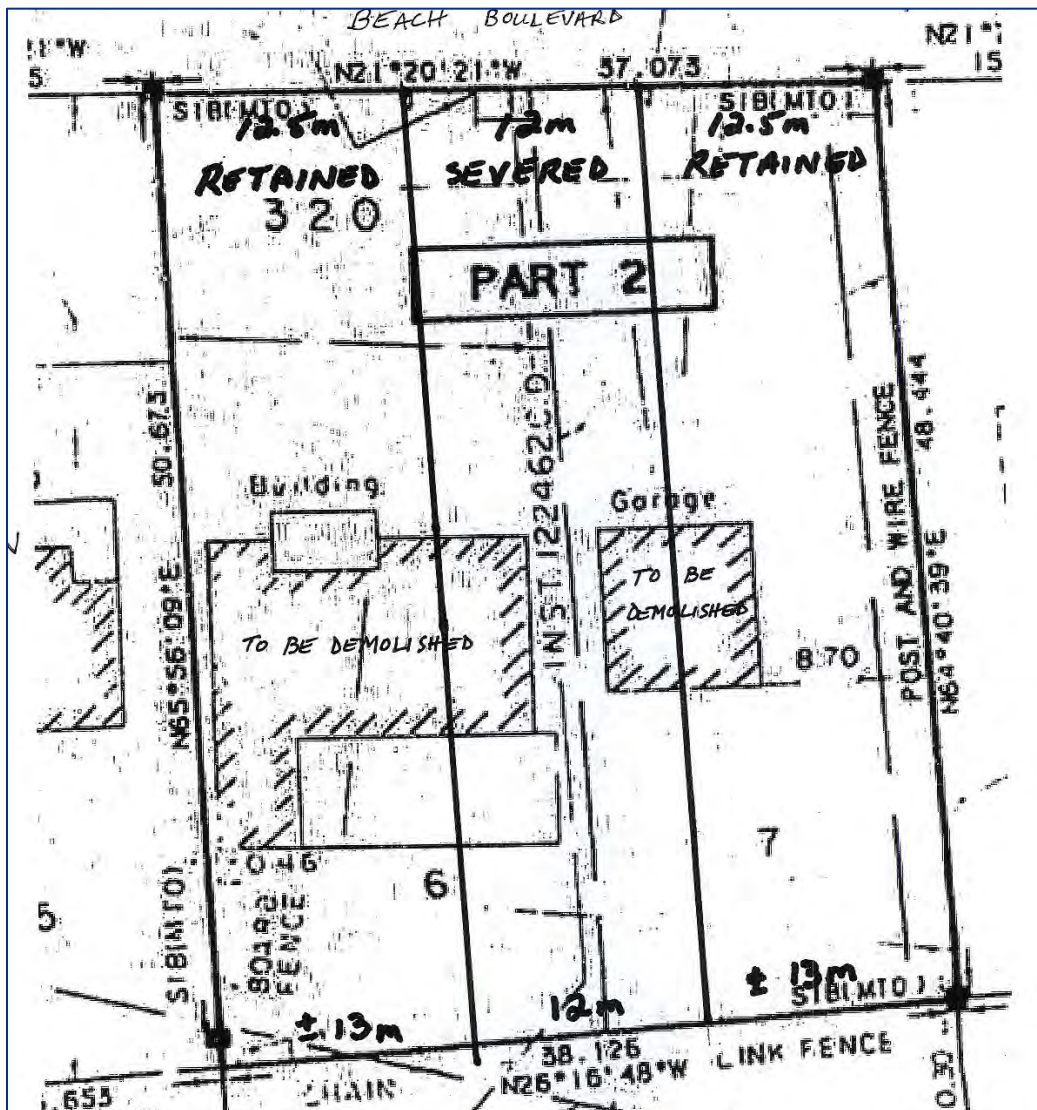


Figure 32: Detail of survey of the Property showing proposed severance



## 8.0 IMPACT OF DEVELOPMENT ON HERITAGE ATTRIBUTES

The MHSTCI's *Info Sheet #5 Heritage Impact Assessments and Conservation Plans* outlines seven potential negative impacts to be considered with any proposed development or site alteration. The impacts include:

1. **Destruction** of any part of any significant heritage attribute or features;
2. **Alteration** that is not sympathetic or is incompatible, with the historic fabric and appearance;
3. **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
4. **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
5. **Direct or indirect obstruction** of significant views or vistas within, from, or built and natural features;
6. **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and
7. **Land disturbances** such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

940-946 Beach Boulevard was not found to meet *O. Reg. 9/06* and neither the dwelling or detached garage were determined to be heritage structures contributing to the streetscape characters. As such, the proposed demolition and severance will not result in an adverse impact to the cultural heritage value or interest of the Property.

The proposed demolition and severance will not result in any direct impact on adjacent properties. Potential impacts on the larger HCD and streetscape character were also considered as they relate to compliance with guidance from the Hamilton Beach Heritage Conservation District Plan (the **HCD Plan**), which provides guidance for conservation of the character of the HCD. Table 8 provides an overview of compliance.

Table 8: Compliance with Relevant Hamilton Beach Heritage Conservation District Plan Guidelines

Guideline	Guideline Text	
3.2	<p><b>1) Land use and development</b></p> <p>The existing low density, low profiles, single detached residential environment within the Beach Heritage Conservation District will be maintained and encouraged. Other forms of residential</p>	<p>The proposal complies with this guideline. It seeks to demolish the existing dwelling and detached garage to allow for the severance of the Property into three parcels. Although design has not commenced, the intent of the severance is to allow for the construction of three single detached residences.</p>

Guideline	Guideline Text	
	development and new uses will be discouraged.	
3.2	<p><b>2) Heritage buildings</b></p> <p>Existing heritage buildings will be protected and enhanced and individual property owners will be encouraged to maintain and repair individual heritage buildings. City Council and staff will provide guidance on funding sources and appropriate conservation practices as requested. Demolition of heritage structures will be actively and vigorously discouraged.</p>	<p>The proposal complies with this guideline. The existing dwelling and detached garage have been reviewed and evaluated and found to not constitute heritage buildings within the context of the HCD.</p>
3.2	<p><b>3) New development, construction and public works</b></p> <p>All new development, construction and any public works will be encouraged only where it is clearly demonstrated that such changes will have both no adverse effects upon the heritage attributes of the district and will positively contribute to the character of the area.</p>	<p>The proposed demolition and severance comply with this guideline.</p> <p>Design has not progressed to a stage where compliance with this guideline can be assessed for future new dwellings. The new dwellings must be design with the character of the HCD in mind.</p>
<b>5.2 New Lots</b>	<p>Where new lots are to be created within the Hamilton Beach Heritage Conservation District they should be of similar width and depth as adjacent occupied lots.</p>	<p>The proposed severance is consistent with this guideline. It will result in three lots. The frontage of each lot will range from approximately 12 m to 13 m. Lots in this section of Beach Boulevard do vary; however, this width is similar to a number of surrounding lots, including 908, 912, 916, 920, 974, and 978 Beach Boulevard. The depth of the new lots will</p>

Guideline	Guideline Text	
		remain consistent with the existing lot.
<b>5.3 New construction</b>	<p>Construction on newly created lots or vacant lots will be required to be compatible with the character of adjoining properties and the streetscape of Beach Boulevard.</p> <p>As each existing building within the district is unique in appearance each new structure to be constructed within the <i>Hamilton Beach Heritage Conservation District</i> will be constructed in a manner that <b>avoids replication</b> of any single style, type or appearance whether of heritage or contemporary design. The intent is that no two buildings should look alike.</p> <p>New construction should also appear to be “new” and not pretend to be historical or simply old by copying historic details that have no relevance in contemporary construction such as shutters and multi-paned sash windows.</p>	<p>Design has not progressed to a stage where compliance with this guideline can be assessed for future new dwellings. The new dwellings must be design with the character of the HCD in mind.</p>

### 8.1 Summary of Potential Impacts and Compliance

Potential adverse impacts were not identified for the Property or any adjacent cultural heritage resources. Therefore, alternatives and mitigation measures are not required.

The proposed demolition and severance are generally consistent with HCD guidelines. Design of new dwellings on the proposed lots must progress with HCD Plan guideline 5.3 in mind. The new single detached dwellings will be required to be compatible with the streetscape character. Design, massing, setback, and materials should take cues from the surrounding buildings, while avoiding replication (Figure 33).

The district plan contains further design considerations for new construction within the Hamilton Beach HCD, which should be consulted throughout the design process (see Appendix C). It is recommended that design be reviewed for compliance with the HCD Plan early in the process to allow for flexibility in the event alternatives are recommended to better conform with the HCD Plan and to conserve the streetscape character.



Figure 33: Examples of Compatible Infill along Beach Boulevard

## 9.0 CONCLUSION AND RECOMMENDATIONS

The Owner is proposing to demolish the existing dwelling and detached garage to allow for the severance of the Property into three parcels. This CHIA has been prepared to evaluate the cultural heritage value or interest of the Property and to outline heritage planning constraints and potential adverse impacts of the proposed demolition and severance. It was undertaken in accordance with the recommended methodology outlined within the MHSTCI's Ontario Heritage Toolkit and the City of Hamilton's *Cultural Heritage Impact Assessment Guidelines (2020)*.

In LHC's professional opinion, the property municipally known as 940-946 Beach Boulevard **does not meet** the criteria of *O. Reg. 9/06* and is not a heritage structure which contributes to the character of the HCD.

In addition, no potential direct or indirect adverse impacts on the cultural heritage value or interest of the Property or adjacent properties were identified. Given that no impacts were identified, alternatives and mitigation measures were not explored.

It should be stressed that this CHIA reviewed the proposal to demolish the extant structures and sever the Property. Design of future single detached residences on the retained and severed lots has not commenced. Any new dwellings are required to comply with HCD Plan guidelines and will be required to be compatible with the streetscape character. Design, massing, setback, and materials should take cues from the surrounding buildings, while avoiding replication.

It is recommended that design be reviewed for compliance with the HCD Plan early in the process to allow for flexibility in the event alternatives are recommended to better conform with the HCD Plan and to conserve the streetscape character (see Appendix C). An updated CHIA or Addendum may be required.

## SIGNATURE



Christienne Uchiyama, MA, CAHP  
Principal, Manager Heritage Consulting Services  
LHC

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## **APPENDIX A: QUALIFICATIONS**

### **Christienne Uchiyama, MA CAHP – Principal, LHC**

Christienne Uchiyama MA CAHP is Principal and Manager - Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with two decades of experience working on heritage aspects of planning and development projects. She is currently President of the Board of Directors of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Since 2003 Chris has provided archaeological and heritage conservation advice, support, and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario and New Brunswick, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 100 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

### **Lisa Coles, B.A. – Junior Heritage Planner**

Lisa Coles is a Junior Heritage Planner with LHC. She holds a B.A. (Hons) in History and French from the University of Windsor and a Graduate Certificate in Museum Management & Curatorship from Fleming College. Lisa is currently a Master of Arts in Planning candidate at the University of Waterloo and has over five years of heritage sector experience through various positions in museums and public sector heritage planning. She is excited to have the opportunity to work in all aspects of the heritage field and to build on her previous experience as part of the LHC team.

### **Jordan Greene, BA – Mapping Technician**

Jordan Greene is a mapping technician with LHC. She holds a Bachelor of Arts in Geography with a Certificate in Geographic Information Science and a Certificate in Urban Planning Studies from Queen's University. The experience gained through the completion of the Certificate in Geographic Information Science allowed Jordan to volunteer as a research assistant contributing to the study of the extent of the suburban population in America with Dr. David Gordon. Prior to her work at LHC, Jordan spent the final two years of her undergraduate degree working in managerial positions at the student-run Printing and Copy Centre as an Assistant and Head Manager. Jordan has had an interest in heritage throughout her life and is excited to build on her existing professional and GIS experience as a part of the LHC team.

## APPENDIX B: GLOSSARY

Definitions are based on the *Ontario Heritage Act*, (**OHA**), the *Provincial Policy Statement* (**PPS**), and the *Urban Hamilton Official Plan* (**UHOP**).

**Adjacent Lands** means those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan. (**PPS**).

**Adjacent** in regard to cultural heritage and archaeology, those lands contiguous to, or located within 50 metres of, a *protected heritage property* (**UHOP**).

**Alter** means to change in any manner and includes to restore, renovate, repair, or disturb and "alteration" has a corresponding meaning ("transformer", "transformation") (**OHA**).

**Archaeological resources** include artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (**UHOP**)

**Areas of Archaeological Potential** a defined geographical area with the potential to contain *archaeological resources*. Criteria for determining archaeological potential are established by the Province, this Plan and the City's Archaeological Master Plan. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (**UHOP**)

**Areas of Archaeological Potential** means areas with the likelihood to contain *archaeological resources*. Criteria to identify archaeological potential are established by the Province. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist (**PPS**)

**Built heritage resources** means one or more *significant* buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to the community. These resources may be identified through inclusion in the City's Register of Property of Cultural Heritage Value or Interest, designation or heritage conservation easement under the Ontario Heritage Act, and/or listed by local, provincial or federal jurisdictions (**UHOP**)

**Built Heritage Resource** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers. (**PPS**).

**Conserve** means the identification, protection, use and/or management of cultural heritage and archaeological resources (**UHOP**)

**Conserved** in the context of cultural heritage resources, means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes, and integrity are retained. This may be addressed through a conservation plan or heritage impact statement (**UHOP**)

**Conserve** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decisionmaker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (*PPS*)

**Cultural Heritage Impact Assessment** A document comprising text and graphic material including plans, drawings and photographs that contains the results of historical research, field work, survey, analysis, and description(s) of cultural heritage resources together with a description of the process and procedures in deriving potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A cultural heritage impact assessment may include an archaeological assessment where appropriate. (*UHOP*).

**Cultural heritage landscape** A defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value (*UHOP*).

**Cultural Heritage Landscape** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms (*PPS*).

**Cultural Heritage Conservation Plan Statement** A document comprising text and graphic material including plans, drawings and photographs that contains the results of historical research, field work, survey, analysis, and description(s) of cultural heritage resources together with a statement of cultural heritage value, interest, merit or significance accompanied by guidelines as required by the policies of this Plan. A cultural heritage conservation plan statement shall be considered a conservation plan as including in the *PPS* (2005) definition of conserved (*UHOP*)

**Cultural Heritage Properties** are properties that contain cultural heritage resources (*UHOP*)

**Cultural Heritage Resources** Structures, features, sites, and/or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, and/or scenic value that may also represent intangible heritage, such as customs, ways-of-life, values, and activities (*UHOP*)

**Development (Urban)** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, R.S.O., 1990 c. P.13 but does not include:

- a) activities that create or maintain infrastructure used by a public body and authorized under an environment assessment process; or,
- b) b) works subject to the Drainage Act (*UHOP*).

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

- a) activities that create or maintain infrastructure authorized under an environmental assessment process;
- b) b) works subject to the Drainage Act; or
- c) c) for the purposes of policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a). (*PPS*).

**Established Historical Neighbourhood** means a physically defined geographical area that was substantially built prior to 1950 (*UHOP*)

**Existing** when used in reference to a use, lot, building or structure, means any use, lot, building or structure legally established or created prior to the day of approval of this Official Plan (*UHOP*)

**Heritage Attributes** means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property (*UHOP*)

**Heritage Attributes** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property). (*PPS*).

**Historic** means a time period, starting approximately 200 years ago, during which European settlement became increasingly widespread in the Hamilton area and for which a written (or 'historic') record has been kept (*UHOP*)

**Property** means real property and includes all buildings and structures thereon (*OHA*)

**Protected Heritage Property** means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss (*UHOP*).

**Protected Heritage Property** means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites (*PPS*)

**Significant** In regard to cultural heritage and archaeology, means cultural heritage resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (*UHOP*)

**Significant** means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. (*PPS*).

## **APPENDIX C: HAMILTON BEACH HERITAGE CONSERVATION DISTRICT: DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION**

## 5.0 HAMILTON BEACH HERITAGE CONSERVATION DISTRICT: DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

### 5.1 Introduction

The *Hamilton Beach Heritage Conservation District* is unique amongst Ontario's heritage districts as there is considerable potential for the construction of new residential development on newly created lots. These are generally restricted to the west side of Beach Boulevard. Existing buildings on this side of the Boulevard are typically set back some distance from the road. The east side of Beach Boulevard is characterized by a substantial and consolidated building mass and streetscape.

While not prohibited by the *Ontario Heritage Act* the demolition of existing heritage structures and the creation of new buildings will be actively discouraged within the *Hamilton Beach Heritage Conservation District*. As in many heritage districts throughout Ontario, residents of the Hamilton Beach are encouraged to work with existing buildings through sensitively adapting and altering them rather than demolishing and constructing new structures. Guidelines for alteration and additions to heritage and non-heritage buildings are contained in Section 4. Guidelines for new construction are described in the following subsections

### 5.2 New lots

Where new lots are to be created within the *Hamilton Beach Heritage Conservation District* they should be of similar width and depth as adjacent occupied lots.

### 5.3 New construction

Construction on newly created lots or vacant lots will be required to be compatible with the character of adjoining properties and the streetscape of Beach Boulevard.

As each existing building within the district is unique in appearance each new structure to be constructed within the *Hamilton Beach Heritage Conservation District* will be constructed in a manner that **avoids replication** of any single style, type or appearance whether of heritage or contemporary design. The intent is that no two buildings should look alike.

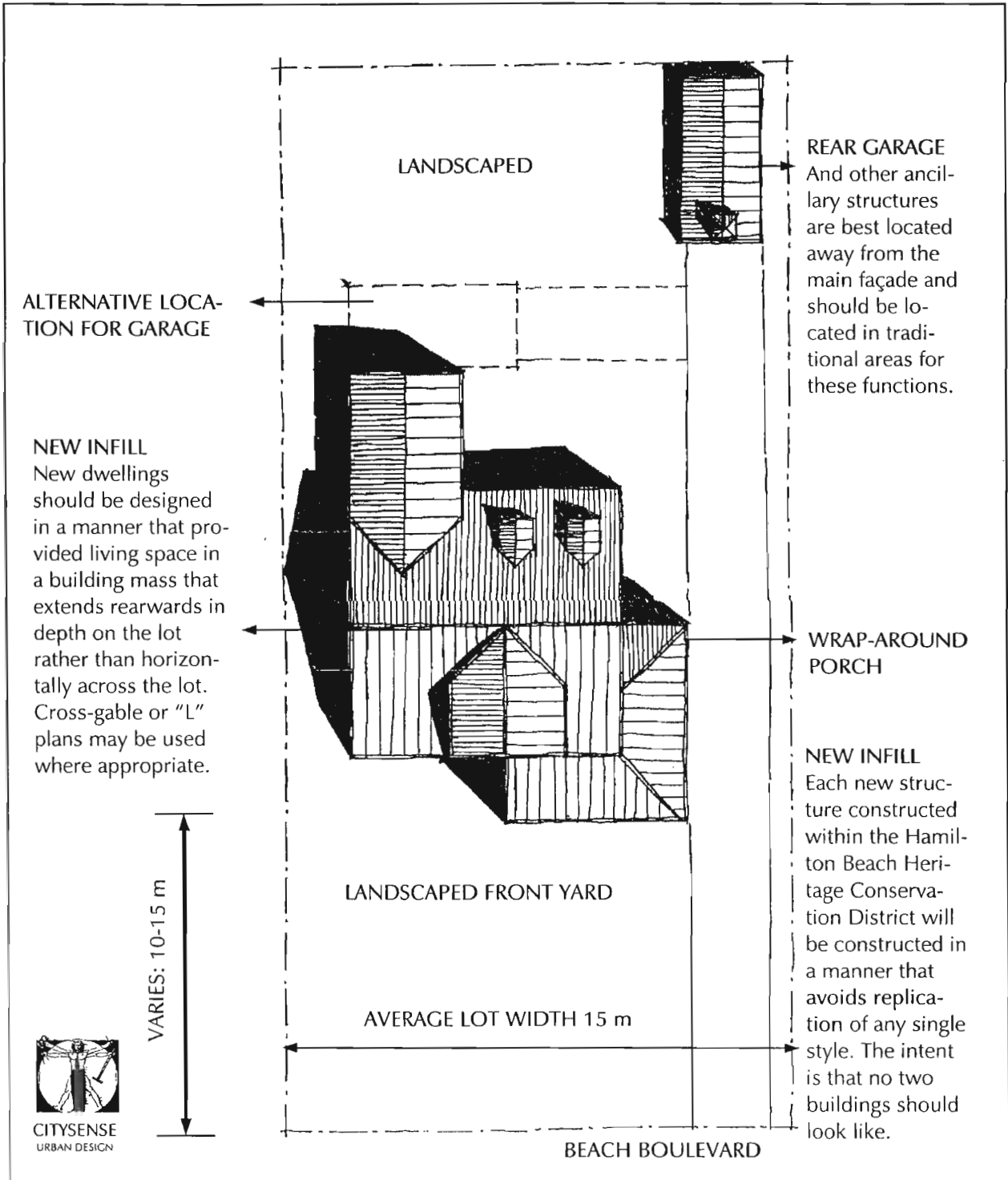
New construction should also appear to be "new" and not pretend to be historical or simply old by copying historic details that have no relevance in contemporary construction such as shutters and multi-paned sash windows.



Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

# DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

## Guiding Principles



#### 5.4 Design considerations in new construction

General factors governing visual relationships between an infill building, its neighbours and the streetscape should be reviewed carefully and used as the basis for new construction including consideration of: building height, width, setbacks, roof shape, number of bays, and materials. Specific guidance is described below:

**Height:** The majority of buildings within the Beach District are two storeys or less. Accordingly to maintain this profile new buildings should be no higher than two storeys, particularly if there are high basement and foundation walls. Required living space should be provided in a building mass that extends rearwards in depth on the lot rather than upwards in height.

**Width:** New dwellings should be designed in a manner that provide living space in a building mass that extends rearwards in depth on the lot rather than in horizontal width across the lot. Cross-gable or "L" plans may be used where appropriate.

**Setback:** Residences on the west side (or harbour side) of Beach Boulevard tend generally to be set back further than their eastern counterparts. Those constructed pre-1900 appear closer to the Boulevard. Accordingly, new construction should be set back from the road in keeping with the post-1900 construction.

On the east (or lake side) any new construction should ensure traditional facade frontage is oriented towards Beach Boulevard with building setbacks that are the same as adjoining lots. Where adjacent buildings are staggered from one another the new intervening building facade should be:

- located so that it does not extend beyond the front facade of the forwardmost building, or
- located so that it does not sit behind the front facade of the rearward building.

**Proportion and massing** New infill should be developed with horizontal to square facades with three bays comprising an entranceway and two window bays. Facades with a vertical emphasis should be avoided.

Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

**DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION**

Guiding Principles

**FRONT GABLE**

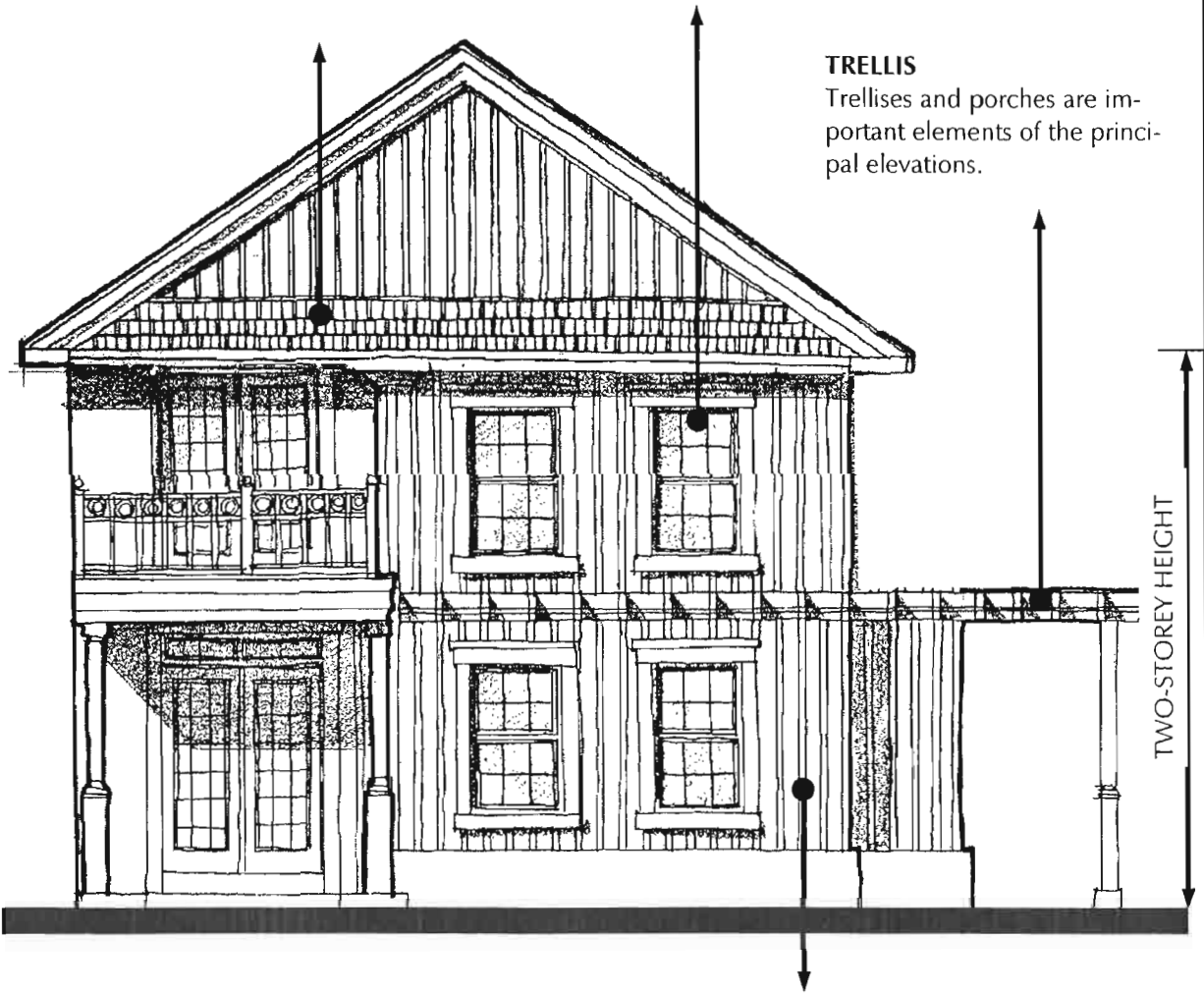
Front gables are encouraged in new construction. Asphalt or wood shingles are appropriate for new construction

**WINDOWS**

New window designs that generally reflect vertical and rectangular dimensions are encouraged

**TRELLIS**

Trellises and porches are important elements of the principal elevations.



**WALL CLADDING**

Wall materials for use in new construction are encouraged to be wood cladding (board-and-batten or shingles), stucco, pebble-dash or rough cast. Very limited use or very small areas of synthetic cladding may be permitted, particularly when used with traditional materials.



CITYSENSE  
URBAN DESIGN

Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

## DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

### Guiding Principles

#### CLADDING MATERIALS

This example: shingles

#### ROOFS AND ROOF FEATURES

One of the roof types which is encouraged is cross-gable shown bellow. Roof vents, satellite dishes, chimneys, flues and other venting devices and roof features are best located to the rear of new buildings.



ONE AND A HALF STOREY



CITYSENSE  
URBAN DESIGN

#### WALL MATERIALS

This example: stucco in combination with shingles.

#### WINDOWS

On facades that face the street, windows should maintain proportions of neighbouring properties. Large, multi-storey windows should be avoided.

Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

## DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

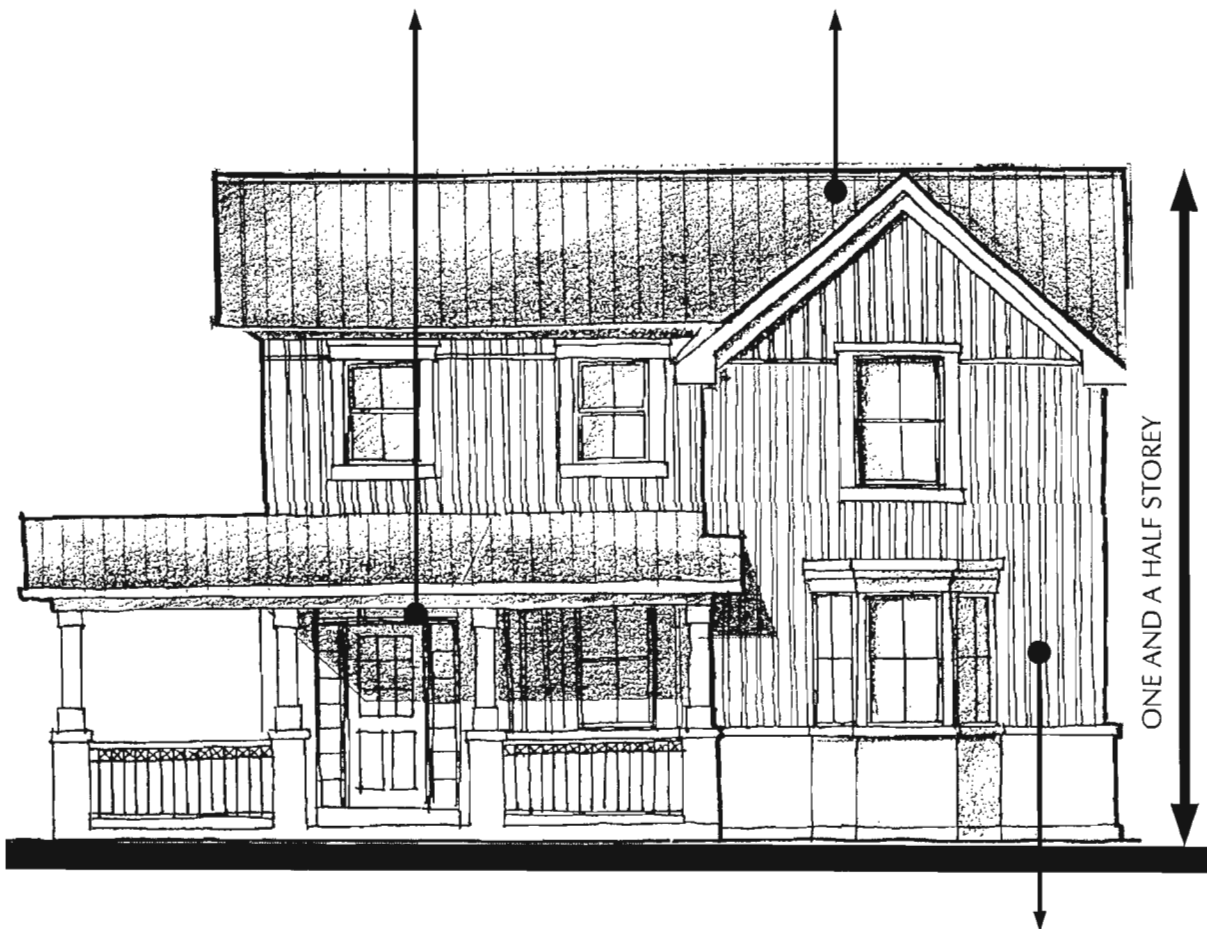
### Guiding Principles

#### ENTRANCES AND PORCHES

Entrances are usually an important element of the principal elevation, frequently highlighted with architectural detailing such as door surrounds and porches and recessed or projected from the wall face for emphasis.

#### ROOFS : CROSS GABLES

Cross gables with windows may be appropriate in front elevations on Beach Boulevard provided that they do not overpower the façade. Dormers should only be encouraged at the rear or side elevations. This example: asphalt shingles.



#### CLADDING MATERIALS

Wall materials for use in new construction are encouraged to be wood cladding, either as board-and-batten or wood shingles, stucco and pebble-dash or rough cast. This example: board-and-batten.



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Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

## DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

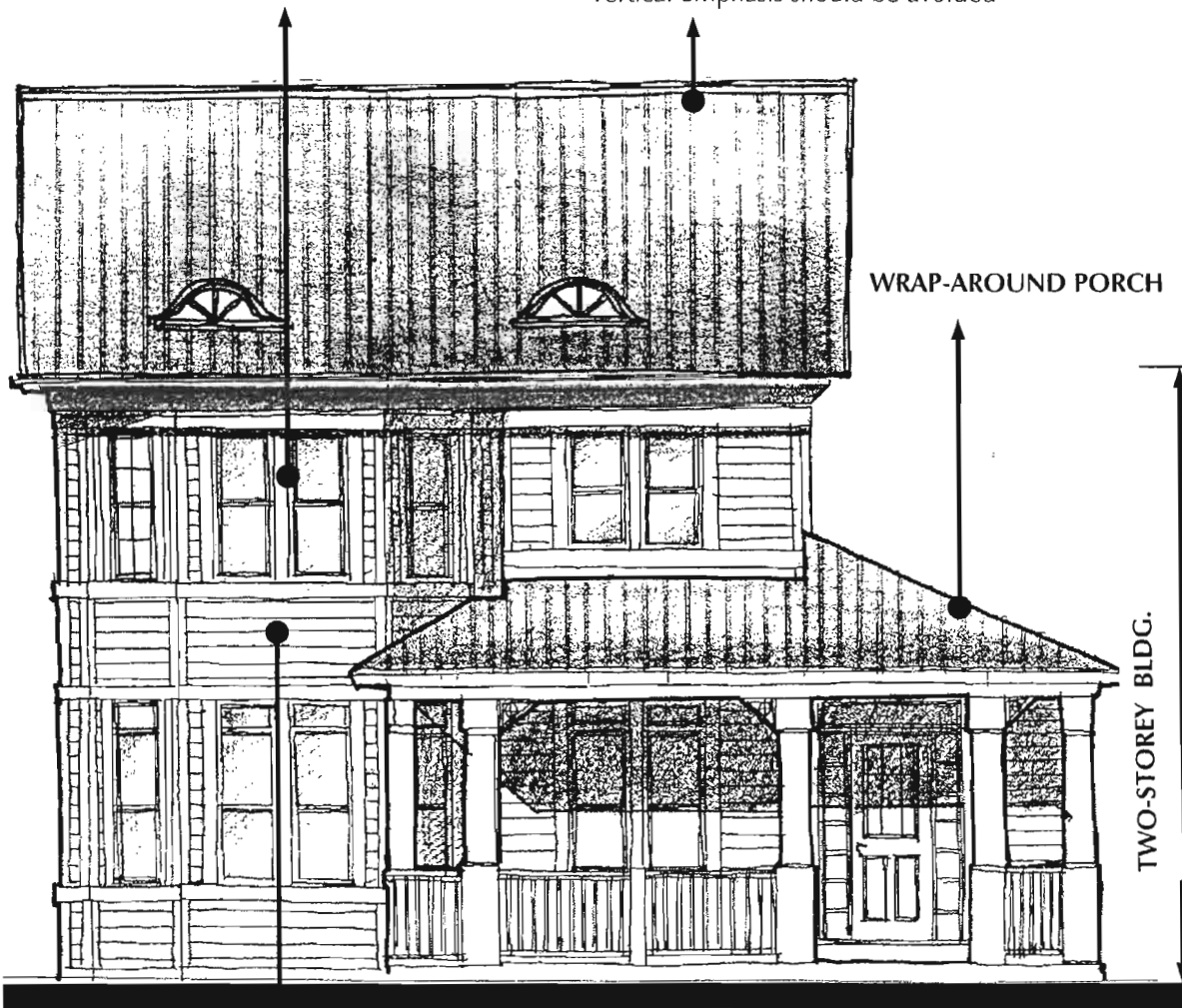
### Guiding Principles

#### WINDOWS AND BAY WINDOWS

The windows should be arranged in a variety of ways, either individually, pairs, groups or composing a bay

#### PROPORTION AND MASSING

New infill should be developed with horizontal to square facades with three bays comprising an entranceway and two window bays. Facades with a vertical emphasis should be avoided



#### CLADDING MATERIALS

This example: wood cladding



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## DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

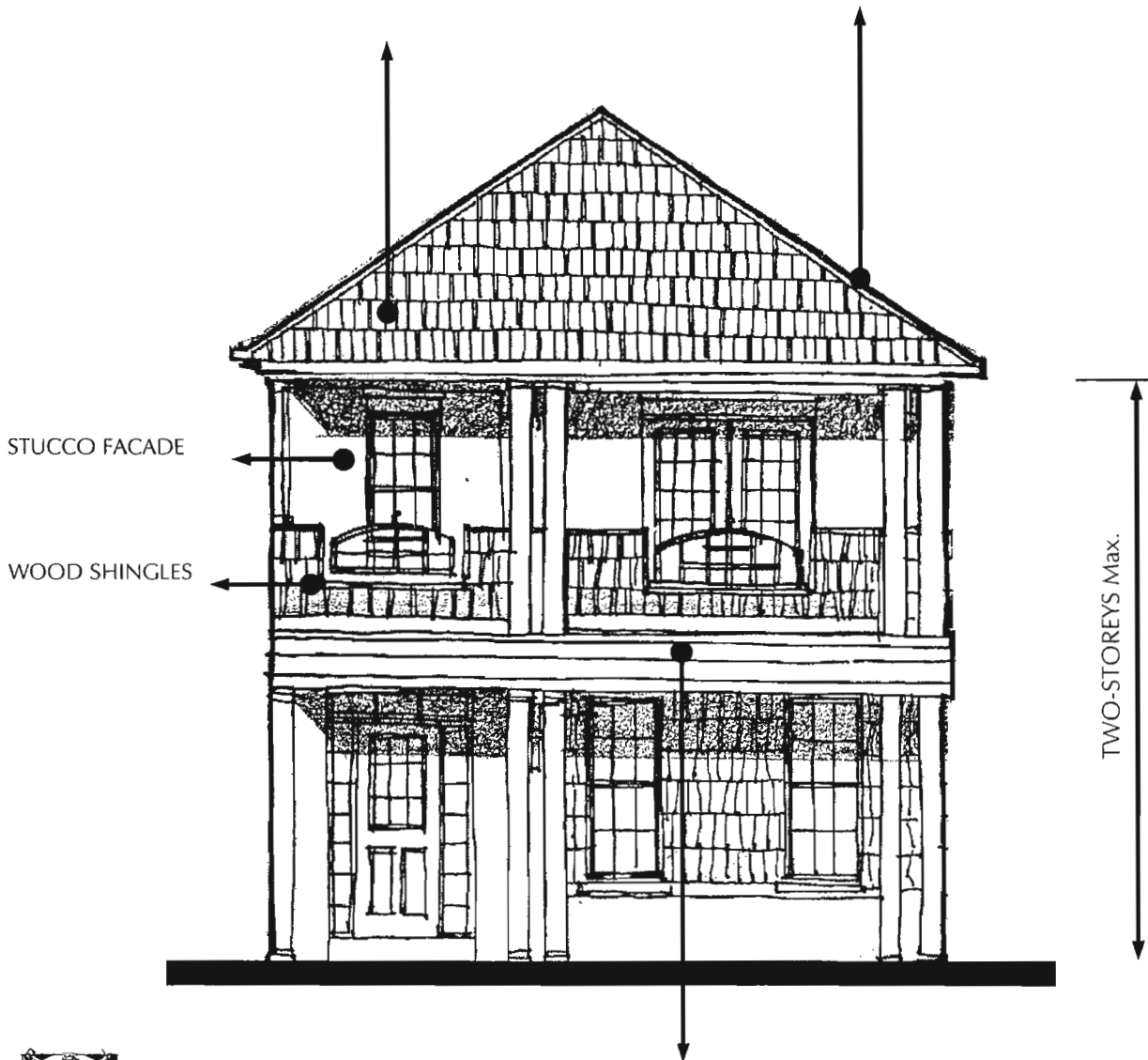
### Guiding Principles

#### ROOF MATERIALS

This example with cedar shingles.

#### HIPPED ROOF

One of the roof types encouraged in new construction is hipped roof.



#### TWO-STORY VERANDAH

Entrances are an important element of the principal orientation, frequently highlighted with architectural elements such as porches, and verandahs.



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URBAN DESIGN

### **Roofs**

Roof types encouraged in new construction are front gable, cross- or centre gable and hipped or truncated hip. Side gable, mansard, gambrel and flat roofs are not typical of the Beach District and should be avoided. Asphalt or wood shingles are appropriate for new construction. Concrete, clay tile, slate, metal or composite materials are discouraged.

Roof vents, skylights, satellite dishes, solar panels, chimneys, flues, other venting devices and roof features are best located to the rear of new buildings.

Cross or centre gables with windows may be appropriate in front elevations on Beach Boulevard provided that they do not overpower the facade. Dormers should only be encouraged at the rear or side elevations.

### **Materials**

The majority of buildings in the *Hamilton Beach Heritage Conservation District* are of frame construction with a variety of cladding materials. Cladding materials include stucco, rough cast and pebble-dash, clapboard, board-and-batten and wood shingles. Synthetic materials such as metal or vinyl siding have also been used, either in whole or in part, to patch or cover former historical cladding. Brick and stone are used sparingly.

Wall materials for use in new construction are encouraged to be wood cladding, either as board or shingles, stucco and pebble-dash or rough cast. Very limited use or very small areas of synthetic cladding may be permitted, particularly when used with traditional materials. Use of brick, concrete or other masonry blocks should be avoided.

### **Windows:**

A range of window and entrance types are evident in the existing late nineteenth and twentieth century architectural styles represented in the *Hamilton Beach Heritage Conservation District*. The overall appearance of building facades is more wall surface (solids) than windows (voids). Generally window openings are vertical and rectangular. There are also examples of semi-circular, segmental and round headed openings. The windows are arranged in a variety of ways, either individually, pairs, groups or composing a bay. New window designs that generally reflect vertical and rectangular dimensions are encouraged. On facades that face the street, windows should maintain proportions of neighbouring properties. Large, full-length, multi-storey or picture windows are best avoided.



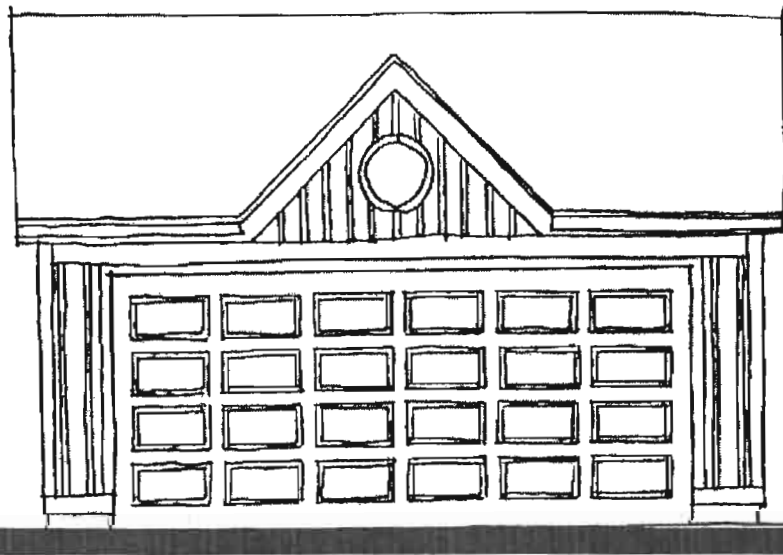
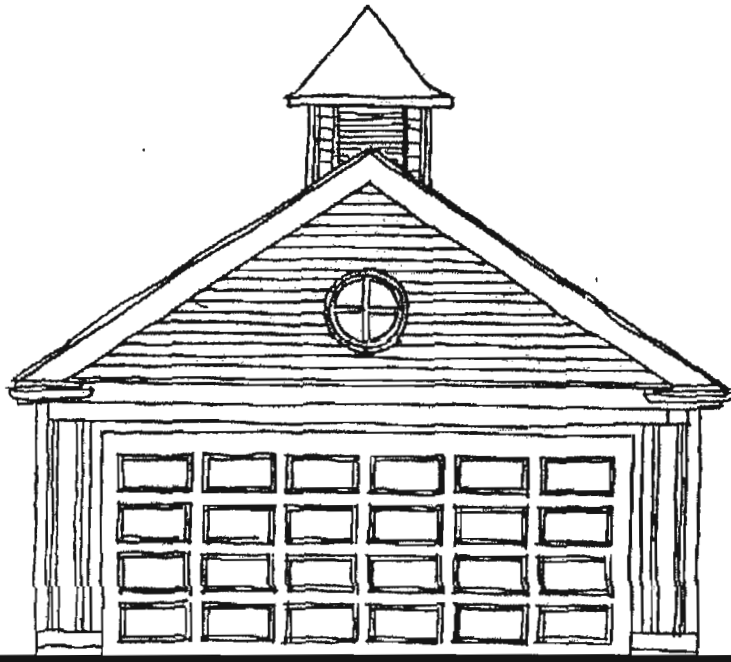
Hamilton Beach Heritage Conservation District  
Guidelines for conservation and change

## DESIGN GUIDELINES FOR NEW INFILL CONSTRUCTION

### Guiding Principles

#### GARAGES

Garages and ancillary structures are best located away from the main façade and should be located in traditional areas for these functions, usually towards the rear of the lot. Garages, in particular, should not form part of the front façade of the main building.



***Entrances:*** Entrances are usually an important element of the principal elevation, frequently highlighted with architectural detailing such as door surrounds and porches and recessed or projected from the wall face for emphasis. Accordingly, full size double doors and large amounts of glazing in entranceways should be avoided.

