



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

REPORT 16-001

12:00 p.m.

Thursday, January 21, 2016

Room 264, 2nd Floor

Hamilton City Hall

71 Main Street West

Present: Councillors A. Johnson, M. Pearson, J. Partridge
W. Arndt, D. Beland, A. Denham-Robinson (Chair), C. Dimitry, K.
Garay, M. McGaw, T. Ritchie, K. Stacey, T. Wallis (Vice Chair),
R. Sinclair

Absent with Regrets: W. Furlan

THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 16-001 AND RESPECTFULLY RECOMMENDS:

- 1. Heritage Permit Application HP2015-041, Under Part V of the Ontario Heritage Act, for the Erection of a Structure at 975 Beach Boulevard, Hamilton (PED16025) (Ward 5) (Item 8.1)**
 - (a)** That Heritage Permit Application HP2015-041 be approved for the erection of a new single detached dwelling on the designated property at 975 Beach Boulevard, Hamilton (Hamilton Beach Heritage Conservation District), as shown in Appendix "A" to Hamilton Municipal Heritage Report 16-001, subject to the submission and finalization of a Site Plan Control application and the following Heritage Permit conditions:
 - (i) That the deficient side yard setbacks identified in the Preliminary Site Plan, attached as Appendix "D" to Report PED16025 shall be addressed in accordance with the Site Plan approval process;
 - (ii) That the final design specifications, including windows, railings, columns, doors and downspouts, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit;
 - (iii) That the dimensions and surfacing materials for the new driveway and any walkways, patios or other hard-surface areas, shall be submitted, to the satisfaction and approval of the Director of

Planning and Chief Planner, in accordance with the Site Plan approval process and prior to installation;

- (iv) That the dimensions, design and materials for any new fencing and gates shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, in accordance with the Site Plan approval process and prior to installation;
- (v) That a plan depicting the removed, retained and any new trees, of a minimum caliper of 55 mm and of a species consistent with the City of Hamilton's Tree Species and Recommended Index, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to planting;
- (vi) That the applicant / owner demonstrate that the Committee of Adjustment Severance Application HM/B-13:06 has been completed and the new lot created, to the satisfaction of the Director of Planning and Chief Planner, prior to submission of any application for a Building Permit;
- (vii) 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,
- (viii) That construction and site alterations, in accordance with this approval, shall be completed no later than February 28, 2018. If the construction and site alterations are not completed by February 28, 2018, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

2. Notice of Intention to Designate 1 Jones Street, Stoney Creek (Added Item 8.2)

That the Hamilton Municipal Heritage Committee endorse the designation of the property at 1 Jones Street, Stoney Creek, as approved by Council on January 20, 2016, including the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes contained in the Notice of Intention to Designate.

FOR THE INFORMATION OF THE COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following change to the agenda:

1. ADDED DISCUSSION ITEM (ITEM 8)

- 8.2 Notice of Intention to Designate 1 Jones Street, Stoney Creek (Approved at January 20, 2016 Council meeting, and referred to the Hamilton Municipal Heritage Committee for its consideration)

The Agenda for the January 21, 2016 Hamilton Municipal Heritage Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) December 17, 2015 (Item 3.1)

The Minutes of the December 17, 2015 meeting of the Hamilton Municipal Heritage Committee were approved, as presented.

(d) CONSENT ITEMS (Item 5)

(i) Inventory and Research Working Group Notes - November 23, 2015 (Item 5.1)

(a) Draft Cultural Heritage Assessment Report for 286 Victoria Avenue North, Hamilton (Former Babies' Dispensary Guild) (Item (d))

- (i) That there is sufficient evidence in the draft Cultural Heritage Assessment Report for 286 Victoria Avenue North, Hamilton (former Babies' Dispensary Guild), prepared by staff, to warrant protection of the property under the Ontario Heritage Act.
- (ii) That the City of Hamilton should negotiate a heritage conservation easement agreement as a condition of sale of 286 Victoria Avenue North, Hamilton (former Babies' Dispensary Guild) to protect the cultural heritage value and

heritage attributes of the property under the Ontario Heritage Act.

Staff advised that information following the consultation with the Hamilton Municipal Heritage Committee will be forwarded to Real Estate staff, to include in a future staff report.

