

Authority: Item __ ,
Planning Committee
Report ____ (PED____)
CM: _____, 2014

Bill No. XXX

**CITY OF HAMILTON
BY-LAW NO. 14-XXX**

To Amend By-law 05-012 as it relates to Designation of 320 King Street East, Hamilton under the Ontario Heritage Act.

WHEREAS the Council of the City of Hamilton designated 320 King Street East, Hamilton under Part IV of the Ontario Heritage Act by By-law No. 05-012, passed January 26, 2005;

AND WHEREAS at that time of passing of By-law No. 05-012 the property at 320 King Street East also included 316-318 King Street East, Hamilton;

AND WHEREAS the Council of the City of Hamilton deems it necessary to amend Bylaw No. 05-012 to amend the legal description to reflect the approval of severance of the lands known as 316-318 King Street East, Hamilton and the subsequent conveyance of these lands;

AND WHEREAS the Council of the City of Hamilton desires to continue to protect 320 King Street East, Hamilton under Section 29 of the Ontario Heritage Act;

AND WHEREAS the Ontario Heritage Act requires that Council shall include in any amendment such changes as are necessary to ensure that the by-law satisfies the requirements of Section 29, as it reads on the day the Ontario Heritage Amendment Act, 2005 received Royal Assent;

AND WHEREAS this is an administrative amendment that does not change the intent or effect of the existing designation on the property;

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

1. That Schedule "A" (Legal Description) to By-law No. 05-012 be deleted in its entirety and replaced with Schedule "A" (Legal Description) attached hereto.
2. That Schedule "B" (Reasons for Designation) to By-law No. 05-012 be deleted in its entirety and replaced with the Schedule "B" (Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes) attached hereto.

3. That the City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property described in Schedule "A" and to remove reference to By-law No. 05-012 from the property no longer affected by the heritage designation in the proper registry office.
4. That the Clerk is hereby authorized and directed,
 - (i) to cause a copy of the by-law amendment to be given to the owner of the property in accordance with the Ontario Heritage Act;
 - (ii) to cause a copy of the by-law amendment to be given to the Ontario Heritage Trust in accordance with the Ontario Heritage Act.

PASSED and **ENACTED** this _____ day of _____, 2014.

R. Bratina
Mayor

R. Caterini
City Clerk

Schedule "A"
To By-law No. 14-XXX

320 King Street East, Hamilton

LEGAL DESCRIPTION

Part Lot 3, Plan 357, south side of King Street, being Part 2, on Plan 62R-15014;
Hamilton

PIN (Property Information Number) - 17168-0196 (LT)

Schedule "B"
To By-law No. 14-XXX

320 King Street East, Hamilton

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

Statement of Cultural Heritage Value or Interest

The commercial brick building (1892) located at 320 King Street East possesses cultural heritage value expressed in its historical associations with the economic growth of the City of Hamilton and the nineteenth century commercial development of King Street.

The subject building, within its historical setting, is of architectural value as an example of Italianate commercial architecture with decorative features and an intact storefront.

Description of Heritage Attributes

The heritage attributes comprise all façades and the flat roof, including all entranceways and windows, together with construction materials of brick, stone, wood, metal, and associated building techniques. The detailed heritage attributes include, but are not limited to:

North (Front) Elevation

- Two symmetrically arranged bays.
- Recessed storefront together with wood trim, wood base panels, window openings and plate glass, transoms above the store windows with wood frames and trim, entrance opening with existing door, walls and ceiling.
- Brick façade with decorative brickwork, corbelling, brick pilasters on the main floor.
- Rectangular window openings on the second floor together with stone lintels, wood trim and one-over-one sash glazing.
- Stone beltcourse between the first and second floors.
- Elaborate, decorative pressed metal cornice together with finials, corbels, upper pedestal, brackets, "buttons" and consoles with acanthus leaf details.

West (Side) Elevation

- Exterior wall constructed of brick laid in Common bond.

South (Rear) Elevation

- Exterior wall constructed of brick laid in Common bond, but excluding the elevated pressure-treated wood deck.

East (Side) Elevation

- Exterior wall constructed of brick laid in Common bond.
- First floor entrance with segmentally arched opening, brick voussoirs and original decorative wood rail and transom.