***Garages and ancillary structures*** Garages and ancillary structures are best located away from the main facade and should be located in traditional areas for these functions, usually towards the rear of the lot. Garages, in particular, should not form part of the front facade of the main building.



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

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Emily Bent (905) 546-2424 Ext. 6663
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the non-designated property located at 85-87 Catharine Street North, Hamilton, be removed from the Municipal Heritage Register.

**EXECUTIVE SUMMARY**

This Report recommends removing the property municipally addressed as 85-87 Catharine Street North, Hamilton, from the Municipal Heritage Register in response to a Notice of Intention to Demolish under Section 27 (9) of the *Ontario Heritage Act*.

A Cultural Heritage Impact Assessment was submitted in support of the Notice of Intention to Demolish the building located on a portion of the property known as 85 Catharine Street North, which is comprised of a brick dwelling constructed circa 1890. The portion of the property known as 87 Catharine Street North is vacant. Staff have reviewed the Cultural Heritage Impact Assessment and note that the existing building is in good condition and does have some cultural heritage value or interest. While the property does meet enough criteria to warrant designation, given the loss of integrity of the historic streetscape and surrounding context, staff do not recommend designation of the property under the *Ontario Heritage Act*.

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**SUBJECT: Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2) - Page 2 of 7**

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The intent behind the proposed demolition is to consolidate the property at 85-87 Catharine Street North with the adjacent lot at 80 John Street North and submit a revised proposal targeting Conditional Approval of active Site Plan Control Application DA-21-137 for the construction of two 30-storey mixed use towers with 700 residential units. While the preference would be to retain and integrate the existing dwelling into a new development, staff recognize the opportunity to integrate the subject property at 85-87 Catharine Street North into the redevelopment including the adjacent surface parking lot at 80 John Street North into one cohesive development providing residential intensification.

As such, staff recommend removing the property from the Municipal Heritage Register. To support the revised Site Plan Control application, a revised Cultural Heritage Impact Assessment is required, which staff anticipate will provide further recommendations on Documentation and Salvage for the building proposed to be demolished and will be captured as revised conditions of Site Plan approval.

**Alternatives for Consideration – See Page 7**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: Owners of non-designated properties listed on the City's Municipal Heritage Register under Section 27 (3) of the *Ontario Heritage Act* are required to give Council 60 days' notice of their intention to demolish or remove any building or structure on the property. Council must consult with the Municipal Heritage Committee prior to removing a property from the Register under Section 27 (4) of the *Act*.

**HISTORICAL BACKGROUND**

The properties located at 85 and 87 Catharine Street North, Hamilton (see location map attached as Appendix "A" to Report PED24189) are comprised of a two-and-a half storey brick dwelling, constructed circa 1890.

In September 2014, the properties located at 85 and 87 Catherine Street North were listed on the Municipal Heritage Register as part of the Downtown Hamilton Built Heritage Inventory Project (see PED14191). At the time, the properties had not merged in title and 87 Catharine Street North was comprised of a two-storey brick dwelling constructed circa 1876, which joined the dwellings located at 85 and 89 Catharine Street North, forming a row. The preliminary research and evaluation for both properties

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**SUBJECT: Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2) - Page 3 of 7**

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conducted as part of the Downtown Hamilton Inventory identified them as being “Character Supporting Resources,” having contextual cultural heritage value or interest contributing to the character of the area and therefore worthy of listing on the Municipal Heritage Register. The building at 87 Catharine Street North was previously demolished and that portion of the site remains vacant.

In January 2024, Cultural Heritage Planning staff were contacted by the agent for the owner of 85 and 87 Catharine Street North who were advised of the requirement to provide a Notice of Intention to Demolish for any building or structure on the property listed under Section 27 (3) of the *Ontario Heritage Act* should they wish to apply for a building permit to demolish the existing dwelling. Staff also confirmed the agent’s intent to add the property to the adjacent lot at 80 John Street North and to submit revised drawings for active Site Plan Control application DA-21-137 to target Conditional Approval. Staff advised the agent that a Cultural Heritage Impact Assessment would not be required for the Notice of Intention to Demolish, however, a Cultural Heritage Impact Assessment would be required with a submission for an amended Site Plan.

In May 2024, the agent submitted a draft Cultural Heritage Impact Assessment for staff to review and comment on ahead of submitting an amendment to Site Plan Control application DA-21-137. Staff provided some initial feedback, noting a difference in professional opinion in the cultural heritage evaluation and that staff would prefer to see the building retained and incorporated into a new development, rather than be demolished. In a meeting with the agent and their Heritage Consultant on June 21, 2024, the agent confirmed that they would submit a Notice of Intention to Demolish ahead of making a revised submission for Site Plan Control application DA-21-137, noting that this approach would demonstrate whether there is support from Council to demolish the existing dwelling at 85 Catharine Street North prior to revising any Site Plan drawings. The agent also confirmed that, while it was not a requirement at this stage, a Cultural Heritage Impact Assessment would be submitted to support their forthcoming Notice of Intention to Demolish, which would be revised to discuss the impacts and mitigation measures once a revised concept for DA-21-137 was completed. Staff again reiterated their preference for the building to be retained and integrated into the proposed development.

On August 28, 2024, Cultural Heritage Planning staff received Notice of Intention to Demolish 85 Catharine Street North in accordance with Section 27(9) of the *Ontario Heritage Act* by way of a formal letter from the agent (attached as Appendix “B” to Report PED24189) and an accompanying Cultural Heritage Impact Assessment dated August 2024 completed by mcCallumSather (attached as “Appendix C” to Report PED24189).

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## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendation of this Report is consistent with Provincial and Municipal legislation, policy, and direction, including the following relevant policies from the Urban Hamilton Official Plan, Volume 1:

- Identifying cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources (B.3.4.2.1 b));
- Maintaining the Municipal Heritage Register, pursuant to the *Ontario Heritage Act*, and seeking advice from the Municipal Heritage Committee when considering additions and removals of non-designated properties from the Register (B.3.4.2.4);
- Requiring a cultural heritage resource to be thoroughly documented for archival purposes in the event that rehabilitation and reuse of the resource is not viable as part of a *Planning Act* application process (B.3.4.2.13);
- Residential intensification within the built-up area (Urban Hamilton Official Plan Volume 1, Policies B.2.4.1.4 a) - l)); and,
- Residential intensification and Cultural Heritage Resources (Urban Hamilton Official Plan Volume 1, Policy B.2.4.3.1, and B.2.4.3.2).

## **RELEVANT CONSULTATION**

- Property owner and their agents/consultants.

The Ward Councillor (Councillor Kroetsch) for Ward 2 has been advised that this matter was to be considered by the Hamilton Municipal Heritage Committee and has been advised of the staff recommendation to remove this property from the Municipal Heritage Register.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Listing a property on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest provides 60 days interim protection from demolition. The 60-day interim period is intended to allow staff time to discuss alternatives for conservation of a property with the owner, including opportunities for retention, adaptive re-use and financial incentives, and photo-documentation of the property prior to demolition. In the case of significant heritage properties, like those identified as candidates for designation, the 60-day delay could allow Council time to consider issuing a notice of intention to designate the property to prevent demolition.

The preliminary research and evaluation of 85 Catharine Street North conducted as part of the Downtown Hamilton Inventory identified the property as being a “Character

**SUBJECT: Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2) - Page 5 of 7**

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Supporting Resource”, having contextual cultural heritage value or interest contributing to the character of the area and therefore worthy of listing on the Municipal Heritage Register. The property was not identified as a candidate for designation under Part IV of the *Ontario Heritage Act*. The preliminary evaluation indicated that the property met the following criteria of Ontario Regulation 9/06, as amended by Ontario Regulation 569/22:

- Criteria 1: Its design value as a representative example of a late-nineteenth century brick dwelling;
- Criteria 4: Its historic value because it is associated with the period of development between 1850-1900 and its location within the Beasley Neighbourhood, one of the original four neighbourhoods in Hamilton; and,
- Criteria 7: Its contextual value, helping to support the historic character of the neighbourhood.

### **Review of Cultural Heritage Impact Assessment**

Staff have reviewed the Cultural Heritage Impact Assessment (attached as Appendix “C” to Report PED24189) submitted with the Notice of Intention to Demolish and have found it to be comprehensive and complete for the purposes of accompanying the Notice.

Staff note that the Cultural Heritage Impact Assessment includes an evaluation of the subject property in accordance with Ontario Regulation 9/06 (see pages 33-35 of Appendix “C” attached to Report PED24189) that differs from the preliminary evaluation conducted as part of the Downtown Hamilton Inventory project. After reviewing the photo-documentation, historical research and rationale presented in the Cultural Heritage Impact Assessment, Cultural Heritage Planning staff agree with the consultant’s assessment that the building at 85 Catharine Street North does not meet Criteria 3, 5, 6 or 9 of Ontario Regulation 9/06. However, it is the professional opinion of staff that the property at 85 Catharine Street North meets Criteria 1, Criteria 4, and Criteria 7, which is consistent with preliminary evaluation from the Downtown Hamilton Inventory, as well as additional Criteria 2 and 8 of Ontario Regulation 9/06. Below is a summary of the staff evaluation and opinion:

- **Design / Physical Value:** Upon further review, staff found that the property meets an additional criterion in the physical value category of Ontario Regulation 9/06, as the carved red stone voussoirs are a unique feature of the dwelling, in addition to noting that this element meets Criteria 2 for displaying a high degree of artisanship. The Cultural Heritage Impact Assessment indicates that the building does not meet Criteria 1, stating that “while the building is reflective of a typology and style, it does not exemplify or define it, and as such, is not considered representative”, nor are any features unique. The report also notes

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**SUBJECT: Notice of Intention to Demolish the Building Located at 85 Catharine Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED24189) (Ward 2) - Page 6 of 7**

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that, regarding Criteria 2, the building remains “highly vernacular” and although it is well-constructed, does not display a high degree of artisanship.

- **Historical / Associative Value:** The preliminary evaluation of the property at 85 Catharine Street North completed as part of the Downtown Hamilton Inventory indicated that the property met Criteria 4 of Ontario Regulation 9/06, as it is linked to the period of development between 1850-1900 and is located within the Beasley Neighbourhood. Staff still concur with that the property meets this criterion.
- **Contextual Value:** The Downtown Hamilton Inventory noted that the property met Criteria 7 while the adjacent dwelling at 87 Catharine was still extant, however, it is the professional opinion of Cultural Heritage Planning staff that the building at 85 Catharine Street North supports previous character of the neighbourhood as a remnant of the previous row of houses, demonstrating the former character of the street. This is contrary to the findings of the Cultural Heritage Impact Assessment report, which notes that the surrounding surface parking lots have severed the dwelling at 85 Catharine Street North from its original historic context. Lastly, staff are of the opinion that the property meets Criteria 8, as it is historically linked to the development of the Beasley Neighbourhood. However, Cultural Heritage Impact Assessment suggests that, given the loss of historic building stock surrounding the property, it has lost that historic link to its surroundings.

The Cultural Heritage Impact Assessment notes that the conservation approach for the redevelopment of the subject property at 85 and 87 Catharine Street North, in conjunction with the adjacent lot at 80 John Street North, is one of “landscape rehabilitation.” The report states that the existing building has become disconnected from its previous historic context, and the opportunity to plan for a full urban block rehabilitation aligns with municipal and provincial policies relating to residential intensification. Staff agree that redevelopment of the site would allow it to contribute to the evolving Downtown landscape, as per the General Residential Intensification Policies of the Urban Hamilton Official Plan, Volume 1 (Policy B.2.4), and note the loss of integrity of the Catharine Street North streetscape and surrounding. However, staff disagree that demolishing the building at 85 Catharine Street North is required to facilitate said redevelopment.

Despite a difference in professional opinion regarding the evaluation of 85 Catharine Street North in accordance with Ontario Regulation 9/06, staff find the Cultural Heritage Impact Assessment to be comprehensive and complete for the purpose of the Notice of Intention to Demolish.

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## **Conclusion**

It has been determined that the building located at 85 Catharine Street North has cultural heritage value or interest for its design, associative and contextual value. While the preference would be to retain and integrate the existing dwelling into a new development, staff recognize the opportunity to integrate the subject property at 85-87 Catharine Street North into the redevelopment including the adjacent surface parking lot at 80 John Street North into one cohesive development providing residential intensification. While the property does meet enough criteria to warrant designation, given the loss of integrity of the historic streetscape and surrounding context, staff do not recommend designation of the property under the *Ontario Heritage Act*. Staff recommend removing the property from the Municipal Heritage Register.

As previously noted, a revised Cultural Heritage Impact Assessment will be required to with a revised submission to target Conditional Approval of Site Plan Control Application DA-21-137. Staff anticipate that a Documentation and Salvage Report will be required as a condition of approval of an amended Site Plan application, to ensure that any historic materials are salvaged for reuse and diverted from the landfill prior to demolition of the building.

## **ALTERNATIVES FOR CONSIDERATION**

### **Direct Staff to Designate the Property**

Hamilton Municipal Heritage Committee may recommend that Council direct staff to designate the subject property under Part IV of the *Ontario Heritage Act* in response to the Notice of Intention to Demolish. Staff are of the opinion that while the subject property meets 5 of the 9 Criteria under Ontario Regulation 9/06, this alternative is not being recommended as the property will be added to the adjacent site at 80 John Street North to facilitate its redevelopment. While conserving cultural heritage resources is a priority in municipal and provincial policies, staff note that the opportunity to redevelop a surface parking lot aligns with the General Residential Intensification policies of the Urban Hamilton Official Plan, Volume 1, and that a future Documentation and Salvage Report will be able to identify historic materials for reuse.

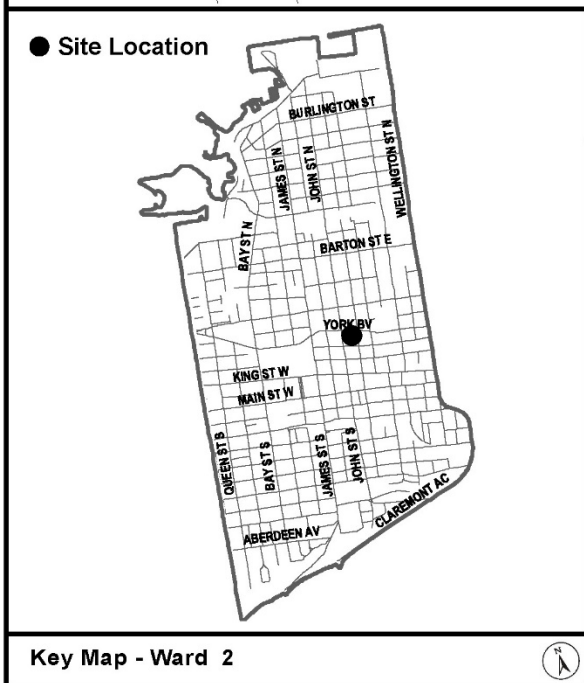
## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24189 – Location Map

Appendix "B" to Report PED24189 – Notice of Intention to Demolish

Appendix "C" to Report PED24189 – Cultural Heritage Impact Assessment

EB:mb



## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
85 and 87 Catharine St N

Date:  
September 11, 2024

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
EB/NB

**Subject Property**

85 and 87 Catharine Street North, Hamilton  
(Ward 2)

August 28, 2024

City of Hamilton  
Planning and Economic Development  
71 Main Street West  
Hamilton, ON, L8P 4Y5

Attn: Emily Bent, Cultural Heritage Planner, Planning Division

**Re: Notice of Intention to Demolish**

85 Catharine Street North  
Ward: 2

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This letter is intended to serve as formal Notice of Intention to Demolish the existing dwelling located at 85 Catharine Street North in the City of Hamilton, which is protected under the Ontario Heritage Act as a listed, non-designated property. The property has a total area of 0.105 ha and is situated in the middle of a city block that is bounded by Wilson to the north, Rebecca Street to the south, John Street North to the west, and Catharine Street North to the east.

Enclosed with our submission is a Cultural Heritage Impact Assessment (CHIA) prepared by McCallumSather, dated August 2024. Section 3.2 of the CHIA provides an evaluation of the property under Ontario Regulation 9/06. The evaluation of the criteria confirms that the property is not suitable for designation under Part IV of the Ontario Heritage Act. As such, our request is that the property be removed from the City of Hamilton's Heritage Register.

In July 2021, Kaneff filed an application for Site Plan Approval under City File: DA-21-137 for 80 John Street North. The application proposes to redevelop an existing vacant parking lot to construct two, 30 storey mixed use towers on a four-storey podium. In 2023, Kaneff acquired 85 Catharine Street North with the intention to expand the limits of development for our existing application, further consolidate the block, and facilitate the comprehensive redevelopment of underutilized lands within Downtown Hamilton.

Both 80 John Street North and 85 Catharine Street North are designated "Downtown Urban Growth Centre" according to Schedule E of the Urban Hamilton Official Plan and "Downtown Mixed-Use Area" according to Schedule E-1 Urban Land Use Designations. Similarly, these properties are designated "Downtown Mixed Use" according to the Downtown Hamilton Secondary Plan and are zoned "Downtown Central Business District (D1) - Holding Provision (H17, H19, H20)" in accordance with Zoning By-law 05-200. The existing policy framework and zoning supports the mixed-use redevelopment and intensification of these lands in Downtown Hamilton.

This Notice of Intention to Demolish has been filed with a request for the Heritage Committee and Council to remove 85 Catharine Street North from the City of Hamilton's Heritage Register. The removal of this property from the Heritage Register will support revisions to our existing Site Plan





Approval application for 80 John Street North to extend the limits of development to include 85 Catharine Street North.

We appreciate your review of our request. Please do not hesitate to contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Freeman'.

**Kevin Freeman, MCIP, RPP**

*Director of Planning & Development  
Kaneff Group*



mcCallumSather



# Cultural Heritage Impact Assessment

CITY OF HAMILTON // 85 CATHARINE STREET NORTH

August 2024

mcCallumSather

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## LAND ACKNOWLEDGMENT

The office of mcCallumSather, located in the City of Hamilton is situated upon the traditional territories of the Erie, Neutral Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabe to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

## LAND ACKNOWLEDGMENT OF HERITAGE PROPERTY

The property at 85 Catharine Street North, located in the City of Hamilton, is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat and the Haudenosaunee, and is held as the treaty lands and territory with the Mississaugas of the Credit First Nation. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabe to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, also known as Treaty 3, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers. The City of Hamilton recognizes that meaningful consultation and inclusion of Indigenous Elders, leaders, and community members are crucial for moving ahead.

*Note: Portions of the above text have been adapted from the City of Hamilton Acknowledgement Statement & Hamilton Urban Indigenous Strategy Implementation Report.*

mCallumSather



**mc**CallumSather

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Heritage Planning Services



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## EXECUTIVE SUMMARY

### Background

mcCallumSather was retained by Kaneff Group to prepare a Cultural Heritage Impact Assessment to evaluate the impacts of the proposed demolition of the building on the property. This report will be submitted to the City of Hamilton in conjunction with a Notice of Intent to Demolish the Listed, non-Designated heritage property located at 85 Catharine Street North.

The property located at 85 Catharine Street North has been included as part of a proposed lot consolidation, submitted to the City of Hamilton under Site Plan Approval Application City File Number DA-21-137. The preliminary proposed development is intended to include 85 Catharine Street North as part of a larger parcel, described collectively in the Site Plan Application as municipal address 80 John Street North. This parcel is bounded by John Street North to the west, Wilson Street to the north, Rebecca Street to the south, and Catharine Street North to the east. The property located at 89 Catharine Street North is excluded from this consolidated parcel of land.

The objective of this assessment is to gain a better understanding of the property and area, alongside their established heritage character through an objective analysis. This report is intended to provide further recommendations regarding measures that can be taken to mitigate impacts caused by both the removal and retention of the property by way of comparison.

### Heritage Value

The evaluation of the property has been informed by the research prepared in the Cultural Heritage Impact Assessment submitted for the 80 John Street Site Plan Application, as well as research initiated by the Heritage Team at mcCallumSather for this report. The residential dwelling sits on a narrow lot, and is included on the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest. As a Listed, non-designated property, it is protected from immediate demolition pending review by the Ontario Heritage Act.

An evaluation of the property has been included in this report using Ontario

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Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest (amended on January 1, 2023), and it has confirmed that the property does not meet the minimum requirements for designation under Part IV of the Ontario Heritage Act.

### Proposed Development

This report has been prepared in response to a request from Kaneff Group. The purpose of this report is to address the requirements for a demolition permit specifically related to the property located at 85 Catharine Street North. The preparation of this document has been guided by the Client's need to obtain the necessary permissions for the proposed demolition activities at this site.

Per Site Plan Approval Application DA-21-137, as submitted prior to this demolition application, the removal of the building at 85 Catharine Street North will facilitate the proposed development of the combined parcels of land, in conjunction with the development separately proposed along Rebecca Street, at the full city block scale. It should be noted that this approach is a departure from the block development plan submitted for Site Plan Approval application DA-21-137, which, at the time of submission, proposed to retain 85 Catharine Street North in situ.

### Impacts on Heritage Values

The building at 85 Catharine Street North has lost contextual value with the removal of its neighbouring buildings, most recently that at 87 Catharine Street North. This caused a notable void between 85 Catharine Street North and 89 Catharine Street North; the latter is not being considered as part of a preliminary proposed development at the time of writing this report. This isolation is further compounded with the removal of buildings on the east side of Catharine Street North.

The existing disconnection at the southwest corner of Catharine Street North and Wilson Street, leaves the building at 85 Catharine Street North isolated as a freestanding singular dwelling, separated from its historical row housing arrangement on narrow rectangular lots.

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The proposed development, outlined in Site Plan Approval Application DA-21-137, is on a downtown block currently used as a surface parking lot. Retaining 85 Catharine Street North would exacerbate its isolation and hinder the revitalization of this urban area. The existing building's retention would clash with the opportunity to integrate the new development with the planned construction along Rebecca Street and the surrounding area.

Keeping the building amid a large-scale development would further disconnect it from the historical context and undermine urban coherence. Although removing the building will result in the loss of 19th-century architecture, the surrounding context was lost earlier when the adjacent lot became a parking area.

Redeveloping the entire block, in alignment with the high-rise project on Rebecca Street and the broader urban plans, will enhance the public realm. This project promises residential growth, new commercial spaces, improved pedestrian experiences, public art, and green spaces, setting a positive precedent for downtown Hamilton's future growth. It aligns with the City of Hamilton Official Plan (2013), Urban Hamilton Official Plan (2022), and Downtown Hamilton's Tall Buildings Guidelines (2018).