(ii) Policy and Design Working Group Notes – December 7, 2015 (Item 5.2)

The December 7, 2015 Notes of the Policy and Design Working Group, were received.

(e) PRESENTATIONS (Item 7)

(i) Auchmar Business and Operations Plan Update from Ian Kerr-Wilson, Manager, Heritage Resource Management, Tourism and Culture (Item 7.1)

Ian Kerr-Wilson, Manager of Heritage Resource Management, addressed the Committee respecting the Auchmar Business and Operations Plan, with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record. Mr. Kerr-Wilson's comments included, but were not limited to the following:

- Background of the Auchmar property
- Planning Work
- Stabilization Work
- Proposed Use Concept
- Expressions of Interest and Request for Proposals
- The 3-Legged Stool of Heritage Resource Management
- Community Use
- Public Use
- Private Use
- Potential Impacts of Adaptive Re-Use
- Financial Implications: Revenue
- Financial Implications: Expenses
- Next Steps

The Auchmar Business and Operations Plan Update from Ian Kerr-Wilson, Manager, Heritage Resource Management, Tourism and Culture, was received.

(f) DISCUSSION ITEMS (Item 8)

- (i) Notice of Intention to Designate 1 Jones Street, Stoney Creek (Approved at January 20, 2016 Council meeting, and referred to the Hamilton Municipal Heritage Committee for its consideration) (Added Item 8.2)**

WHEREAS Council approved the Notice of Intention to Designate 1 Jones Street, Stoney on January 20, 2016, and referred the item to the Hamilton Municipal Heritage Committee on January 21, 2016

THEREFORE BE IT RESOLVED:

The Notice of Intention to Designate 1 Jones Street, Stoney Creek, was approved as follows:

- (a) The Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 1 Jones Street, Stoney Creek, attached as Appendix "A" was approved;
- (b) The Notice of Intention to Designate 1 Jones Street, Stoney Creek attached as Appendix "B" , was approved; and
- (c) The City Solicitor was directed to take appropriate action to serve Notice of Intention to Designate 1 Jones Street, Stoney Creek, under Part IV of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and to publish the Notice of Intention to Designate in a newspaper having general circulation in the municipality.

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

- (i) Hamilton Municipal Heritage Committee Year-End Report follow-up (Item 11.1) (Verbal Update)**

The Chair advised the Committee that a draft of the Hamilton Municipal Heritage Committee Year-End Report would be presented at the February 25, 2016 meeting, for discussion.

The Verbal Update respecting the Hamilton Municipal Heritage Committee Year-End Report, was received.

(ii) Notice of Decision for Heritage Permit Application HP2015-039 for 1 St. James Place, Hamilton (By-law No. 15-222) (Ward 2) (Item 11.2)

Alissa Golden, Cultural Heritage Planner, provided an overview of the Notice of Decision for Heritage Permit Application HP2015-039 for 1 St. James Place, Hamilton (By-law No. 15-222) to the Committee.

The Notice of Decision for Heritage Permit Application HP2015-039 for 1 St. James Place, Hamilton (By-law No. 15-222), were received.

(iii) National Trust article respecting small scale regeneration projects (Item 11.3)

The National Trust article respecting small scale regeneration projects, was received.

(iv) Buildings and Landscapes (Item 11.4)

1 Jones Street, Stoney Creek was moved to the Buildings and Landscapes of Interest (Yellow) list.

The updates for items listed in 11.4, were received, as presented.

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

(i) Tivoli, 108 James Street North, Hamilton (D) – A. Johnson

No report.

(ii) Book House, 167 Book Road East, Ancaster (R) – M. McGaw

No report.

(iii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – M. McGaw

No report.

(iv) Century Manor, 100 West 5th Street, Hamilton (D) – K. Garay

K. Garay advised that she and staff conducted a site inspection and that staff have been working with Municipal

Law Enforcement regarding a potential property standards order.

- (v) Beach Canal Lighthouse (D) – J. Partridge

No report.

- (vi) 18-22 King Street East, Hamilton (R)(NOI) – K. Stacey

No report

- (vii) 24-28 King Street East, Hamilton (R)(NOI) – K. Stacey

No report.

- (viii) 1 St. James Place, Hamilton (D) – K. Stacey

No report

- (ix) All Saints Church, 15 Queen Street South (L) – D. Beland

No report

- (x) 43-51 King Street East, Hamilton (Kresge Property) (R) – K. Stacey

No report.