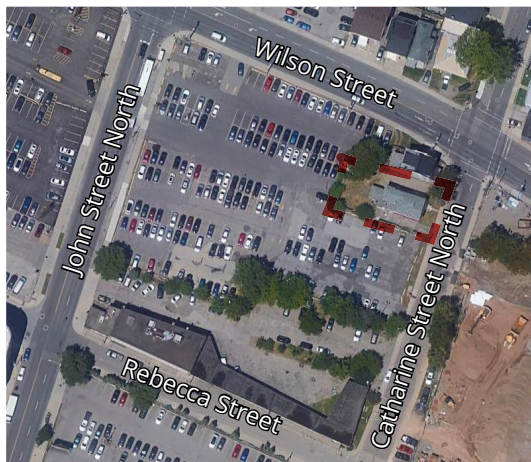


Figure 2. Aerial view of 85 Catharine Street North, outlined in red, shown in the context of the city block (Google, 2022, annotated by mcCallumSather).

### Conservation Approach & Mitigation Measures

This report analyzes the impacts of the removal of 85 Catharine Street North, and as such, a formal Conservation Approach relating to the preservation of the building on the property has not been provided. The over-arching conservation approach to the property is one of broader landscape rehabilitation, which considers the building's current situation as a property disconnected from its previous contextual heritage surroundings. In its existing siting and surrounding relationships, 85 Catharine Street North has become one of a few remaining peripheral buildings on an otherwise vacant city block that is being used primarily for surface parking. This urban condition indicates that there is potential for urban landscape renewal that can better accommodate the evolution of the part of Hamilton's downtown landscape in cultural, functional, aesthetic, and architectural forms. Consequently, the rehabilitation approach, relating not to the conservation of the singular residential building at 85 Catharine Street, but rather referring to the opportunity to plan for a full urban block rehabilitation is in line with current municipal and provincial policies and priorities.

### Mitigation Measures

This Report references but is not being submitted in conjunction with or as an addendum to Site Plan Approval application DA-21-137. As such, suggested mitigation measures and related design consideration are recommendations for future approaches to planning the development at the city block scale. Built form should be designed with consideration of both the character of the present area and also with an eye towards the future of Hamilton's downtown core as one that prioritizes the relationship of the urban fabric with public realm experience and pedestrian engagement. Future block development should design for the human scale, looking to rebuild a pedestrian-focused city block that can transition comfortably between the blend of industrial, commercial, residential, and historical surroundings. It should offer a varied streetwall, with depth and relief that corresponds to the most ideal pedestrian experience.

Design choices should relate to the materiality, massing, fenestration pattern, and fine-grained rhythm that recalls the 19th century built-form context formerly surrounding on the property on the city block bounded

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by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street North to the east. Design considerations should not only regard the character of the historical downtown core of Hamilton, but also the opportunity to improve the area with a full city block design that thoughtfully engages with nearby heritage resources, contemporary development from the past 40 years to present, and future outlooks for municipal goals relating to community and urban planning

New development is encouraged in a manner that is compatible with the form and character of the surrounding's properties and respects the heritage values of the historic context. Incorporating commercial use on the property in a way that does not impact circulation patterns in the area. Meeting the intent of the federal, provincial and municipal urban planning and heritage policies. Providing shadow studies of proposed development to provide further direction on the aspect of natural lighting and impacts on adjacent properties.

**Further recommendations:**

- Considerations should be given to implement some form of transition between the adjacent properties and proposed development, such as an increased setback from all elevations and an appropriate angular plane from the streetview to the vertical intensification;
- Architectural lighting: confirmation of the exterior lighting reflecting heritage, sustainability, accessibility, environmental aspects, security, and integration with the surrounding downtown core;
- Any redevelopment of the property or its adjacent city block should begin with a Stage 1 Archaeological Assessment, to be followed up as needed;
- Design should maintain the architectural and symbolic values, as abundantly found in adjacent historical residential areas, through the modern reinterpretation of the existing building, while avoiding duplicating the exact form, material, style, and/or detailing of the original buildings on the block understood through archival evidence;
- Future development should enhance the contextual and landscape values; as any new building will be proposed to front onto two major, one minor, and one local thoroughfare with the introduction of a varied

commercial streetscape;

- Setbacks of new construction should be maintained from the property lines to enhance visibility and accessibility from the public realm;
- Future development must recognize that the demolition of an existing building poses a substantial environmental impact, consideration should be given to opportunities, where possible, to salvage and reuse of materials; and
- Further consideration towards environmental impacts is encouraged to aim for a net zero carbon emission for the commercial podium and residential tower.
- Due to the quality of the materials, if feasible, a demolition company which specializes in reclaiming building materials should be retained, to ensure the reuse of these materials.

**Conclusion**

The proposed removal of the building at 85 Catharine Street North is part of a strategy that will allow for the full rehabilitation, in terms of urban landscape renewal, of the municipal city block bounded by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street North to the east.

The overall potential for improvements in community planning and for the public realm more broadly, outweigh the benefit of retaining the house on the property in its current and future disconnected urban streetscape condition. The nearby presence of comparable 19th century row houses with highly similar designs to the building at 85 Catharine Street North mitigates the loss of this isolated residence, which is better represented in nearby residential row-house style streetscapes.

As such, the removal of the building at 85 Catharine Street North can facilitate the rehabilitation of this city block, central to downtown Hamilton, and is in line with several municipal policies for growth and intensification.



# 1.0 Introduction

## 1.1 Scope of Work

### Background

mcCallumSather was retained by Kaneff Group to prepare a Cultural Heritage Impact Assessment to the potential impacts that the demolition of the building at 85 Catharine Street would have on its immediate historical and contemporary urban landscape contexts.

Currently, the property contains a two-and-a-half storey residential building, situated on a narrow lot near the northwest intersection of Catharine Street North and Wilson Street. Aside from another listed, non-designated residential building at the northwest corner of the block (89 Catharine Street North), the remaining city block around the property is covered by a surface parking lot.

Per the pre-consultation comments from the City of Hamilton dated to 12 January 2024, a Cultural Heritage Impact Assessment was requested by the municipal heritage planners as a requisite report to be submitted with a Notice of Intention to Demolish a listed, non-designated property under the Ontario Heritage Act. Per the pre-consultation comments from the City of Hamilton dated June 21st, 2024, a revised Cultural Heritage Impact Assessment is required to accompany any revised submission for DA-21-137. This assessment must include an analysis of the property at 85 Catharine Street North and address the proposed demolition. Although removing the building will result in the loss of 19th-century architecture, the surrounding context was lost earlier when the adjacent lot became a parking area.

This report's analyses correlate to recommendations, mitigation measures and an overall conservation approach that will accommodate the evolution of Hamilton's downtown core as it relates to the property.

This report was prepared with reference to the following:

- Urban Hamilton Official Plan (2022);
- Downtown Hamilton Secondary Plan (OPA 102, 2023);
- Downtown Hamilton's Tall Buildings Guidelines (2018);
- The Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended on December 4, 2023;
- Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest (2023);
- Section 2(d) of the Planning Act, R.S.O. 1990, c. P.13;
- Section 2.6 of the Provincial Policy Statement (PPS) 2020;
- Parks Canada, Standards and Guidelines for the Conservation of Historic Places in Canada, Second Edition, 2010;
- The Ontario Heritage Toolkit and other guidance documents, Ontario Ministry of Heritage, Sport, Tourism and Culture Industries;
- Eight Guiding Principles in the Conservation of Historic Properties, Ontario Ministry of Heritage, Sport, Tourism and Culture Industries;
- Well-Preserved: The Ontario Heritage Foundation, Manual of Principles and Practice for Architectural Conservation, 2003, Ontario Heritage Trust;
- The Appleton Charter for the Protection and Enhancement of the Built Environment, 1983, International Council of Monuments and Properties (ICOMOS);
- Charter on the Built Vernacular Architecture, Ratified by the ICOMOS 12th General Assembly, in Mexico, October 1999.

## 1.2 Land Use & Zoning Maps

**Municipal Address** 85 Catharine Street North, Hamilton, Ontario

**Legal Description** PT LT 4 NATHANIEL HUGHSON SURVEY (UNREGISTERED) W/S CATHARINE ST ASIN AB331731; PT LT 5 NATHANIEL HUGHSON SURVEY (UNREGISTERED) S/WANGLE OF CATHARINE ST & WILSON ST AS IN CD263995; CITY OF HAMILTON.

**Lot Area** The building is situated on a parcel that is approximately 1054.8 square metres in area.

**Location & Boundaries** The property is situated in the middle of a city block that is bounded by Wilson to the north, Rebecca Street to the south, John Street North to the west, and Catharine Street North to the east.

**Context** The property's primary elevation faces east, with all four elevations visible due to the previous removal of adjacent row housing. Situated within the block bounded by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street to the east, the immediate surrounding lot coverage is primarily a surface parking lot, with some extant buildings scattered around the block's periphery; this includes the listed non-designated building located at 89 Catharine Street North. Adjacent to 85 Catharine Street North, there are three other properties identified as having cultural heritage value or interest on the City's Heritage Register at the northwest and southeast corner of the intersection of Catharine Street North and Wilson Street. All adjacent city blocks incorporate surface parking, and a blend of offices (medical centre, legal services, police headquarters, utilities), as well as mixed use residential and commercial buildings, including restaurants, retail, and other businesses that face their respective thoroughfares.

**Official Plan Designation** 85 Catharine Street is identified as a Downtown Mixed Use Area in the Urban Hamilton Official Plan (see Schedule E-1).

**Zoning Description** The Property is zoned as Downtown Mixed Use (D-3) Zone.

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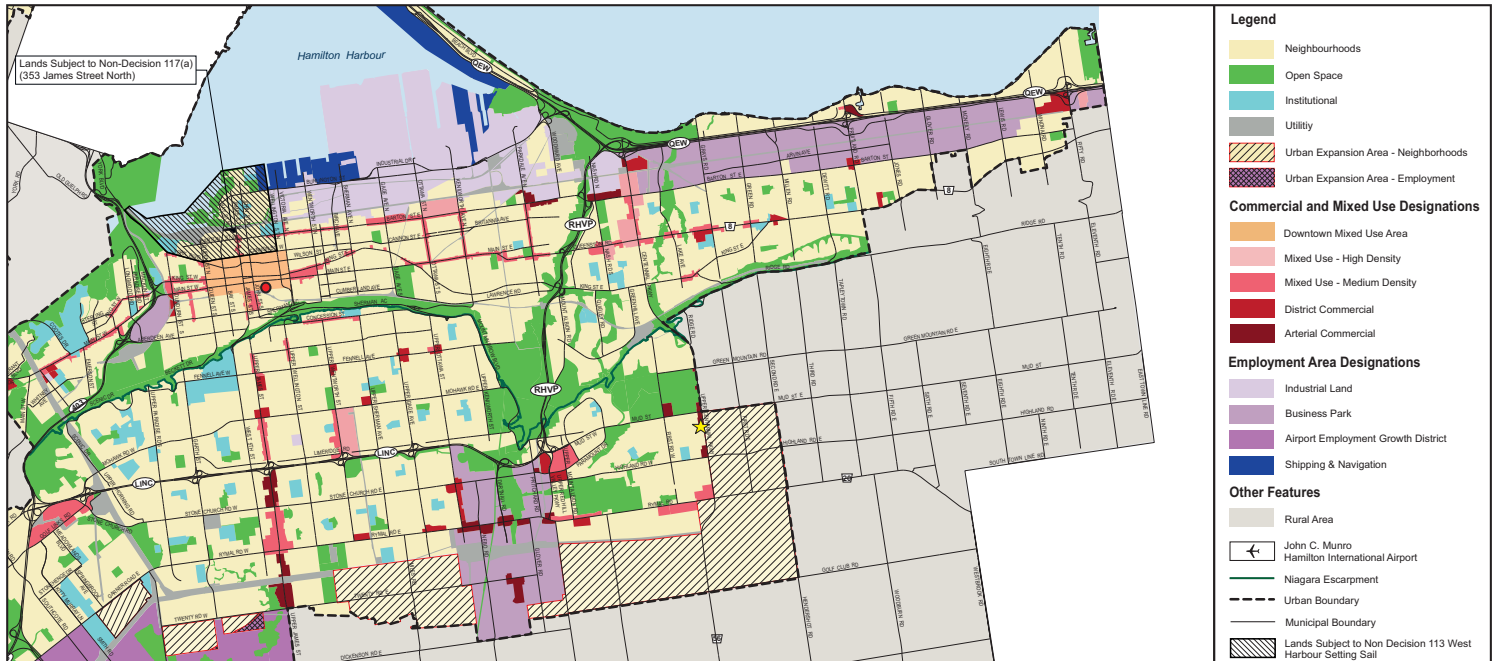


Figure 3. Land Use Plan for the property in Hamilton; 85 Catharine Street North is identified with a red dot, and is located in the Downtown Mixed Use Area (City of Hamilton, Urban Hamilton Official Plan, Schedule E-1, Urban Land Use Designations; annotated by mCallumSather).





Figure 4. Property Data Map with 85 Catharine Street North outlined in red (Google Maps, 2022, annotated by mcCallumSather).

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Figure 5. 85 Catharine Street North, aerial view (Google Earth, 2024, annotated by mcCallumSather).

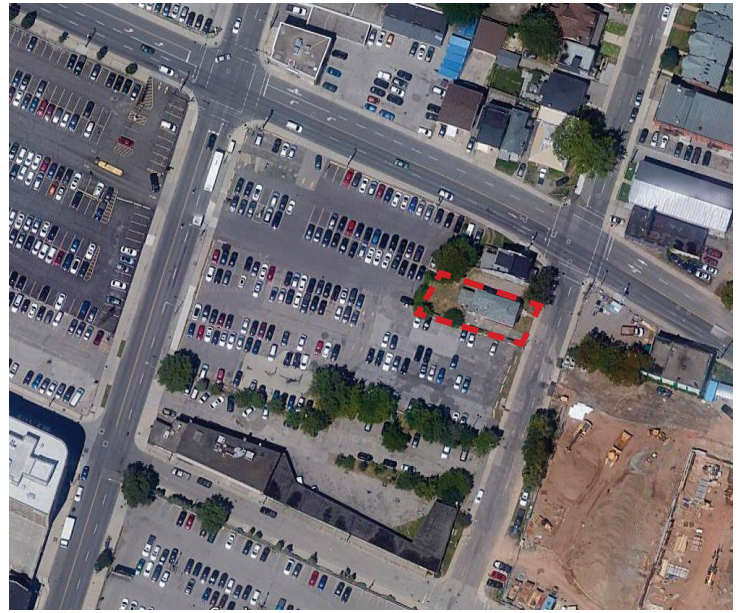


Figure 6. City Block Aerial, with 85 Catharine Street North outlined in red (Google Maps, 2022, annotated by mcCallumSather).

### 1.3 Property Context

Representatives of mcCallumSather visited 85 Catharine Street North to document the existing conditions in January 2024. This section provides an overview of the property, including a description of its current appearance and its location, along with a review of its heritage status.

Situated in Hamilton's downtown core, the property is part of an urban city block bounded by Wilson Street to the north, Rebecca Street to the south, John Street North to the east, and Catharine Street North to the west.

Constructed in the latter half of the 19th century, the two-and-a-half storey house-form building is situated on a narrow residential lot. Its primary elevation faces Catharine Street North, and, stylistically, it is a variation on the Victorian bay-and-gable style townhouse. Note that, in the house's historical arrangement, its adjacent tightly spaced buildings would have created a row of similar houses. The majority of these buildings have since been removed.

The surrounding area has experienced many transformations since the construction of the building at 85 Catharine Street North, with much of the adjacent lot coverage now being used for surface parking lots. The immediately adjacent residential building at 87 Catharine Street was damaged and subsequently demolished (note that fire damage from 87 Catharine Street North is visible on the brickwork at 85 Catharine Street North), and the residence at 89 Catharine Street North is similarly isolated from its surroundings and in a worse state of disrepair than the building at 85 Catharine Street North.

Otherwise, 89 Catharine Street North is surrounded by a wide variety of

*Unless otherwise noted, all current photographs were taken by mcCallumSather in February 2024.*



Figure 8. Primary (east) elevation of the property, showing mid and high-rise buildings to the southwest of the Property.



Figure 9. Partial east elevations of 85 Catharine Street North (left) and 89 Catharine Street North (right), showing the gap created by the removal of fire-damaged 87 Catharine Street North.



Figure 7. View of the existing building on the property, looking south down Catharine Street North as seen from the Wilson Street and Catharine Street North intersection (Google Maps, 2022).

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Figure 10. View of the existing building on the property, looking north from the Rebecca Street and Catharine Street North intersection. The house located at 85 Catharine Street North is outlined in red (Google Maps, 2022, annotated by mcCallumSather).

eclectic buildings representing varying styles, scales, and dates that are used as offices at (medical centre, legal services, police headquarters, utilities), as well as mixed use residential and commercial buildings, including restaurants, retail, and other businesses that face their respective thoroughfares.

Overall, there is a blend of architectural styles and related dates of construction in the broader area around 85 Catharine Street North. Notably, there is an in-tact contiguous row of bay-and-gable style houses at 114-122 Catharine Street North, just north of the Wilson Street intersection. These are not identical in style and ornamentation to the 85 Catharine Street North house, but they are of a similar style and date, and remain situated in an urban residential context that better recalls a 19th century historical past.

As seen in the streetview and aerial images, the immediate surface condition that surrounds 85 Catharine Street North is a series of surface parking lots.



Figure 11. Aerial view of 85 Catharine Street North, looking towards the west. The property is outlined in red (Google Earth, 2024, annotated by mcCallumSather).

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Figure 12. View of 85 Catharine Street North, looking towards the northwest. The property is outlined in red (Google Earth, 2024, annotated by mcCallumSather).



Figure 13. View of 85 Catharine Street North, looking towards the northeast. The property is outlined in red (Google Earth, 2024, annotated by mcCallumSather).

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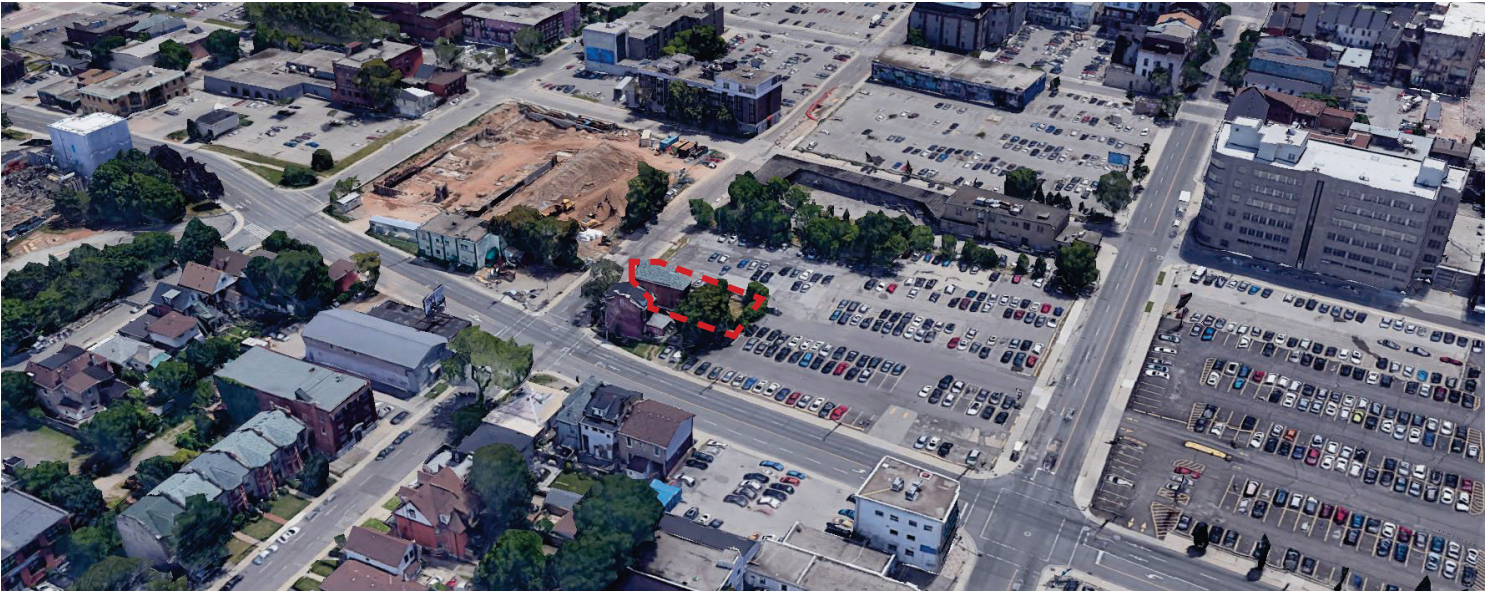


Figure 14. View of 85 Catharine Street North, looking towards the southeast. The property is outlined in red (Google Earth, 2022, annotated by mcCallumSather).



## 1.4 Existing Heritage Resources

The property located at 85 Catharine Street North contains one built heritage resource that is protected under the Ontario Heritage Act as a listed, non-designated property. The residential building sits on a narrow lot, and is included on the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest.

The building on this property is protected from immediate demolition by the requirement to provide Council with 60 days Notice of Intention to Demolish due to the property's listing on the Municipal Heritage Register. Such an evaluation was conducted as part of the Cultural Heritage Impact Assessment submitted in conjunction with Site Plan Approvals Application DA-21-137. This evaluation has determined that 85 Catharine Street North does not meet sufficient criteria to merit designation under Part IV of the Ontario Heritage Act. An updated evaluation using the criteria provided in Ontario Regulation 9/06 (2023) (Section 3.1) determined that the property did not meet sufficient criteria to merit designation under Part IV of the Ontario Heritage Act.

The building located at 85 Catharine Street North dates to the mid- to late-19th century. The house is a Victorian-era dwelling constructed in a variation of the 'bay and gable' architectural style, an urban residential that is prevalent in the remnant fabric of 19th century Hamilton's urban neighbourhoods.

The building features a prominent gable, with three central windows representing the storeys of the elevations - a semicircular window with a buff brick round-headed arch and stone lintel under the gable peak, and two segmental arched windows, with contemporary glass, also with stone lintels. Each of these windows has a decorative hood mould, mixing buff and red brick, with splayed stone voussoirs to give a prominent geometrical ornament on an otherwise plain facade. A decorative lintel using an alternating brick pattern in groups of three subdivides the facade between the two windows of the first and second storeys. The predominantly red-bricked building sits on a stone foundation, with a smaller segmental arch indicating the presence of a basement on the primary elevation.



Figure 15. Primary (east) elevation of the residential building located at 85 Catharine Street North.

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Figure 16. Primary (east) elevation of the residential building located at 89 Catharine Street North showing the windows and rectilinear hood moulds.  
Page 22



Figure 17. Primary (east) elevation of the residential building located at 89 Catharine Street North showing the door with decorative ironwork and a stained glass transom.



Figure 18. East and north elevation of the residential building located at 85 Catharine Street North.



Figure 19. South elevation of the residential building located at 89 Catharine Street North.

The main entrance is accessed by a later-added staircase; it is unclear if the double doors have been modified or fully replaced. A similar segmental arched window arrangement is included on the second-storey facade over the entrance, which is slightly recessed on the right-hand side of the elevation. The hood moulds are repeated, and views from a distance show that the rest of the roof profile is not simply hipped, but rather is of a Dutch-gable design. The most decorative element is the glazed transom, with a foliated stained glass design surrounding the house's number, 85, in a roundel.

Side and rear elevations show some pilaster buttressing, potentially responding to structural elements on the interior, or fireplaces. The rear elevation shows alteration and the removal of a gabled extension; it is unclear if the extension was original, or a later addition, though one-storey summer kitchens were not uncommon in these buildings that had to expand to the rear of the otherwise narrow lot. The subject building is currently vacant, and has been subject to considerable water damage due to burst pipes.



Figure 20. West elevation of the residential building located at 89 Catharine Street North, showing the demolition of the rear portion of the house, which was gabled.

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### 1.5 Adjacent Heritage Resources

There are six (6) adjacent properties within 50m of the subject structure, identified as listed, non-designated cultural heritage resources on the City of Hamilton's Heritage Register: 89 Catharine Street North; 87 Catharine Street North; 96 Catharine Street North; 102 Catharine Street North; 103 Catherine Street North; and 87 Willson Street.

Based on recent site photos, it appears that the listed building located at the southeast corner of the Catharine Street North and Willson Street intersection, as identified in the Urban Hamilton Official Plan - Downtown Hamilton Secondary Plan map (fig. 14), has since been demolished.

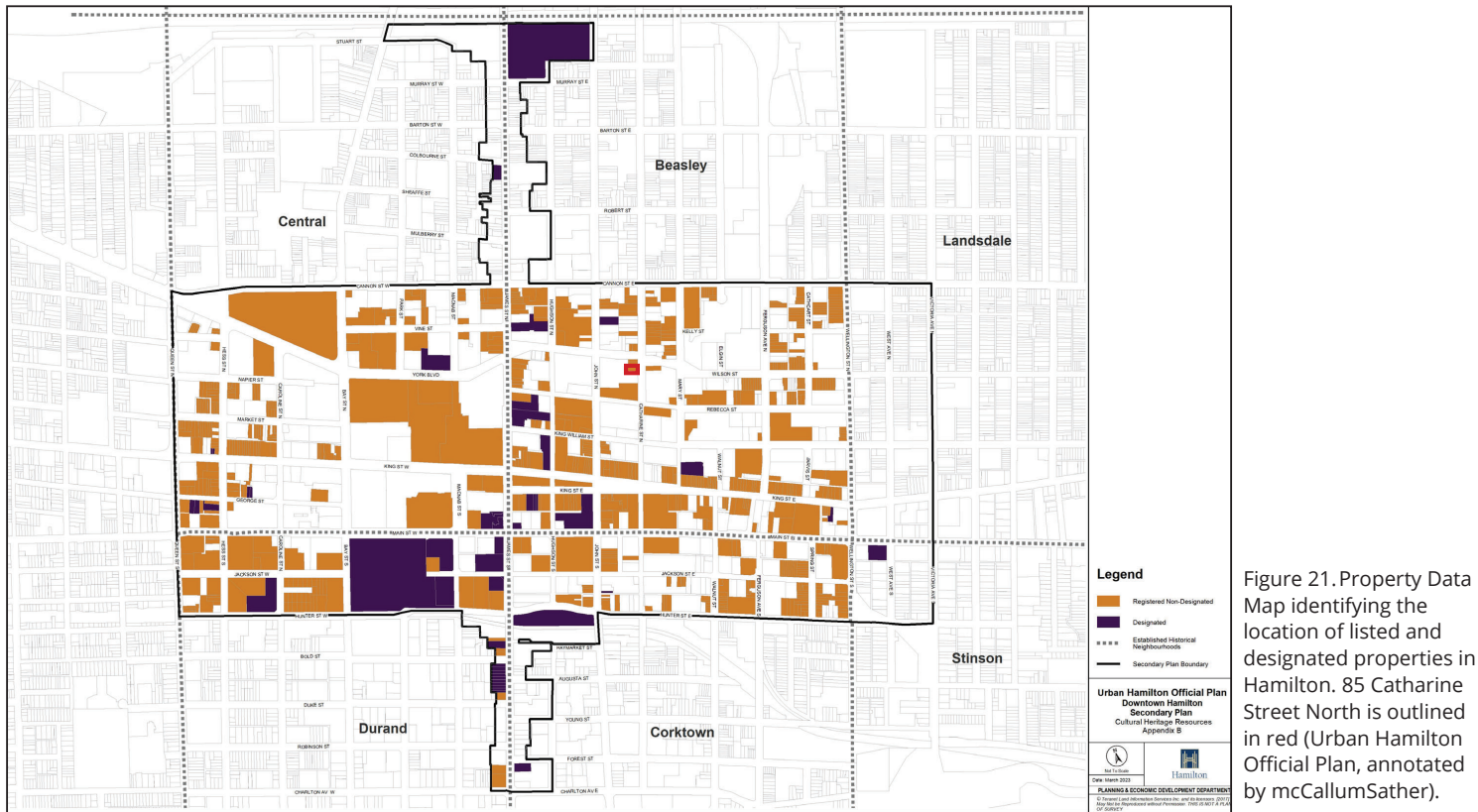


Figure 21. Property Data Map identifying the location of listed and designated properties in Hamilton. 85 Catharine Street North is outlined in red (Urban Hamilton Official Plan, annotated by mcCallumSather).



Figure 22. 89 Catharine Street North (listed, non-designated property).

Figure 23. Historical Arrangement of 85, 87, and 89 Catharine Street North, documented in c.1973. 87 Catharine Street North has since been demolished (City of Hamilton Archives, c.1970s).

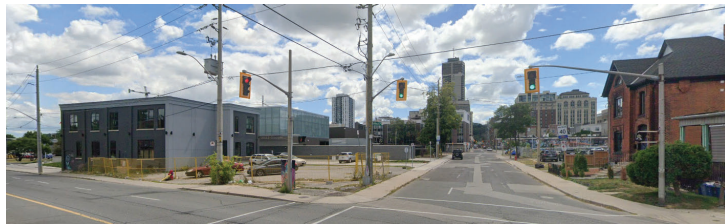


Figure 24. Recent image showing construction fencing and no building opposite 85 Catharine Street North (outlined in red); the grey building is 81 Wilson Street (Google Maps, 2022).

## 1.6 Comparable Nearby Heritage Resources



Adjacent listed buildings at 85 and 87 Wilson Street (northeast corner of Wilson Street and Catharine Street North) show distinct similarities in style and date with the extant built heritage resources at 85 and 89 Catharine Street, respectively.

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Based on preliminary research, it appears that the building located at 85 Catharine Street North was a commonly modified version of the bay-and-gable vernacular residential building style in the Beasley Neighbourhood, and potentially more broadly in the downtown Hamilton core.

Based, at this time, on expert architectural stylistic analysis, comparable buildings can be found at 87 Wilson Street, as well as 146 and 148 Catharine Street North, respectively. Minor variations in detail recall pattern-book house designs, which allowed for the owners to personalize their home's appearance based on available designs, cost, local craftsmanship, and materials. Modifications and additions over time have increased the variations on the basic forms and details of these vernacular buildings; however, common details include the use of semicircular arches under the prominent gable, large geometric hood moulds, segmental arches and a raised entrance.

Further research is required to determine if these are remnant examples of a much more prevalent 19th century building style, or if several others also remain.



Figure 25. Primary (west) elevation of 85 Catharine Street North,



Figure 26. 87 Wilson Street (Google Maps, 2022).



Figure 27. 146 Catharine Street North (Google Maps, 2022).



Figure 28. 148 Catharine Street North (Google Maps, 2022).

## 2.0 Property Development

### 2.1 Ward II and Beasley Neighbourhood

Historical research for this report has been adapted from the Cultural Heritage Impact Assessment, dated to July 16, 2021, submitted in conjunction with Site Plan Approvals Application DA-21-137 for the property located at 80 John Street North. In this report, 85 Catharine Street North was included as a direct adjacency; as such, only relevant property-related content has been included here.

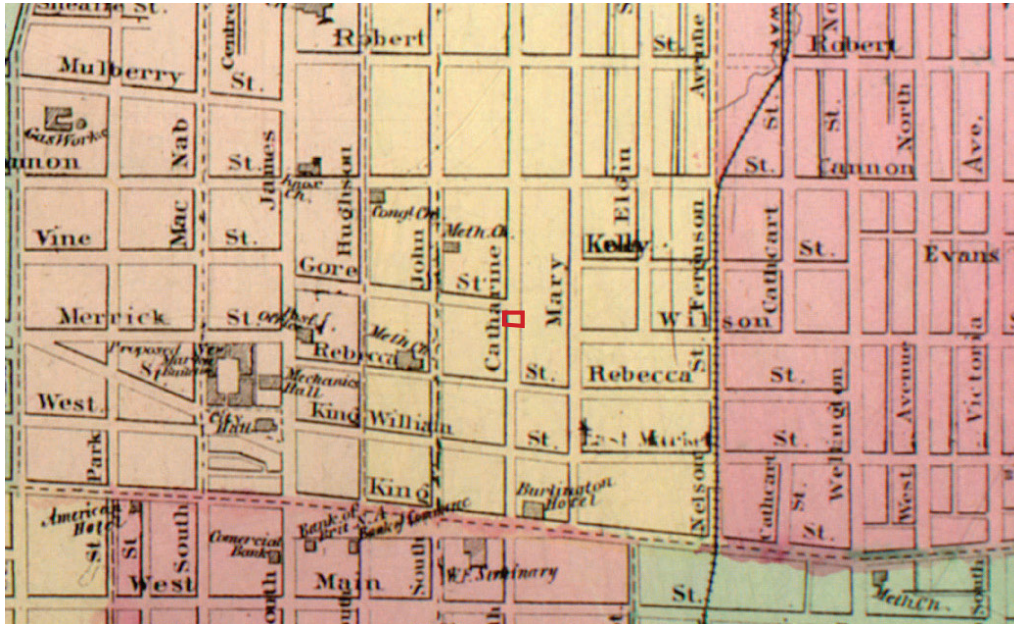


Figure 29. Tremaine's Map of Wentworth County, Hamilton, c.1880, cropped to focus on the area surrounding the property. The approximate location of 85 Catharine Street North is outlined in red (McGill University, annotated by mcCallumSather).

mcCallumSather

The property located at 85 Catharine Street North is situated within the Beasley Historic Neighbourhood, which was laid out in a grid pattern laid in the 1830s. Proximity to the commercial corridors along Gore Street (now Wilson Street) and James Street, as well as the close connection to the harbour, schools, churches, and banks promoted dense residential development in the area. Rail lines and the Northwestern Railway passenger and freight (established in 1873) led to a huge industrial and manufacturing growth in Hamilton's urban core during the late 19th and early 20th centuries.

As a result, Beasley neighbourhood developed as a central location for affordable housing to accommodate workers and immigrants alike. For the most part, the houses built to serve these communities were modest in size, vernacular in style, and can be seen in a great variety of architectural styles with a mix of detached, semi-detached, and contiguous row terraced buildings. Early maps show city blocks divided into extremely narrow lots, with the buildings often filling out the entire lot area; a few of the houses can be seen placed very close to one another, with as little as a two-inch gap dividing the buildings.

A variety of architectural styles can be seen in the historic neighbourhood with vernacular forms of Georgia, Italianate, and Victorian 'Bay and Gable' houses being the most prevalent on Catharine Street North. The majority of these buildings were constructed between 1875 to 1910. The bird's eye view from 1876 shows the dominant residential character of the Beasley Neighbourhood during the late 19th century.

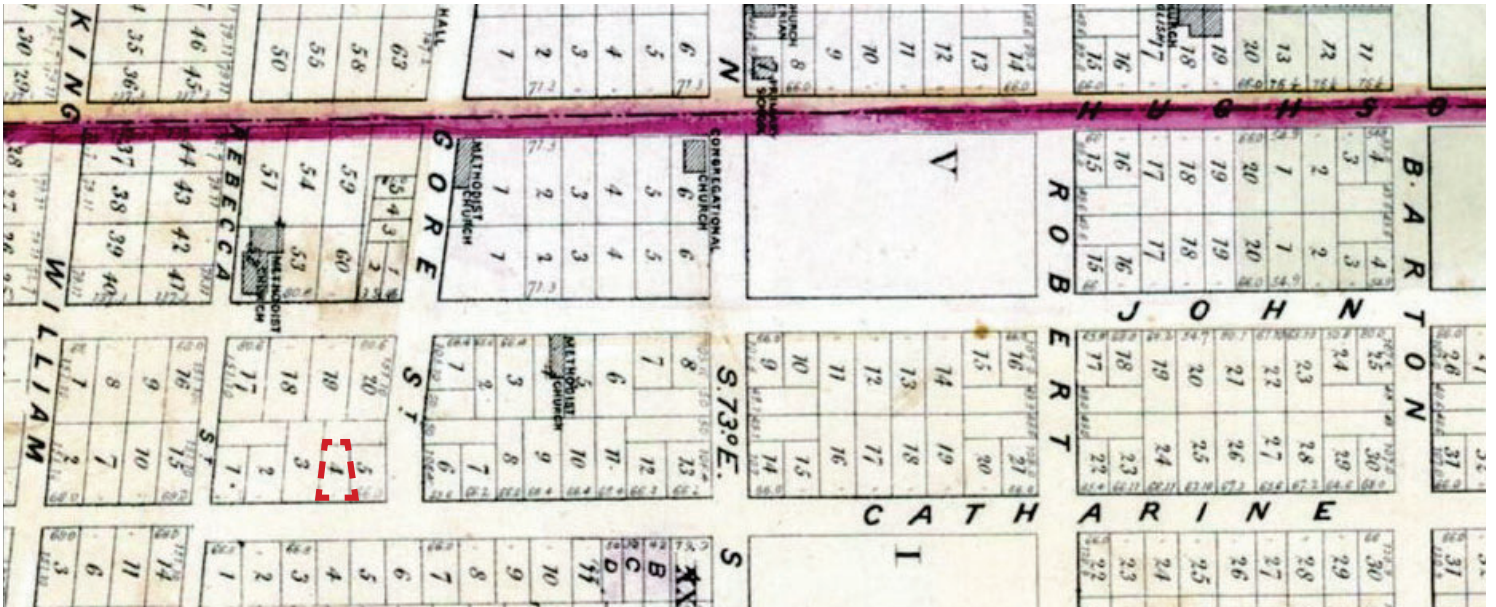


Figure 30. Wards 5& 6, City of Hamilton, Ontario - Item #CA189, Published by Page and Smith in 1875 (Historic Map Works, annotated by mcCallumSather).



A gradual change in density and land use is also evident from late 19th century to mid 20th century. The bird's eye views drawings of Beasley neighbourhood, dating to 1876 and 1893, respectively, show the dense residential character of this urban area, filled primarily with 2-storey dwellings on narrow city lots.

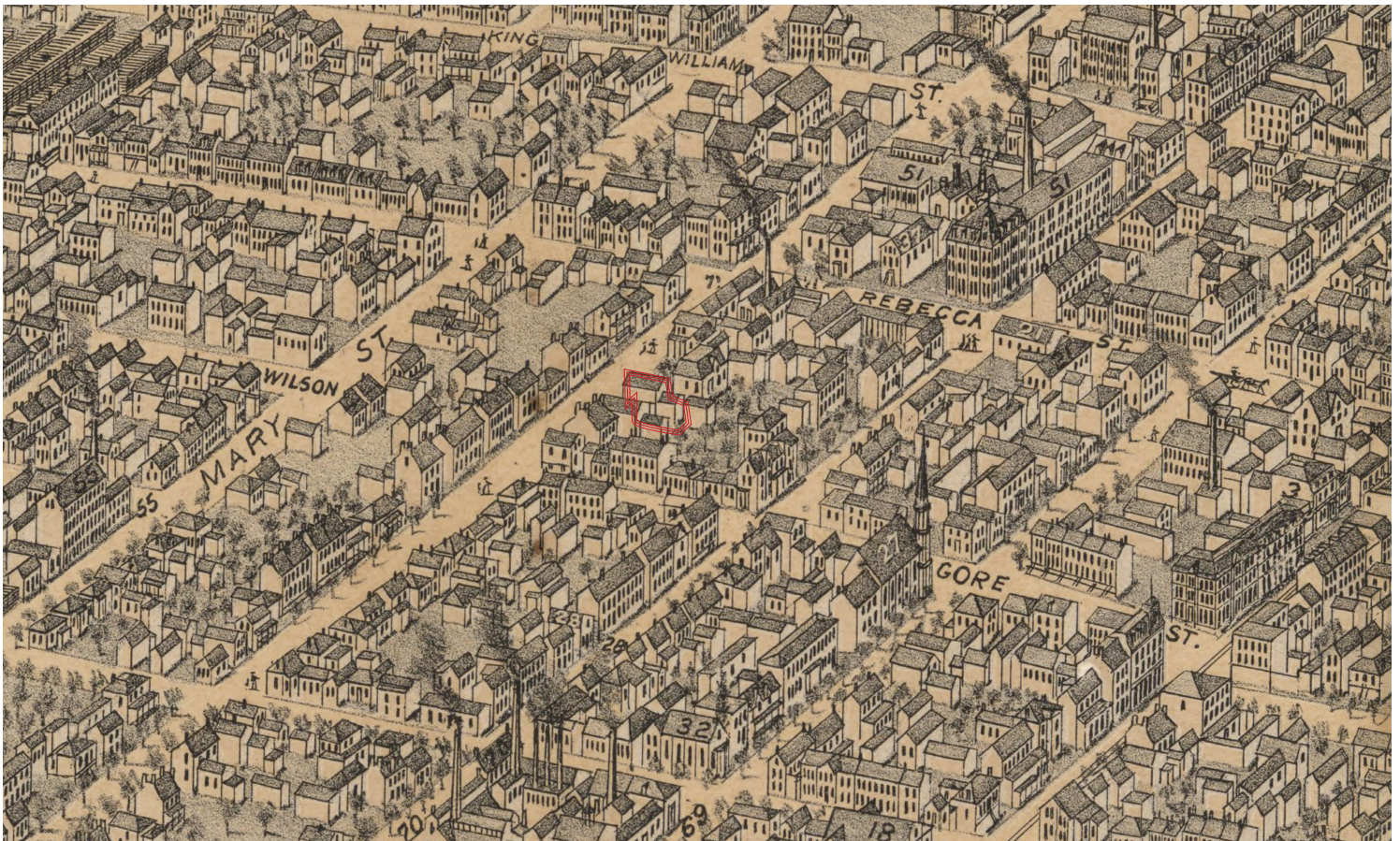


Figure 31. Bird's Eye Detail of Beasley Neighbourhood, 1876. 85 Catharine Street North is outlined in red (McMaster Digital Archive, annotated by mcCallumSather).

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A change in the streetscape on John Street can be seen with bigger houses built on the street edge in contrast to setbacks as seen in the 1876 Fire Insurance Map. The neighbourhood of Beasley required this ample housing stock to accommodate workers from all levels of the labour sector management, factory workers, civil servants, among others.



Figure 32. Bird's Eye View of Hamilton, 1893. 85 Catharine Street North is outlined in red (McMaster Digital Archive, annotated by mcCallumSather).

While the Goad's Fire Insurance Plans attest to this need, showing contiguous and closely spaced row housing in the 19th century, the block bounded by Gore Street to the north (now Wilson Street), Rebecca Street to the south, John Street North to the west, and Catharine Street North to the east began evolving into the early 19th century, with commercial enterprises taking over several lots.



Figure 33. Fire Insurance Plan of Hamilton, 1898 Key Plan of Hamilton Ontario, Volume 1, January 1898. The property located at 85 Catharine Street North is outlined in red (McMaster University Library, annotated by mcCallumSather).

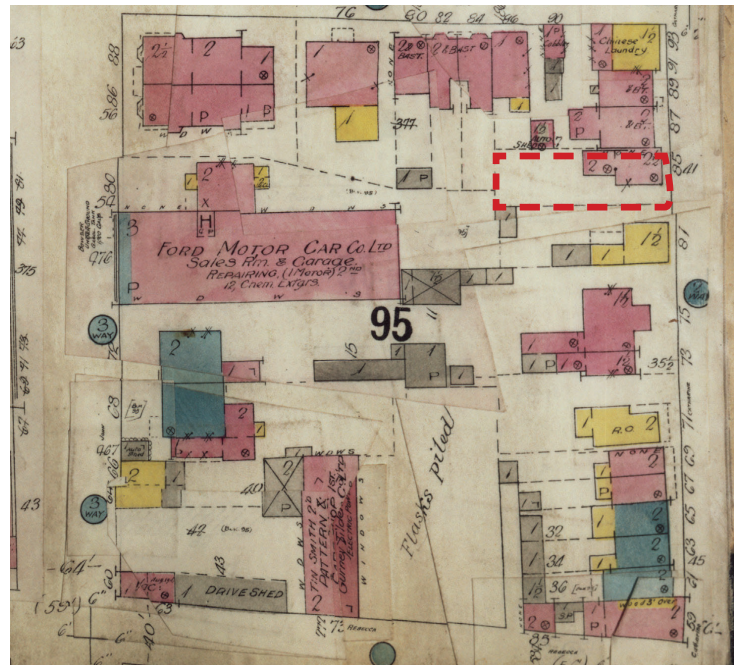


Figure 34. 1911 Fire Insurance Map. The property located at 85 Catharine Street North is outlined in red (McMaster University Library, annotated by mcCallumSather).

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Around 1910, the western portion of the block was redeveloped with an auto sales business and a repair garage (Ford Motor Company Ltd.). This was later expanded in the early 20th century to include the majority of the southwestern portion of the site. The house at the northeastern corner of the block (91-93 Catharine Street North) was transformed into a 'Chinese Laundry' business' around c.1910. It continued to serve this function for several decades, but was later removed to accommodate road widening of Wilson Street, as 89 Catharine Street North now occupies that corner of the intersection. The mid- to late-20th century also saw the construction of a retail fuel outlet, garage at the northwestern corner of the site (1947). The majority of the residential dwellings and businesses on the block were demolished in the late 1970s to build a surface parking lot.