- (h) Buildings and Landscapes of Interest (yellow):
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland

No report.

- (ii) James Street Baptist Church, 96 James Street South, Hamilton (D) – A. Denham-Robinson

Staff advised that the owner has received conditional Site Plan approval for the property, and that winter inspections indicate that there are no changes to the site and the condition of the remaining historic structure.

- (iii) Centenary Church, 24 Main Street West (R) – D. Beland
No report.
- (iv) Pearson Home, 493 Dundas Street East, Waterdown (D) – J. Partridge / W. Arndt
No report
- (v) Charlton Hall, 52-56 Charlton Avenue West (D) – M. Pearson
No report
- (vi) St. Giles United Church, 85 Holton Avenue South (L) – D. Beland
No report.
- (vii) 33 Bowen Street, Hamilton (R) - T. Ritchie
No report
- (viii) 2251 Rymal Road East, Stoney Creek (R) – C. Dmitry
No report.
- (vix) Treble Hall, 4-12 John Street North, Hamilton (R) – T. Ritchie
No report
- (x) 1 Jones Street, Stoney Creek (R) – M. Pearson**
- (i) Heritage Properties Update (green):
(Green = Properties whose status is stable)
 - (i) The Royal Connaught Hotel, 112 King Street East, Hamilton (R) – T. Ritchie
No report.
 - (ii) (Thomas Building) 46 - 52 James Street North, Hamilton (D) – R. Sinclair
No report.

- (iii) Desjardins Canal, Dundas, Hamilton (R) – K. Stacey

No report.

- (iv) St. Marks, 120 Bay Street South, Hamilton (D) – A. Denham-Robinson

No report.

- (v) Auchmar, 88 Fennell Avenue West, Hamilton (D) – K. Garay

No report

- (vi) Westdale Theatre, 1014 King Street West, Hamilton (R) – A. Johnson / K. Stacey

No report

- (vii) Federal Building, 150 Main Street West (L) – R. Sinclair

No report.

- (viii) Jimmy Thompson Pool, 1099 King Street E., Hamilton (R) – T. Ritchie

No report

- (ix) Abrey-Zimmerman House, Courtcliffe Park, Flamborough (D) – J. Partridge

No report.

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

- (i) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – K. Garay

Staff advised that they have been given approval (direction) to conduct a building condition assessment and that they continue to seek consent from the property owner in 2016.

(f) ADJOURNMENT (Item 12)

There being no further business, the Hamilton Municipal Heritage Committee, adjourned at 1:25 p.m.

Respectfully submitted,

**Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage
Committee**

**Loren Kolar
Legislative Coordinator
Office of the City Clerk**



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	January 21, 2016
SUBJECT/REPORT NO:	Heritage Permit Application HP2015-041, Under Part V of the <i>Ontario Heritage Act</i> , for the Erection of a Structure at 975 Beach Boulevard, Hamilton (PED16025) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Alissa Golden Cultural Heritage Planner (905) 546-2424 Ext. 1214 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That Heritage Permit Application HP2015-041 be approved for the erection of a new single detached dwelling on the designated property at 975 Beach Boulevard, Hamilton (Hamilton Beach Heritage Conservation District), as shown in Appendix "A" to Report PED16025, subject to the submission and finalization of a Site Plan Control application and the following Heritage Permit conditions:

- a) That the deficient side yard setbacks identified in the Preliminary Site Plan, attached as Appendix "D" to Report PED16025 shall be addressed in accordance with the Site Plan approval process;
- b) That the final design specifications, including windows, railings, columns, doors and downspouts, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit;

- c) That the dimensions and surfacing materials for the new driveway and any walkways, patios or other hard-surface areas, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, in accordance with the Site Plan approval process and prior to installation;
- d) That the dimensions, design and materials for any new fencing and gates shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, in accordance with the Site Plan approval process and prior to installation;
- e) That a plan depicting the removed, retained and any new trees, of a minimum caliper of 55 mm and of a species consistent with the City of Hamilton's Tree Species and Recommended Index, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to planting;
- f) That the applicant / owner demonstrate that the Committee of Adjustment Severance Application HM/B-13:06 has been completed and the new lot created, to the satisfaction of the Director of Planning and Chief Planner, prior to submission of any application for a Building Permit;
- g) 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,
- h) That construction and site alterations, in accordance with this approval, shall be completed no later than February 28, 2018. If the construction and site alterations are not completed by February 28, 2018, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