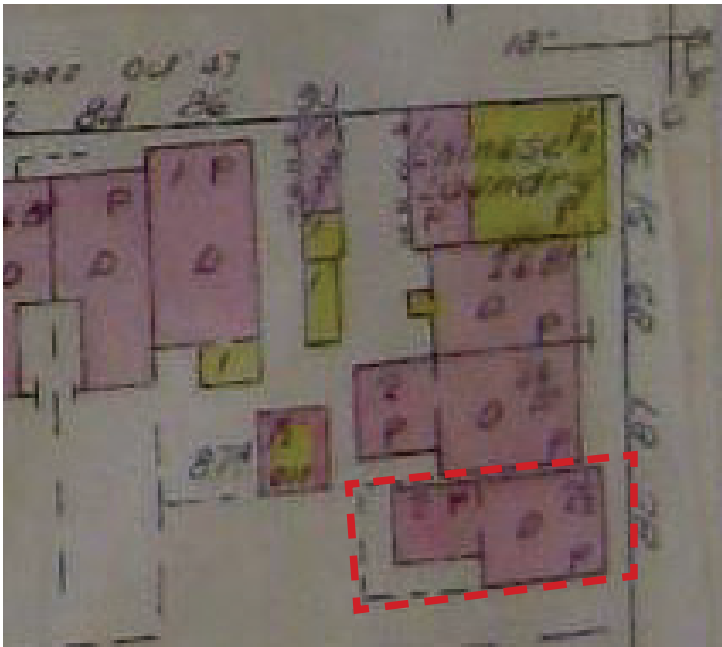


Figure 36. 1947 Fire Insurance Map. The property located at 85 Catharine Street North is outlined in red (McMaster University Library, annotated by mcCallumSather).

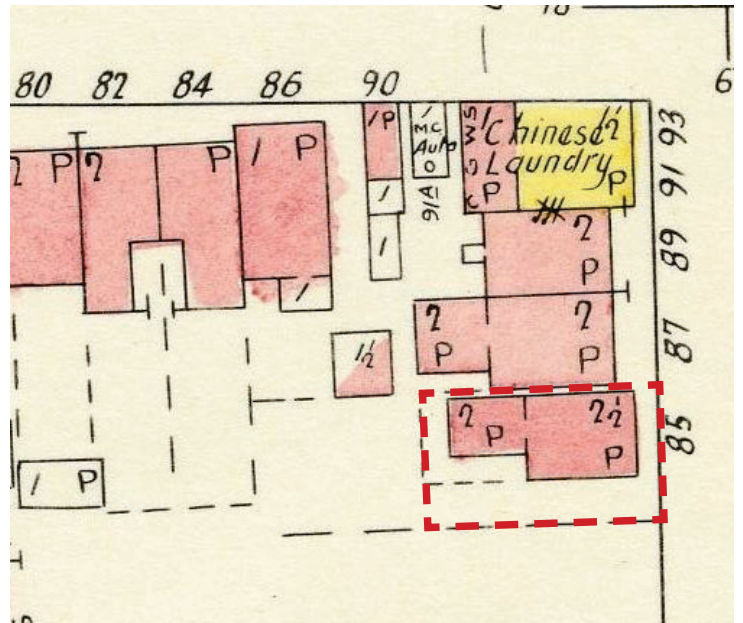


Figure 35. 1964 Fire Insurance Map. The property located at 85 Catharine Street North is outlined in red (McMaster University Library, annotated by mcCallumSather).

## 3.0 Heritage Values

### 3.1 Previous Assessment, July 16, 2021

*The text below is a summary as prepared within the Cultural Heritage Impact Assessment, dating to July 16, 2021, submitted as part of the documents package for Site Plan Approval application DA-21-137.*

#### **Historical/Associative Value:**

1898, 1911, 1947 and 1964 Fire Insurance map shows a building at 85 Catharine Street North with a L-shaped footprint. The surrounding context was dominantly low rise residential buildings with some commercial use at the grade level.

The building at 85 Catharine Street retains several refined high-quality architectural details, such as its brick voussoirs/hood moulds, stained glass transom, segmental-arched windows, and other decorative brickwork. It appears to be a variation on the 'bay-and-gable' style common for late 19th century residential houses in urban contexts, though the representation of comparable houses in the Beasley neighbourhood seem to indicate that the pattern used at 85 Catharine Street North was repeated more faithfully with select variations to suit the owners' interest.

#### **Design/Physical Value:**

85 Catharine Street North at the time of its inception was designed as a single-detached two-and-a-half storey brick dwelling. Constructed in the late-19<sup>th</sup> century, the front two storey brick wing had a rectangular floor plan with a short facade. A later one storey addition was incorporated at the rear. The key design features include: a hip roof with projecting eaves, brick laid in common bond, stone-cut foundation with a rock-faced finish, segmental windows with brick voussoirs. The main entrance is raised and the house is accessed by a wooden double door with decorative wood trims and stained glass transoms that represents the original door design at the time of construction. Modern day alterations don't incorporate the decorative bargeboard with fretwork and the single-stack chimney on the left side.

#### **Contextual/Landscape Value:**

The site and its surroundings were residential in character in the 19th century, but many buildings were demolished to make way for industrial and commercial buildings in the mid-20th century.

The 1911 Fire Insurance Map shows the gradual evolution of the area's residential character with the construction of Ford Motor Company office and other commercial buildings.

The architectural and urban diversity of the buildings in this area contribute to the character of Hamilton's downtown area, where a collection of varied buildings were once in close communication with one another, yet expressing architectural and functional diversity. Now, groups of buildings are isolated from one another due to the razing of extant fabric over time, and their replacement with surface parking lots.

In landscape studies, built vernacular heritage is often associated with commercial buildings such as shopping malls accessible from street entrances, theatres, hotels, and thematic/tourist-oriented businesses, all of which have an objective to attract the attention of passers-by with a unique façade. In Hamilton, there is a unique retention of pockets of 19th century architectural fabric, with low, mid, and high rise buildings otherwise dominating the landscape. With the expansive surface parking lot conditions in the area surrounding 85 Catharine Street North, evidence of historical city block planning has been reduced to the grid of streets running north-south and east-west.

*As submitted on July 16, 2021, this determined that the property at 85 Catharine Street North does not meet sufficient criteria to merit individual designation.*

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## 3.2 Evaluation Under Ontario Regulation 9/06

### Ontario Regulation 9/06:

#### CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

Criteria, s. 27 (3) (b) of the Act

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 27 (3) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Property that has not been designated under Part IV of the Act may be included in the register referred to in subsection 27 (1) of the Act on and after January 1, 2023 if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest.

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	Other examples of similar residential dwellings from the mid- to late-19th century constructed in this modified 'bay and gable' construction type can be found in the city blocks to the north of the property located at 85 Catharine Street North. The similarities, with minor variations, suggest that these dwellings may have been based on a historic pattern book design, and/or were constructed by the same builder. While the building is reflective of this typology and style, it does not exemplify or define it, and as such, is not considered representative. The property located at 85 Catharine Street North, though with some architectural detailing of interest, does not appear to be a rare, unique, representative, or early example of a style, type, expression, material, or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	The house located at 85 Catharine Street North is well constructed, with red brick and stone used for its exterior walls and architectural detailing, and a stained glass transom bearing the house number recalls similar examples throughout Hamilton's historic downtown core, the property remains highly vernacular in its building tradition, and does not display a sufficient physical value in its craftsmanship, nor does it indicate extraordinary artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	As a common house-form building type from the mid- to late-19th century, the house located at 85 Catharine Street North does not demonstrate, in its style, construction, or materials, a high degree of technical or scientific achievement to express design or physical value.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No known direct associations with a theme, event, belief, person, activity, organization or institution with significance to the municipality of Hamilton or its historic downtown core were found at 85 Catharine Street North.

5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	Although the house located at 85 Catharine Street North now stands as an example of the built form once prevalent on its city block and those adjacent to it, its isolation from that historic built environment does not serve to amplify its historical or associative value. In its individual siting, now surrounded primarily by a surface parking lot, the property located at 85 Catharine Street North does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	The property located at 85 Catharine Street North is not known to be connected with the work or ideas of an architect, artist, building, designer, or theorist who is significant to the community of downtown Hamilton.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	With the majority of the surrounding urban blocks covered by surface parking lots and sparsely populated by built forms, the property located at 85 Catharine Street North has been severed from its historical surroundings; as such, the property located at 85 Catharine Street North does not retain its original contextual value, and is not important in defining, maintaining, or supporting the character of the area. More in-tact urban residential city blocks are found north of Wilson Street with mid- to late- 19th century residential fabric still in its original context.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	Although the property located at 85 Catharine Street North was once situated within a densely populated urban residential block, its immediate neighbours have been demolished, and its surrounding context is primarily characterized by surface parking. As such, the property located at 85 Catharine Street North does not have contextual value as it is not physically, functionally, visually, or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. (Ontario Regulation 569/22, s. 1).	The property located at 85 Catharine Street North is not a landmark and lacks the contextual value to be identified as a landmark.

In sum, the property located at 85 Catharine Street North is a vernacular house-form building, constructed in a modified bay-and-gable style that is common in Hamilton's historic downtown core amongst buildings constructed in the latter half of the 19th century. Although the house at 85 Catharine Street North can be compared closely with some examples in city blocks to the north, that remain more densely populated with their heritage housing, an association with a specific builder or architect of these houses has not been found. It is possible that the slight variants on this detached, narrow, urban house style relate to a pattern book for construction in kind, evidence to confirm this fact has not been found.

As the property located at 85 Catharine Street North has not met two or more of the criteria outlined in Ontario Regulation 9/06, it does not merit designation under Part IV of the Ontario Heritage Act.

## 4.0 Heritage Policies & Framework

*Supplemental Policy Framework for applicable Federal, Provincial, and Municipal policies can be found in Appendix D.*

The property located at 85 Catharine Street North includes a listed, non-designated heritage property, and is adjacent to six (6) properties within 50m that are identified as having cultural heritage value or interest on the City of Hamilton's Heritage Register, and are listed non-designated properties under Part IV of the Ontario Heritage Act.

Therefore, federal, provincial and municipal planning, and heritage policies and guidelines should be considered during the design and decision-making process. Following each sub-section, Heritage Planning Services at mcCallumSather has provided comments in relation to the applicable policies.

### 4.1 Federal Policies

*The property located at 85 Catharine Street North is not identified on the Federal Heritage Register; however, it is the intention of provincial planning and heritage policy frameworks to work in tandem with the Standards and Guidelines for the Conservation of Historic Places, where relevant.*

#### **Federal Standards & Guidelines, 2010**

The **Standards and Guidelines for the Conservation of Historic Places in Canada** is a pan-Canadian legacy document, based on internationally recognized conservation principles, that is used to guide heritage conservation planning and decision-making. It provides principles and parameters for decision-making, and serves as the definitive benchmark for all interventions on cultural resources.

The Standards and Guidelines was formally adopted by the Federal Heritage Buildings Review Office in 2003 and is used as the benchmark for Reviews of Intervention. The Standards and Guidelines identifies three conservation treatments: preservation, rehabilitation and restoration. The choice of treatment depends on the goals of the project and the heritage value of the historic place.

The Standards are a set of conservation principles that include nine preservation standards (applicable to all types projects), three additional standards for rehabilitation, and two additional standards for restoration projects. The Guidelines provide practical advice for decision-making and are presented as a series of recommended and non-recommended actions. They do not provide technical advice, nor do they replace the advice provided by conservation specialists.

The Standards and Guidelines was formally adopted by the Federal Heritage Buildings Review Office in 2003 and is used as the benchmark for Reviews of Intervention.

#### **General Standards:**

1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an historic place that, over time, has become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an historic place that requires minimal or no change to its character-defining elements.
6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.



8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

**Additional Standards for Rehabilitation:**

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
11. Conserve the heritage value and character-defining elements when creating any new compatible with, subordinate to and distinguishable from the historic place.
12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

**Additional Standards for Restoration:**

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

**Chapter 4: The Guidelines for the Conservation of Historic Places in Canada**

*Although there property located at 85 Catharine Street is not located within an identified Cultural Heritage Landscape or Heritage Conservation District, it is nonetheless situated as part of Hamilton's historic downtown streetscape; as such, future development should consider the guidelines for cultural landscapes when designing appropriate infill.*

**Section 4.1 Guidelines for Cultural Landscapes, including Heritage Districts**  
4.1.1

**Additions or Alterations to a Cultural Landscape**

12. Designing a new feature when required by a new use that is compatible with the past or continuing land use. For example, building a visitor access road along the margin of a field and woodlot in an historic farm site, so that both can continue to function

**Removing Existing Features from Other Periods**

15. Removing or altering non character-defining features that support the land use from periods other than the chosen restoration period.

**4.1.3 Land Patterns - Additions or Alterations to a Cultural Landscape**

13. Designing a new feature when required by a new use that does not obscure, damage or destroy character-defining land patterns, such as locating a new road along the edge of a forest.

**4.1.4 Spatial Organization - Additions or Alterations to a Cultural Landscape**

13. Designing a new feature when required by a new use that is compatible with the character-defining spatial organization.

**4.1.5 Visual Relationships - Additions or Alterations to a Cultural Landscape**

12. Designing a new feature when required by a new use that respects the historic visual relationships in the cultural landscape. This can include matching established proportions and densities, such as maintaining the overall ratio of open space to building mass in an urban heritage district when designing an infill building.

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#### 4.1.6 Circulation - Additions or Alterations to a Cultural Landscape

14. Designing and installing a new circulation feature, when required by a new use, that is compatible with the heritage value of the historic place, including controlling and limiting new access points and intersections along an historic road.

#### 4.1.8 Vegetation - Additions or Alterations to a Cultural Landscape

16. Introducing new vegetation, when required by a new use, to ensure that the heritage value of the cultural landscape is preserved, including planting a hedge to screen new construction.

#### 4.1.11 Built Features - Additions or Alterations to a Cultural Landscape

3. Documenting the function, condition, materials and surroundings of built features and the relationship of those features to each other and to the historic place, before beginning project work.

4. Assessing the overall condition of built features early in the planning process so that the scope of work is based on current conditions.

6. Retaining sound built features or deteriorated built features that can be repaired.

8. Repairing a deteriorated built feature by using recognized conservation methods. Repair may also include the limited replacement in kind of those extensively deteriorated or missing parts of built features.

11. Documenting all interventions that affect the built features, and ensuring that this documentation is available to those responsible for future interventions.

12. Repairing extensively deteriorated built features by using non-destructive methods and materials.

15. Designing a new built feature, when required by a new use, to be compatible with the heritage value of the cultural landscape. For example, erecting a new farm outbuilding, using traditional form and materials, or installing signs and lighting compatible with the cultural landscape.

20. Removing or altering non character-defining built features from periods other than the chosen restoration period.

#### Sustainability Considerations

21. Selecting replacement materials from sustainable sources, where possible. For example, replacing deteriorated stone units using in-kind stone recovered from a building demolition.

#### *Heritage Planning Services, mcCallumSather:*

***The opportunity to rehabilitate the urban landscape at a city block scale necessitates the removal of 85 Catharine Street North; design for new buildings should consider the rhythm, massing, scale, style, and materiality of the prior and nearby extant built heritage landscape to allow for sensitive redevelopment that serves the current and future needs of Hamilton's Downtown Core.***

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## 4.2 Provincial Policies

*The property at 85 Catharine Street North is located in Hamilton, Ontario; this makes it subject to several provincial as well as municipal policies, as outlined below.*

#### **Provincial Policy Statement ('PPS'), 2020**

The Ontario Heritage Act makes provisions for the protection and conservation of heritage resources in the Province of Ontario. The Planning Act (1990) and related Provincial Policy Statement (PPS), which was updated in 2020, and again in 2023, make several provisions relating to heritage conservation. With respect to housing, the Provincial Policy Statement directs land use planning in Ontario and identifies the importance of balancing growth demands with the conservation of significant built heritage resources and cultural heritage landscapes.

*A built heritage resource "means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international register." (PPS 2020).*

*Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (PPS 2020).*

The following planning policy from the PPS (2020) is applicable to the proposed development:

#### 1.7 Long-Term Economic Prosperity

##### 1.7.1 Long-term economic prosperity should be supported by:

e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

#### 2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscape shall be conserved.

#### **Eight Guiding Principles in the Conservation of Built Heritage Properties**

In parallel to the PPS (2020), the *Eight Guiding Principles in the Conservation of Built Heritage Properties* is a document created by the Ministry of Heritage, Sport, Tourism, and Culture. These principles are based on international charters on conservation, which have guided conservation efforts for over a century, to allow for the better understanding of the significance and value of cultural resources in a context of change, and encourage decision-makers to integrate heritage resources and project requirements.

The principles are considered as best practice in the conservation of heritage resources; the relevant principles as applicable to the proposed development have been excerpted below:

**Respect for documentary evidence:** do not restore based on conjecture.

Conservation work should be based on historic documentation such as historic photographs, drawings, or physical evidence.

**Legibility:** new work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.

#### **Heritage Planning Services, McCallumSather:**

***In Hamilton's historic downtown area, there are opportunities to conserve the legibility of urban residential streetscapes north of the property located at 85 Catharine Street North. As the building located on the property is not considered to be a significant built heritage resource, its removal will facilitate the rehabilitation of a sense of place through well-designed built form and cultural planning at the city block scale.***

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019**

##### 1.1 The Greater Golden Horseshoe

The Greater Golden Horseshoe (GGH) is one of the most dynamic and fast-growing regions in North America. It is the destination of choice for many people and businesses relocating from other parts of Canada and around the world. They settle here because of the high quality of life and the economic opportunities. This is a place of prosperity where, through their skills and talents, people are building a greater future for themselves.

A Place to Grow Plan, together with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan, builds on the Provincial Policy Statement (PPS) to establish a unique land use planning framework for the GGH that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity.

In implementing these provincial plans, the Province recognizes the importance of consulting with First Nations and Métis communities on planning matters that may affect their rights and interests. Provincial plans must be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights under section 35 of the Constitution Act, 1982.

### 1.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe

A Place to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Places to Grow Act, 2005 enables the development of regional growth plans that guide government investments and land use planning policies.

#### Vision (*relevant excerpts only*):

The GGH will have sufficient housing supply that reflects market demand and what is needed in local communities. Thriving, livable, vibrant, and productive urban and rural areas will foster community health and individual well-being.

Getting around will be easy. An integrated transportation network will allow people choices for easy travel both within and between urban centres throughout the region.

Urban centres will be vibrant and characterized by more compact development patterns that support climate change mitigation and adaptation, and provide a diversity of opportunities for living, working, and enjoying culture.

#### 1.2.1 Guiding Principles (*relevant excerpts only*):

The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.

- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

#### 4.1 Context (*relevant excerpts only*):

The GGH also contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through development and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.

#### 4.2.7 Cultural heritage resources

1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

#### Relevant Definitions

**Built heritage resource** - A building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

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

**Conserved** - The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

**Cultural heritage resources** - Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Heritage Planning Services, mcCallumSather:**

**Although the Growth Plan encourages retention of built heritage resources, the building at 85 Catharine Street North is isolated from its historic built landscape. The removal of this building will facilitate a unique opportunity to redevelop the property as part of a consolidated parcel that achieves the Growth Plan's central goal of establishing complete communities.**

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**Ontario Heritage Act, R.S.O. 1990, c. O.18**

**Part III.1 Standards and Guidelines for Provincial Heritage Properties  
Heritage standards and guidelines**

(3) The Minister may prepare heritage standards and guidelines which shall,  
(a) set out the criteria and the process for the identification of properties

referred to in subsection (2) that have cultural heritage value or interest; and  
(b) set standards for the protection, maintenance, use and disposal of property referred to in clause (a). 2005, c. 6, s. 13.

**Part IV: Conservation of Property of Cultural Heritage Value or Interest**

26 (1) In this Part,  
"Property" means real property and includes all buildings and structures thereon. 2005, c. 6, s. 14.

**Register and Municipal Heritage Committee**

**Non-designated property**

(3) Subject to subsection (18), in addition to the property listed in the register under subsection (2), the register may include property that has not been designated under this Part if,

(a) the council of the municipality believes the property to be of cultural heritage value or interest; and

(b) where criteria for determining whether property is of cultural heritage value or interest have been prescribed for the purposes of this subsection, the property meets the prescribed criteria. 2022, c. 21, Sched. 6, s. 3 (2).  
Restriction on demolition, etc.

(9) If a property that has not been designated under this Part has been included in the register under subsection (3), the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure. 2019, c. 9, Sched. 11, s. 6.

**Heritage Planning Services, mcCallumSather:**

**The property located at 85 Catharine Street North is a listed, non-designated property. Evaluations under Ontario Regulation 9/06 conducted in 2021, and again in 2024, have determined that the property does not meet sufficient criteria to merit designation under Part IV of the Ontario Heritage Act. As such, it should be removed from the City of Hamilton's Heritage Register.**

## 4.3 Municipal Policies

*The property located at 85 Catharine Street North is subject to the municipal policies of the City of Hamilton.*

### City of Hamilton Urban Official Plan, 2013)

#### B.3.0 Quality of Life and Complete Communities

Quality of life in our City has profound direct and indirect effects on the lives of all Hamiltonians. Improvements to the City's quality of life directly improve the lives of residents, but also improve the City's image and identity and the local economy by attracting and retaining people, business and investment.

Complete communities provide convenient access to a mix of jobs, local services and shops, a full range of housing and community facilities such as schools, recreation facilities, open space, health care facilities, cultural facilities, and more. Complete communities enable residents to meet most of their daily needs within a short distance from their homes, facilitating ease of access and use of public transit and active modes of transportation. Therefore, complete communities also improve air quality and reduce greenhouse gas emissions that contribute to, and worsen, the impacts of a changing climate. (OPA 167)

Many planning factors contribute to quality of life and complete communities. The intent of this Section is to provide direction on a number of factors that are to be considered in municipal decision making; factors that when combined, work together to create exciting, diverse, effective and pleasing places to live, work, play, and learn. These aspects of quality of life include supporting and promoting a strong economy; providing for a range of housing opportunities for all segments of the population; protecting and enhancing our cultural heritage resources; providing and maintaining community and emergency facilities such as parks, libraries, schools, fire, emergency medical and police facilities, and health care facilities; ensuring public safety through policy direction for contaminated sites, hazard lands, water and air quality, and by-law enforcement and building inspection services; and, ensuring that our built environment is well-designed to create a high quality public realm. Policies protecting Hamilton's natural heritage and green spaces are also critical to quality of life and complete communities.

Cultural heritage links communities to their roots and contributes to our image and cultural identity. Policies support the conservation of cultural heritage resources.

#### Cultural Heritage Resources Policies

Wise management and conservation of cultural heritage resources benefits the community. Cultural heritage resources may include tangible features, structures, sites, or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, or scenic value. Cultural heritage resources represent intangible heritage, such as customs, ways-of-life, values, and activities. The resources may represent local, regional, provincial, national, or Indigenous heritage interests and values. (OPA 167)

This section establishes a number of goals and policies for the conservation of the City's cultural heritage resources organized around three key components: archaeology, built heritage, and cultural heritage landscapes. These policies shall be read in conjunction with all other policies of this Plan.

#### 3.4.1 Policy Goals

The following goals apply to the care, protection, and management of cultural heritage resources in Hamilton:

3.4.1.1 Identify and conserve the City's cultural heritage resources through the adoption and implementation of policies and programs, including partnerships among various public and private agencies and organizations.

3.4.1.2 Encourage a city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic, and social strategy, where cultural heritage resources contribute to achieving sustainable, healthy, and prosperous communities.

3.4.1.3 Encourage meaningful engagement with indigenous communities regarding cultural heritage and archaeological resources, in consultation with the Province. (OPA 167)

3.4.1.4 Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.

3.4.1.5 Encourage the rehabilitation, renovation, and restoration of built heritage resources in order that they remain in active use.

3.4.1.6 Promote public and private awareness, appreciation, and enjoyment of Hamilton's cultural heritage through public programmes or heritage interpretation activities, heritage tourism, and guidance on appropriate conservation practices.

### 3.4.2 General Cultural Heritage Policies

3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:

- a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.
- b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources.
- c) Promote awareness and appreciation of the City's cultural heritage and encourage public and private stewardship of and custodial responsibility for the City's cultural heritage resources.
- d) Avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential.
- e) Encourage the ongoing care of individual cultural heritage resources and the properties on which they are situated together with associated features and structures by property owners, and provide guidance on sound conservation practices.
- f) Support the continuing use, reuse, care, and conservation of cultural heritage resources and properties by encouraging property owners to seek out and apply for funding sources available for conservation and restoration work.
- g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act, R.S.O., 1990

c. P.13 either through appropriate planning and design measures or as conditions of development approvals.

h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.

i) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton's cultural heritage resources.

j) Incorporate the conservation practices and principles of the Standards and Guidelines for the Conservation of Historic Places in Canada and the Eight Guiding Principles In The Conservation Of Built Heritage Properties, prepared by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries. (OPA 167)

3.4.2.2 The City consists of many diverse districts, communities, and neighbourhoods, each with their own heritage character and form. The City shall recognize and consider these differences when evaluating development proposals to maintain the heritage character of individual areas.

### Heritage Designation

3.4.2.3 The City may by by-law designate individual and groups of properties of cultural heritage value under Parts IV and V respectively of the Ontario Heritage Act, including buildings, properties, cultural heritage landscapes, heritage conservation districts, and heritage roads or road allowances.

### Listing of Properties in the Heritage Register

3.4.2.4 The City shall maintain, pursuant to the Ontario Heritage Act, a Register of Property of Cultural Heritage Value or Interest. In considering additions and removals of non-designated cultural heritage property to or from this Register, the City shall seek and consider advice from its Municipal Heritage Committee.

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3.4.2.5 In addition to the provisions of the Ontario Heritage Act respecting demolition of buildings or structures located on cultural heritage properties contained in the Register, the City shall ensure that such properties shall be conserved in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act, R.S.O., 1990 c. P.13.

#### **Protection of Non-Designated or Non-Registered Heritage Properties**

3.4.2.6 The City recognizes there may be cultural heritage properties that are not yet identified or included in the Register of Property of Cultural Heritage Value or Interest or designated under the Ontario Heritage Act, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation.

3.4.2.7 The City shall ensure these non-designated and non-registered cultural heritage properties are identified, evaluated, and appropriately conserved through various legislated planning and assessment processes, including the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act and the Funeral, Burial and Cremation Services Act. (OPA 167)

3.4.2.8 To ensure consistency in the identification and evaluation of these non-designated and non-registered cultural heritage properties, the City shall use the criteria for determining cultural heritage value or interest established by provincial regulation under the Ontario Heritage Act.

#### **Cultural Heritage Evaluation Criteria**

3.4.2.9 The City may establish guidelines to further refine the criteria established by provincial regulation under the Ontario Heritage Act, as set out in Policy B.3.4.2.8 and that is consistent with the provincial criteria. (OPA 167)

#### **Cultural Heritage Conservation Plan Statements**

3.4.2.10 The City shall prepare cultural heritage conservation plan statements for areas where the concentration or significance of cultural heritage resources require that detailed guidance be provided for the conservation and enhancement of these resources, in accordance with Section F.3.1.4 – Cultural Heritage Conservation Plan Statements. The statements will, in part,

be prepared to ensure that development, site alteration and redevelopment proposals demonstrate appropriate consideration for their impact on cultural heritage resources.

#### **Cultural Heritage Impact Assessments**

3.4.2.11 A cultural heritage impact assessment: (OPA 57 and OPA 64)

a) shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, R.S.O., 1990 c. P.13 where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

- i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;
- ii. Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest;
- iii. A registered or known archaeological site or areas of archaeological potential;
- iv. Any area for which a cultural heritage conservation plan statement has been prepared; or,
- v. Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest.

b) may be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, R.S.O., 1990 c. P.13 where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect cultural heritage resources included in the City's Inventory of Buildings of Architectural or Historical Interest through displacement or disruption.

3.4.2.12 Cultural heritage impact assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.3 – Cultural Heritage Impact Assessments. The City shall develop guidelines for the preparation of cultural heritage impact assessment.



3.4.2.13 Where cultural heritage resources are to be affected, the City may impose conditions of approval on any Planning Act, R.S.O., 1990 c. P.13 application to ensure their continued protection prior to site alteration or soil disturbance. In the event that rehabilitation and reuse of the resource is not viable and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes, and heritage features salvaged, where feasible or appropriate, at the expense of the applicant prior to demolition. (OPA 167)

3.4.2.14 Prior to site alteration or soil disturbance relating to a Planning Act, R.S.O., 1990 c. P.13 Application, any required cultural heritage impact assessment must be approved, in writing by the City, indicating that there are no further cultural heritage concerns with the property or concurring with the final resource management strategy to be implemented. The City may also require a higher standard of conservation, care and protection for cultural heritage resources based on prevailing conditions and circumstances within the City. (OPA 167)

#### **Public Awareness**

3.4.2.15 Public awareness and enjoyment of the City of Hamilton's cultural heritage shall be promoted. In order to enhance opportunities for conserving cultural heritage resources, the City may:

- a) participate in cultural heritage programs, including management, planning, and funding programs, of other levels of government or any other agencies and groups, that are intended to conserve, restore, protect, interpret, or communicate or otherwise assist in the management of cultural heritage resources;
- b) initiate or support public programmes or heritage interpretation activities intended to increase community awareness and appreciation of the City's heritage, including its recent history and distant past in order to represent either popular or under-represented stories, themes and histories of people or groups;
- c) participate in public programmes or heritage interpretation activities of other levels of government or other agencies and groups;
- d) encourage active citizen participation in cultural heritage conservation activities; and,

e) name roads, streets, water courses, and other public places and facilities to recognize all persons, groups, themes, activities, landscapes, or landmarks of interest in the City that have contributed to the cultural heritage and diversity of Hamilton's history.

#### **3.4.3 General Cultural Heritage Policies for Urban Areas Downtowns**

3.4.3.1 The City includes several downtown areas that are historical centres of the community and typically contain a high concentration of cultural heritage resources and associated historical streetscapes, including buildings, such as town halls, landmark institutional buildings, commercial terraces, churches, railway stations, parks, and distinctive residential areas. These downtowns are generally located within the Downtown Urban Growth Centre and the Community Nodes associated with the downtowns of the former municipalities of Ancaster, Dundas, Stoney Creek, and Waterdown. The City shall define downtown boundaries through secondary planning processes or other detailed planning initiatives.

3.4.3.2 Within these downtown areas, the City shall conserve individual cultural heritage properties and areas of heritage value, including streetscape features, traditional circulation patterns, and important views, and ensure that new development respects and reflects the design of surrounding heritage buildings.

3.4.3.3 New development or redevelopment in downtown areas containing heritage buildings or adjacent to a group of heritage buildings shall:

- a) encourage a consistent street orientation in any new building forms;
- b) maintain any established building line of existing building(s) or built form by using similar setbacks from the street;
- c) support the creation of a continuous street wall through built form on streets distinguished by commercial blocks or terraces;
- d) encourage building heights in new buildings that reflect existing built form wherever possible or encourage forms that are stepped back at upper levels to reflect established cornice lines of adjacent buildings or other horizontal architectural forms or features; and,
- e) reflect the character, massing, and materials of surrounding buildings.

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3.4.3.4 The City shall encourage the use of contemporary architectural styles, built forms, and materials which respect the heritage context.

3.4.3.5 Where alterations are proposed to built heritage resources within the Downtown areas, the following principles shall be followed:

- a) maintain the basic relations of the horizontal divisions of the building;
- b) maintain original façade components and materials wherever possible;
- c) replicate the original parts and materials wherever possible; and
- d) remove elements that are not part of or hide the original design.

#### **Established Historical Neighbourhoods**

Established historical neighbourhoods are neighbourhoods that were substantially built prior to 1950. These neighbourhoods exhibit unique character, provide examples of historical development patterns, and contain concentrations of cultural heritage resources.

3.4.3.6 The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.

3.4.3.7 Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.

#### **Heritage Planning Services, mcCallumSather:**

***Although the building located at 85 Catharine Street North was once part of a densely built urban block, it has since been isolated from its established historical neighbourhoods. With similar buildings of date and style better integrated into their respective landscapes just north of the property, the opportunities articulated under the Official Plan***

***relating to complete communities should be taken into consideration when planning and designing the infill made possible through the consolidation of lots and demolition of 85 Catharine Street North.***

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#### **Downtown Hamilton Secondary Plan (OPA 102, 2023)**

##### **6.1.1 Vision**

The Downtown Hamilton of the future shall be a vibrant focus of attraction where all ages, abilities, and incomes can live, work, learn, shop, and play. The future Downtown shall be a healthy, safe, comfortable, accessible, and prosperous community that promotes a high quality of life. It will combine the best of our heritage with new concepts and designs while seamlessly linking together the Downtown, surrounding neighbourhoods, the Waterfront, and the Escarpment.

##### **6.1.2 Principles**

The following principles provide guidance for evaluating initiatives and proposals for the Downtown to ensure that the City is taking a consistent approach to Downtown development:

- a) *Use public realm improvements as a catalyst for revitalization.* The Downtown Hamilton Secondary Plan emphasizes the importance of streets and public spaces. By supporting streetscaping, landscaping, park enhancements, public art, pedestrian, cycling, and transit amenities, the City signals its pride and confidence in the Downtown. A focus on improved public spaces shall be used to stimulate investment on adjacent private properties.
- c) *Promote Downtown living.* Creating residential neighbourhoods in the Downtown has long been recognized as key to its revitalization. Downtown residents can contribute to Downtown retailers' and service providers' viability. The ability to walk or bicycle to work, school, shopping, services, recreation, and entertainment facilities shall reduce or potentially eliminate vehicle trips and the associated demand for parking. Increased densities along major routes into the Downtown will support public transit. The Downtown Hamilton Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. This Plan also commits the City to provide the public services and amenities required by future Downtown residents.
- d) *Build on existing strengths.* Downtown Hamilton is the location for major

public and cultural facilities and functions as the cultural and institutional centre of the City. Downtown is a destination for those seeking diverse experiences, products, and services. All of these activities are set within an architecturally and historically rich area. Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Downtown Hamilton Secondary Plan builds on these strengths.

e) *Downtown is healthy and safe.* Downtown neighbourhoods will be designed and built to provide a foundation for healthy living by promoting physical activity (connected streets, active transportation, mixed land uses, parks and open space), healthy diets (farmer's markets, community gardens), and supportive environments (places to gather, cultural spaces, architecture and public art). There are many ways the built environment can impact health and this Plan recognizes the importance of improving public health and preventing disease through built form and changes to the environment.

g) *Culture is fundamental to Downtown Revitalization.* The City of Hamilton embraces the international consensus that culture is the fourth pillar of sustainable development, joining economic prosperity, environmental responsibility, and social equity. Consideration of integrating cultural vitality into all City decisions and initiatives shall be given as the City adopts a holistic approach to culture.

### 6.1.3 Objectives

The following objectives shall apply to development within the Downtown Hamilton Secondary Plan area:

#### 6.1.3.1 Respect Design and Heritage

Downtown Hamilton has a rich cultural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and re-use of these buildings not only enhances the Downtown but can serve as a catalyst for other public and private investments. Heritage buildings also provide living examples of design elements that can be reflected in new construction that complements rather than diminishes the surrounding streetscape. The Downtown Hamilton Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization. To achieve these objectives development shall:

- a) Conserve and enhance the built heritage resources and cultural heritage landscapes of Downtown Hamilton.
- b) Ensure that new development is compatible with the design of surrounding built heritage resource buildings.
- c) Conserve and enhance the Gore area as the primary landscaped open space and concentration of built heritage resource buildings in Downtown Hamilton.
- d) Create new programs and planning mechanisms to ensure a higher standard of urban design in Downtown Hamilton.
- e) Ensure that public improvement projects are undertaken within an overall design and implementation program that respects these objectives.

6.1.4.6 *When considering an application for development, the following matters shall be evaluated:*

- a) compatibility with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other impacts;
- b) the consideration of transition in height to adjacent and existing buildings;
- c) that height, massing, scale and arrangement of the buildings and structures are compatible with adjacent development and sympathetic to the character and heritage of the neighbourhood; and,
- d) the conservation of on-site and adjacent cultural heritage resources.

6.1.4.28 *All development shall:*

- a) be massed to frame streets in a way that respects and supports the adjacent street proportions;
- b) be compatible with the context of the surrounding neighbourhood;
- c) contribute to high quality spaces within the surrounding public realm; and,
- d) provide high quality spaces within the buildings themselves.

#### 6.1.11 Cultural Heritage Resource Policies

6.1.11.1 Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The existing concentration of heritage built form is one of the key strengths and opportunities in Downtown Hamilton. The Downtown Hamilton Secondary Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement. In addition to Section B.3.4 – Cultural Heritage

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Resource Policies of Volume 1, the following policies shall also apply to cultural heritage resources within the Downtown Hamilton Secondary Plan:

a) the Downtown Hamilton Secondary Plan is comprised of six established historical neighbourhoods: Beasley Neighbourhood, Central Neighbourhood, Corktown Neighbourhood, Durand Neighbourhood, Landsdale Neighbourhood and Stinson Neighbourhood, as identified on Appendix B – Downtown Hamilton Secondary Plan – Cultural Heritage Resources and as such, Policies B.3.4.3.6 and B.3.4.3.7 – General Cultural Heritage Policies for Urban Areas of Volume 1 shall apply;

b) cultural heritage landscapes shall be protected by retaining major characteristics through the review of Planning Act applications. The Downtown cultural heritage landscapes are identified on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes;

c) as part of the City-wide inventory of cultural heritage landscapes, the extent of the cultural heritage landscapes identified in on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes shall be confirmed;

d) conservation of existing cultural heritage resources shall be a priority in all development. New development shall be compatible with on-site and adjacent cultural heritage resources. Adaptive re-use will be given priority for all built heritage resources;

e) the City may require that as part of development proposals that cultural heritage resources be retained on-site and incorporated, used or adaptively re-used, as appropriate with the proposed development. Retention and protection of cultural heritage resources on lands subject to development may be a requirement as a condition of development approval. Specifically, heritage easements under subsection 37(1) of the Ontario Heritage Act may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.

Table B.6.1.16

Street	Design Functions	Design Objectives
Catharine Street	<ul style="list-style-type: none"> <li>Neighbourhood linkage</li> </ul>	<ul style="list-style-type: none"> <li>Improve vehicular/ pedestrian and cycling separation</li> <li>Provide improved pedestrian and cycling amenities</li> </ul>
John Street	<ul style="list-style-type: none"> <li>Important link between Downtown, the Waterfront and adjacent residential areas</li> <li>Support James and King Street retail area;</li> <li>Escarpment Access</li> </ul>	<ul style="list-style-type: none"> <li>Widen public sidewalk where feasible</li> <li>Establish safe pedestrian environment with appropriate separation from vehicles</li> <li>Better balance of pedestrian, cycle &amp; transit needs with vehicular needs</li> <li>Provide connections to eastwest streets into neighbourhood areas</li> </ul>
York Blvd./Wilson Street	<ul style="list-style-type: none"> <li>Key entry route and gateway into the Downtown from Highway 403</li> <li>Primary route through on north side of Downtown</li> <li>Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>Establish a safe pedestrian and cycling environment with appropriate separation from vehicles</li> </ul>

6.1.13 Infrastructure, Energy and Sustainability Policies

a) infrastructure related works within the Downtown Hamilton Secondary Plan area shall have regard for the character of established historical neighbourhoods and shall ensure that built heritage resources and cultural heritage landscapes are conserved, where feasible;

***Heritage Planning Services, mcCallumSather:***

***The opportunity to rehabilitate the urban landscape at a city block scale necessitates the removal of 85 Catharine Street North; design for new buildings should consider the rhythm, massing, scale, style, and materiality of the prior and nearby extant built heritage landscape to allow for sensitive redevelopment that serves the current and future needs of Hamilton's Downtown neighbourhoods. Emphasis should be placed on the relationship of any proposed development to its immediate surroundings, catering to the goals outlined in the Secondary Plan.***

**Downtown Hamilton Tall Buildings Guidelines (2018)****Site Character & Local Context****Character Areas**

The Guidelines are organized around Character Areas (Section 2.1) which are organized based on common land uses, building typologies and interfaces with adjacent public realm (e.g. streetscape or park) contributing to their unique identities. Descriptions of the Character Areas and their Priorities are described in this section.

**Character Area Priorities**

The delivery of a vibrant, mixed use Downtown requires the articulation of priorities and elements that require special attention. This should respond to the unique context and vision for each of the Character Areas within the Downtown, and include priorities, as identified through the Study consultation.

The visual directions for each of the Character Areas are illustrated in the following pages and demonstrate key elements that need to be considered as redevelopment occurs within each Character Area of the Downtown, including: vision for each character area, built form qualities and public realm interface, priorities/key considerations and urban design strategies (e.g. consistent street wall, street interface, transitional frontage, setbacks to complete the pedestrian boulevard, active façades, etc.).

The balance of the Downtown Area not identified as one of the first six Character Areas contains a mix of uses, including retail, commercial uses and residential. These areas are still subject to the Tall Buildings Guidelines, so long as a tall building is deemed as an appropriate building type for the property based on the site assessment process, the character of the area and the contextual considerations.

**2.7 John/Rebecca Area and King William Area**

The vision for John/Rebecca Area and King William Area is to feature street-oriented buildings that restore the traditional character of the Downtown area.

The John Street/Rebecca Street character area is envisioned as a highly urban residential and mixed-use area. There is an opportunity to build on the existing nucleus of restaurants on the northern side of King William Street to create a vibrant entertainment district. A new park (John/Rebecca Park) is planned for the block bounded by King William, John, Rebecca, and Catharine Streets. This park represents a key opportunity to create a focal point for the area.

In addition, the parking lots around John and Rebecca Streets offer rare opportunities to develop full blocks of the Downtown. These blocks could house larger uses like community facilities or supermarkets that are integrated with a mix of building types, including tall buildings, townhouses, and mid-rise buildings.

*New development shall meet the following design priorities:*

- a. New development shall be oriented to the street, with minimal setbacks, and parking facilities located within the interior of the block or below ground;
- b. Access to parking shall occur through a consolidated driveway system;
- c. The streetwall height of new buildings and additions should be low-to mid-rise in order to support a pedestrian scale along the public streets. Higher-intensity and taller buildings should be massed as to achieve a harmonious relationship with adjacent buildings, public spaces and any planned development;

- d. The façade of larger buildings should be designed with particular attention to detail to avoid uninterrupted blank walls along building facades by articulating building facades at a minimum of every 50' (25' preferred). Facade articulation may include notched setbacks, projecting bays, balconies, etc.;
- e. Shadows from proposed development should allow for 50% sun coverage of the John Rebecca Park at all times of the day as measured from March 21st to September 21st; and,
- f. Development fronting the John/Rebecca Park:
  - i. Should address and help frame the street and open space with active and accessible uses at grade;
  - ii. Should orient buildings, including windows, entrances, balconies, and other building elements towards the park;
  - iii. Should incorporate appropriate stepbacks to provide a human scale podium; and,
  - iv. Should mitigate potential shadow and window impacts on the park

### 3.1 Heritage Conservation

The shape and form of Tall Buildings should respond to and respect Hamilton's existing rich architectural legacy, as represented in the stock of heritage buildings and districts.

The cultural heritage mapping in the Downtown Hamilton Secondary Plan identifies elements of designated heritage significance. Additionally, the Downtown Built Heritage Inventory (completed in 2014) identifies a long list of heritage properties including recommended, registered and designated buildings, many of them within the study area (refer to Section 2.5 of the Tall Buildings Study).

In addition to the properties already identified in these documents, the maintenance or adaptation of any existing building element of architectural value that could reinforce the history and character of the property is highly encouraged. New development shall meet the following design principles:

- a. Conservation and retention of existing cultural heritage resources should be a priority;

- b. Building bases should respect the grain and scale of the surrounding historic fabric;
- c. When an existing building is adapted/incorporated into the base of a tall building, the size and shape of the original window openings and entrances should be maintained;
- d. Symmetry features of original design and construction should be maintained;
- e. Vertical and/or horizontal demarcation devices should be maintained where possible;
- f. New buildings should demonstrate similar proportions and massing of adjacent heritage structures and continue the rhythm of the traditional street façade; further, the streetscape rhythm may be maintained and defined by respecting the existing historic vertical fabric, horizontal bays and materiality;
- g. Tall buildings should not visually impede the setting or view of listed/ designated heritage buildings, including the concentration of heritage buildings around the Gore; and,
- h. Modern approaches to building design are a suitable option as long as they respect and enhance the existing historic character of adjacent buildings.

#### ***Heritage Planning Services, mcCallumSather:***

***In conjunction with overlapping municipal policies, the Downtown Tall Building Guidelines most directly address the built environment that surrounds the property located at 85 Catharine Street North. It provides detailed guidelines that should be applied to any new development in this area. Specifically, the policy notes that "the parking lots around John and Rebecca Streets offer rare opportunities to develop full blocks of the Downtown. These blocks could house larger uses like community facilities or supermarkets that are integrated with a mix of building types, including tall buildings, townhouses, and mid-rise buildings." This references and describes the isolated urban context of 85 Catharine Street North, surrounded by a large surface parking lot, and articulates the opportunity to design for the neighbourhood at the city block scale.***

## 5.0 Impact Assessment

This section of the report relies on and carefully considers the applicable federal, provincial and municipal heritage policies and best practice framework, including the Standards and Guidelines for the Conservation of Historic Places in Canada. The Ministry of Citizenship and Multiculturalism (MCM) provides guidance and information regarding cultural heritage and archaeological resource conservation in land use planning in the Ontario Heritage Toolkit (2006). Negative impacts to a cultural heritage resource that may occur due to a proposed development or site alteration are identified in the Ontario Heritage Toolkit. Throughout the impact assessment, consideration has been given to the following potential impacts:

- Demolition, damage or removal of any, or part of any, heritage attributes or features;
- Alteration that is not sympathetic, or is incompatible, with the historic fabric or appearance of a cultural resource;
- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship; and
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features.

### Subject Property Heritage Resources

The land at 85 Catharine Street North contains a 19th century residential building; this built heritage resource is protected from immediate demolition as it is a Listed, non-designated property under the Ontario Heritage Act.

### Adjacent Heritage Resources

Given the inherent flatness of the surface parking lots that surround 85 Catharine Street North, any infill will have a **significant** on the nearby listed resources and overall urban landscape. While any proposed development will alter the existing spatial organization of the properties, the block-scale of infill will have the opportunity to contribute to the diversity of architectural styles, forms, and shapes in the surrounding heritage context, which features a dense landscape integrating commercial/mixed-use low-rise buildings, with civic and religious landmarks.

The architectural eclecticism in the area represents by itself a key character-defining element of the evolution of the urban landscape over time. Any forthcoming development should be analyzed from a heritage landscape perspective to ensure that it sets a precedent for sympathetic infill that allows for growth and redevelopment in the coming years.

### 5.1 Analysis of Potential Impacts

The objective of this section is to present an overview of potential impacts associated with the proposed development, and to provide conservation approach and strategies to mitigate those impacts.

Impacts relating to the removal of 85 Catharine Street North and future opportunities for landscape rehabilitation at the city block-scale have been assessed previously and updated in this report. If a new development was to be proposed for this site, further analysis would be required.

#### *Landscape Impact*

The building located at 85 Catharine Street North stands in a rather solitary condition, as one of just a few buildings left to dot the periphery of the city block bounded by Rebecca Street to the South, John Street North to the west, Wilson Street to the North, and Catharine Street North to the east.

Retention of the Property in situ would negatively impact that potential for cityscape design that emphasizes the corner expression at Wilson Street and Catharine Street North in a meaningful and functional manner.

The public realm improvement of full-block design outweighs the contribution that the residential building at 85 Catharine Street North provides within its current urban landscape context. It is situated in a sea of surface parking lots, and although it represents a building style and date that lacks representation on this block, just north of the intersection is a contiguous row of houses of a comparable style and date that are better in-tact.

#### *Architectural Impact*

Removal of the building at 85 Catharine Street North would impact the landscape as a remnant built form of its date and style, but its scale,

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materiality, ornamentation, and design could meaningfully inform block-scale design with pedestrian-focused streetscape planning. The demolition of the building at 85 Catharine Street North will result in the removal of architectural elements that were integral to the previous streetscape and typology, suggesting changes to the surrounding urban fabric. Overall, the removal of this building represents part of the evolution of the property, and makes space for the addition of a contemporary layer of fabric to define a new era for this city block

#### ***Visual Impact***

Although the building located at 85 Catharine Street North currently creates a vertical punctuation mark on its otherwise quite barren block of street-parking, it is this context that necessitates the removal of the building to accommodate a future redevelopment that can account for design of the entire city block. The visual impact of removing the house could be later mitigated with thoughtful urban streetscape design.

#### ***Land Use Impact***

Contextually, the properties are surrounded by mixed-use commercial developments and buildings with institutional uses. Following our research and analysis, it has been determined that the removal of the building at 85 Catharine Street North will allow a for a future visual landscaped connection to the commercial area and urbanistically helps to create a sense of place to connect the evolving urban downtown areas. Therefore, any future development that replaces 85 Catharine Street North and infills the surrounding parking lot will contribute to a new use in the downtown core, and help to intensify the Property's use.

#### ***Land Disturbances Impact***

Construction activity and excavation have potential to cause limited and temporary impacts on adjacent listed, non-designated heritage buildings. These impacts can be mitigated through construction controls, protection plans, and retention of a structural engineer to avoid any damage to the adjacent properties.

#### ***Impact of Destruction***

This report addresses the potential demolish one (1) existing buildings. Removal of the building at 85 Catharine Street North will represent the loss of a heritage building, but one of isolated vernacular context and style, the latter of which is represented in the surrounding area in better contextual condition.

#### ***Shadow Impacts***

A revised shadow study should be provided for future developments. At the time of this application, a shadow study is not relevant for inclusion.

#### ***Urban / Streetscape Impact***

From an urban and streetscape perspective, the opportunity to design a city block anew will create the best holistic approach to redevelopment in line with policy requirements. The current residential building is disconnected from its historical context, and with better vernacular residential pockets of a comparable date and style nearby, removal of the house would impact the current streetscape, but would also negatively impact the potential to design the city block anew.

## **5.2 Impacts Assessment Summary**

The potential proposed development is situated on a downtown city block that is predominantly used as a surface parking lot. The building at 85 Catharine Street North has lost both its neighbours, and its immediate residential context as well.

While removing the building on the property will contribute to the further loss of 19th century built-form on this city block, the previous loss of its surrounding context for use as a surface parking lot has divorced 85 Catharine Street from communicating significant meaning regarding its relationship to the past.

Surrounding the existing building at 85 Catharine Street North with a full block development would compound the issues of disconnection already prevalent on the property, already separated visually from 89 Catharine



Street North, and other visual historical streetscapes that have been reduced to surface parking lots.

The opportunity to design and develop the entire city block as bounded by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street North to the east will offer substantial improvements to the public realm, reinvigorating the pedestrian experience with access to new commercial enterprises, publicly accessible open spaces, opportunities for public art, and private access to green spaces and residential intensification. This has the potential to set a precedent for growth in downtown Hamilton, in line with policies related to redevelopment and reinvigoration of the downtown core as outlined in the City of Hamilton Official Plan (2013), Urban Hamilton Official Plan (2022) and Downtown Hamilton's Tall Buildings Guidelines (2018).

The proposed urban intensification of this city block will optimize the use of previously developed land, reduces travel demand, and revitalizes areas that have lost their urban identity. This is an approach that is aligned with both sustainability and urban strategies, and will prioritize goals relating to environmental responsibility while also intersecting with broader urban development goals.

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## 6.0 Conservation Approach

All conservation approaches seek to manage change. The main distinction between the types of conservation treatment (Preservation, Rehabilitation, Restoration) relates to the extent of alteration being proposed. The Standards and Guidelines for the Conservation of Historic Places in Canada allows for a broad spectrum of conservation treatments. In all cases, the proposed approach should allow for a continuing or new use, without extensively altering or adding to the historic place in such a way that its heritage value and character-defining elements would be adversely affected.

The over-arching conservation approach to the property is one of broader **landscape rehabilitation**, which considers the building's current situation as a property disconnected from its previous contextual heritage surroundings. In its existing siting and surrounding relationships, 85 Catharine Street North has become one of a few remaining peripheral buildings on an otherwise vacant city block that is being used primarily for surface parking. This urban condition indicates that there is potential for urban landscape renewal that can better accommodate the evolution of the part of Hamilton's downtown landscape in cultural, functional, aesthetic, and architectural forms. Consequently, the rehabilitation approach, relating not to the conservation of the singular residential building at 85 Catharine Street, but rather referring to the opportunity to plan for a full urban block rehabilitation is in line with current municipal and provincial policies and priorities.

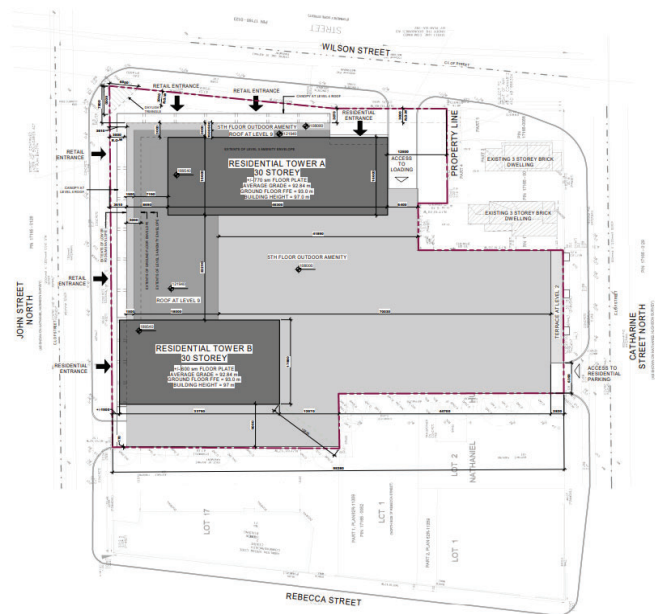
It is the position of mcCallumSather to consider all viable solutions that allow for heritage conservation to be a catalyst for change, specifically ensuring that the retention of built forms is indicative of the best outcome as it relates more broadly to urban and community planning. As such, retention of the residential building at 85 Catharine Street North would present a barrier to the opportunity to redevelop the city block bounded by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street North to the east. Per the priorities of the City of Hamilton, as outlined in the Urban Hamilton Official Plan (November 2022).

### 6.1 Previously Proposed Development DA 21-375

The site plan provided in the drawings below, dating to July 16, 2021, were prepared by mcCallumSather as part of the Site Plan Approval Application DA-21-137.

Note that, at the time of submission, proposal DA-21-137 did not include the property located at 85 Catharine Street North, and proposed a development around the retention of the buildings located at 85 and 89 Catharine Street North, respectively.

Application DA-21-137 represents only one possibility for block-plan design. Future proposals should include the property located at 85 Catharine Street North as part of a singular parcel with the 80 John Street property.



## 6.2 Mitigation Measures

Removal of the building at 85 Catharine Street North should allow for a full block redevelopment, following the extensive guidelines outlined in Section 4 of the City of Hamilton's Tall Building Guidelines, specifically Section 4. The contemporary infill should consider the materiality, massing, fenestration pattern, and fine-grained rhythm that recalls the 19th century built-form context formerly surrounding on the Property on the city block bounded by Rebecca Street to the south, John Street North to the west, Wilson Street to the north, and Catharine Street North to the east. This will allow for a sensitive redevelopment that reinforces the historic context of Hamilton's downtown core.

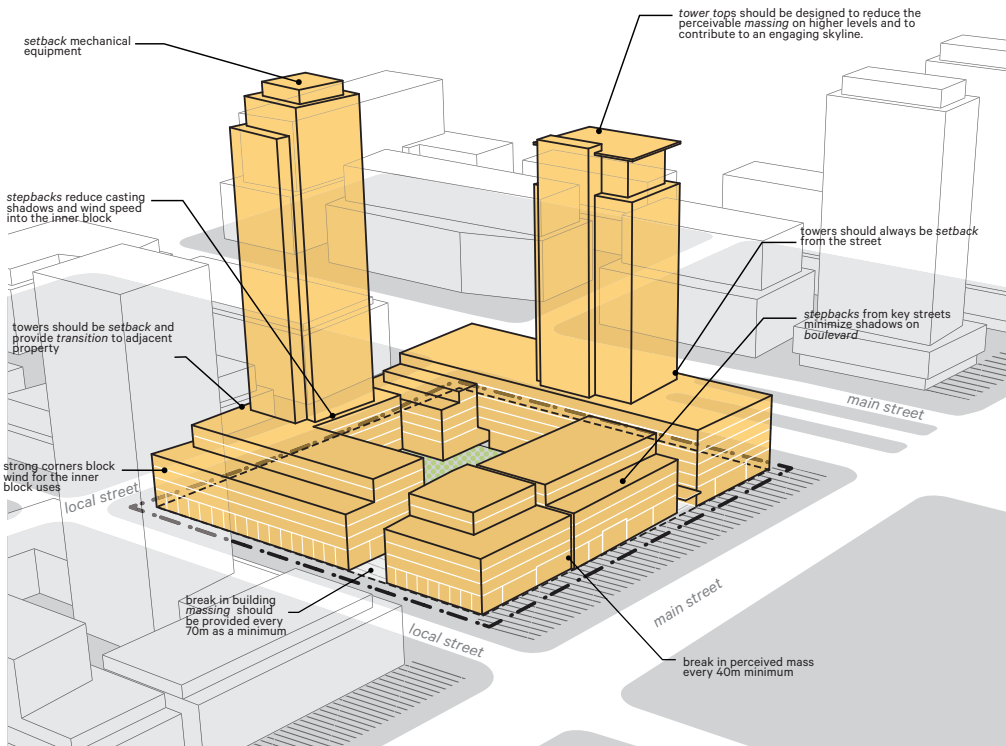


Figure 37. Example of a Block Plan design, City of Hamilton's Tall Building Guidelines (2018), Section 4, Page 70.

- Design considerations should not only regard the character of the historical downtown core of Hamilton, but also the opportunity to improve the area with a full city block design that thoughtfully engages with nearby heritage resources, contemporary development from the past 40 years to present, and future outlooks for municipal goals relating to community and urban planning;
- New development is encouraged in a manner that is compatible with the form and character of the surrounding's properties and respects the heritage values of the historic context;
- Incorporating commercial use on the property in a way that does not impact circulation patterns in the area;
- Meeting the intent of the federal, provincial and municipal urban planning and heritage policies; and
- Providing shadow studies of proposed development to provide further direction on the aspect of natural lighting and impacts on adjacent properties.

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Further recommendations: Considerations should be given to implement some form of transition between the adjacent properties and proposed development, such as an increased stepback from all elevations.

- This report represents the most complete and updated heritage assessment of the property. It includes a summary of the options and alternatives that were considered, along with a thorough understanding of the building's condition, background, and heritage value.
- Architectural lighting: confirmation of the exterior lighting reflecting heritage, sustainability, accessibility, environmental aspects, security, and integration with the surrounding downtown core;
- Consideration should be given to a four-storey podium, which is more consistent with the extant fabric of the historic street wall to the east of the Property; this could allow for a reduced tower height and/or the enclosure of the mechanical penthouse, with the latter reducing overall noise pollution
- Any redevelopment of the Property or its adjacent city block should begin with a Stage 1 Archaeological Assessment, to be followed up as needed.
- The design and redevelopment of the Property and its surrounding municipal block should be undertaken in consultation with Indigenous stakeholders as it relates to all aspects of the project, from archaeology, to design, to interpretation, and to commemoration, among others, that demonstrates a nuanced understanding of the historical, ongoing, and future Indigenous relationship to the land.
- The new design should effectively convey both the tangible and intangible values outlined in the report. These values could encompass architectural significance, symbolic representation, and other aspects that contribute to the cultural historical identity of the area. This approach indicates a focus on preserving the essence of the original streetscape within the context of the preliminary proposed redevelopment project.
- Future development should enhance the contextual and landscape values; as any new building will be proposed to front onto two major, one minor, and one local thoroughfare with the introduction of more commercial streetscape.
- Per urban design guidelines for city block planning, any new construction should maintain appropriate setbacks from the property lines to enhance

visibility and accessibility from the public realm.

- The historic function of the building at 85 Catharine Street and the city block in its entirety should be commemorated on the city block;
- Future development must recognize that the demolition of an existing building poses a substantial environmental impact, consideration should be given to opportunities for adaptive reuse, and, where possible, the salvage and reuse of materials.
- Further consideration towards environmental impacts is encouraged to aim for a net zero carbon emission for the commercial podium and residential tower.
- Due to the quality of the materials, if feasible, a demolition company which specializes in reclaiming building materials should be retained, to ensure the reuse of these materials.

Should these recommendations be considered in the design of the potential proposed development, minimal adverse impacts to the existing landscape are expected.

Further analysis and research are recommended to better understand the overall historic character of the area and urban landscape, prior to the implementation of residential/commercial intensification of the site.

## Conclusion

There is no proposed development associated with this report, which is to be submitted alongside a Notice to Demolish a Listed non-designated property, protected under the Ontario Heritage Act. The building located at 85 Catharine Street North is proposed to be demolished by the Owner. A previous Site Plan Approvals Application for the property adjacent to 85 Catharine Street at 80 John Street North was submitted to the City of Hamilton (DA-21-375).

While it is crucial to consider the environmental impacts of demolition, it is equally important to assess the heritage value of the property located at 85 Catharine Street North within its broader landscaped context. Notably, minimal historic fabric from the 19th century remains in situ that would reinforce the built heritage context of the original construction at the southwest corner of Catharine Street North and Wilson Street. The isolation of 85 Catharine Street North from its dense row context, particularly with the more recent loss of 87 Catharine Street North (after 1973), underscores this challenge. Additionally, other built forms have been replaced by parking lots, interspersed with buildings of varying dates, styles, and urban landscape designs.

Given the consideration demolition and replacement of the surrounding built environment with surface parking lots and eclectic typologies, there is an opportunity, through lot consolidation, to revitalize the urban landscape at the scale of a city block. Rooted in urban and heritage planning perspectives, this approach could lead to broader public realm enhancements and a more vibrant living environment, informed by considerations of pedestrian experiences and community planning.

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## APPENDICES

### Appendix A:

#### References

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## Appendix B: City of Hamilton Cultural Heritage Impact Assessment Terms of Reference

### 1.0 PURPOSE

A Cultural Heritage Impact Assessment (CHIA) is a report that documents a clear and traceable evaluation of the effects of a proposed new development or redevelopment on cultural heritage resources and/or their setting. If there are demonstrated adverse effects, the CHIA must describe the means by which the adverse effects can be minimized, mitigated or avoided. The primary goal of a CHIA is to ensure that the cultural heritage value of the property is conserved.

Under the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP), a CHIA shall be required where the proposed development, site alteration, or redevelopment of lands has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

- Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;
- Properties that are included in the City of Hamilton's Municipal Heritage Register or adjacent to properties included in the Register;
- A registered or known archaeological site or areas of archaeological potential;
- Any area for which a cultural heritage conservation plan statement has been prepared; or,
- Properties that comprise or are contained within cultural heritage landscapes that are included in the City of Hamilton's Municipal Heritage Register.
- The UHOP and RHOP also identify that CHIA reports may be required where the proposed development, site alteration, or redevelopment of lands has the potential to adversely affect properties listed on the City's Inventory of Heritage Buildings.

The UHOP also identifies that there may be cultural heritage properties that are not yet included in the City's Municipal Heritage Register, nor designated under the Ontario Heritage Act, but have cultural heritage interest.

The City shall ensure these non-designated and non-registered cultural heritage properties are identified, evaluated, and appropriately conserved. New development, site alteration or redevelopment may create disturbances or disruptions including, but not limited to:

- Demolition, removal, or any other damaging effects to buildings or structures of cultural heritage value or interest;
- Disruption of the setting, context, landscape or layout of the cultural heritage resource; and,
- Development of lands adjacent to cultural heritage resources that is not sympathetic to the adjacent property's cultural heritage attributes.

### 2.0 CONTENT

Planning staff will inform the proponent during the Formal Consultation phase of any development application, whether the submission of a CHIA will be required prior to the submission of any subsequent applications under the Planning Act.

The Assessment shall be undertaken by a qualified professional with demonstrated expertise in cultural heritage assessment, mitigation and management, excluding the project architect or any other professional with a stake in the development, and shall contain:

#### *1. Introduction to the Development / Project*

- a. A location plan showing and describing the contextual location of the site.
- b. An existing site plan, current floor plans of built structures where appropriate.
- c. A concise written and visual description of the site identifying significant features, buildings, landscapes and views including any yet unidentified potential cultural heritage resources and making note of any heritage recognition of the property (i.e. National Historic Site, Municipal Designation, etc.).
- d. A concise written and visual description of the context including adjacent properties and their recognition (as above) and any yet unidentified potential cultural heritage resource(s).
- e. Present owner and contact information.



**2. Background Research & Analysis**

For the subject property:

- a. Comprehensive written and visual research and analysis of the cultural heritage value or interest of the site (both identified and not yet identified): physical or design, historical or associative, and contextual.
- b. Development history of the site including original construction, additions, and alterations with substantiated dates of construction; and,
- c. Relevant research material, including historic maps, drawings, photographs, sketches/renderings, permit records, land records, assessment rolls, Vernon's directories, etc.

For adjacent properties:

- d. Concise written and visual research and analysis of the cultural heritage value or interest of the adjacent properties, predominantly physical or design and contextual value.

**3. Statement of Significance**

- a. A Statement of Cultural Heritage Value or Interest identifying the cultural heritage attributes. This statement will be informed by current research and analysis of the site as well as pre-existing heritage descriptions. This statement is to follow the provincial guidelines set out in the Ontario Heritage Tool Kit. The statement of cultural heritage value or interest will be written in a way that does not respond to or anticipate any current or proposed interventions. The City may, at its discretion and upon review, reject or use the statement of cultural heritage value or interest, in whole or in part, in crafting its own statement of cultural heritage value or interest (Reasons for including on Register or Designation) for the subject property.

**4. Description of Proposed Development or Site**

- a. A written and visual description of the proposed development or site alteration, including a proposed site plan, proposed building elevations, and proposed interior plans, where applicable.

**5. Impact of Proposed Development or Site**

a. Description of the negative impacts upon the cultural heritage resource(s) by the proposed development or site alteration as identified in the Ontario Heritage Tool Kit, including but not limited to:

- i. Destruction of any, or part of any, significant heritage attributes or features;
- ii. Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- iii. Shadows created that alter the appearance of a heritage attribute or change the viability of an associated natural feature or plantings, such as a garden;
- iv. Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- v. Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
- vi. A change in land use (such as rezoning a church to a multi-unit residence) where the change in use negates the property's cultural heritage value; and,
- vii. Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archaeological resources.

**6. Alternatives or Mitigation Measures**

- a. A description of the alternatives or mitigation measures necessary to mitigate the adverse impacts of the development and/or site alteration upon the cultural heritage resource(s), including:
  - i. The means by which the existing cultural heritage resources shall be integrated within the proposed development and/or site alteration; and,
  - ii. The manner in which commemoration of cultural heritage resources to be removed shall be incorporated within the proposed development and/or site alteration.

**7. Conservation Strategy**

- a. The preferred strategy recommended to best protect and enhance the cultural heritage value and heritage attributes of the on-site and adjacent cultural heritage resource(s) including, but not limited to:
  - i. A mitigation strategy including the proposed methods;
  - ii. A conservation scope of work including the proposed methods; and
  - iii. An implementation and monitoring plan.
  - iv. Recommendations for additional studies/plans related to, but not limited to: conservation; site specific design guidelines; interpretation/commemoration; lighting; signage; landscape; stabilization; additional

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record and documentation prior to demolition; and long-term maintenance.  
v. Referenced conservation principles and precedents.

**8. Cited Materials**

- a. Any photographic records, maps, or other documentary materials found during the historical research of the property as well as present-day photographs taken during research; and,
- b. A detailed list of cited materials

Any required CHIA report shall be submitted for review by Planning staff and the Hamilton Municipal Heritage Committee prior to acceptance of the report as being complete or the clearance of any conditions on any development approvals.