EXECUTIVE SUMMARY

The subject property, located at 975 Beach Boulevard in Hamilton, is designated as part of the Hamilton Beach Heritage Conservation District under Part V of the *Ontario Heritage Act* (see the location map attached as Appendix "A" to this Report). A Heritage Permit is required for the alteration of any part of the property, and for the erection or demolition of any structures or buildings on the property. The applicant is applying for the erection of a new single detached dwelling on the vacant southern portion of the lot. This application is being supported, subject to conditions, as agreed to by the applicant in discussions with staff and the Heritage Permit Review Sub-committee. Construction on the subject property is also subject to Site Plan Control under the *Planning Act* and requires the finalization of Severance Application HM/B-13:06.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: Under Section 42 of the *Ontario Heritage Act*, a permit from the municipality is required for alteration of any part of the property or to erect, demolish or remove any building or structure on the property. The power to consent to alterations to property designated under the *Ontario Heritage Act* was delegated by Council to the Director of Planning under City of Hamilton By-law No. 05-364. However, the *Ontario Heritage Act* provisions exclude the delegation of Council's authority to consent to an application for the demolition of existing structures or erection of new structures.

In response to an application for a permit, Council may: consent to the permit applied for; provide notice that Council is refusing the application for the permit; or consent to the permit applied for, with terms and conditions attached.

Section 42 (4.1) of the *Ontario Heritage Act* provides that Council must consult with its Municipal Heritage Committee before taking any action with respect to an application to demolish or remove any building or structure on property in a Heritage Conservation District.

HISTORICAL BACKGROUND

The subject property at 975 Beach Boulevard in Hamilton (see the Location Map attached as Appendix "A" to this Report) is located in the Hamilton Beach Heritage Conservation District (HCD), designated by former City of Hamilton By-law No. 00-135, and was approved by the Ontario Municipal Board under Part V, Section 41, of the *Ontario Heritage Act* in 2001.

On September 12, 2012, Council consented to the demolition of the existing single detached residence and ancillary structures at 975 Beach Boulevard and the erection of a new single detached residence on the northern half of the property as part of Heritage Permit Application HP2012-033, through Report PED12167. As a condition of approval of HP2012-033, the applicant was required to document the history, construction methods and materials for all the existing structures on the property, which was satisfied in November 2012 prior to demolition of all structures on the property.

Subsequently, a new single detached residence was constructed on the northern half of the property as per approved Site Plan Application DAB-12-123. Further, the Committee of Adjustment approved Severance Application HM/B-13:06 on April 4, 2013, to divide the property into two lots, each with a 12.08 m frontage. While the conditions of approval of the severance have been met, the final certificates have yet to be signed and registered on title in order to complete the severance.

The subject application is for the vacant southern half of the property at 975 Beach Boulevard (a photograph of the existing lot is attached as Appendix “B” to this Report). The applicant has applied for consent to erect a new, two-storey, single detached dwelling (the elevations for the proposed new construction are attached as Appendix “C” to this Report). The Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee reviewed this application on November 24, 2015. The Sub-committee supported the preliminary Site Plan (see Appendix “D” of this Report) and the design of the new house, subject to the finalization of a Site Plan application and design modifications to ensure the proposed new construction is in keeping with the character of the District and in conformity with the policies of the District Plan (see the Relevant Consultation section of this Report).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan (UHOP):

Section B.3.4 - *Cultural Heritage Resources Policies* of the UHOP states that the City shall “protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes” (B.3.4.2.1(a)).

Hamilton Beach Heritage Conservation District - Guidelines for Conservation and Change:

The Council-adopted Hamilton Beach Heritage Conservation District Guidelines for Conservation and Change (Section 5.0 - Design Guidelines for New Infill Construction) specify that new construction be compatible with the character of adjoining properties and the streetscape. However, new construction should be of contemporary design sympathetic to, but not attempt to replicate, existing heritage buildings or styles (Sub-section 5.3). Sub-section 5.4 provides detailed guidance for new construction, summarized as follows:

- New residences are intended to be two storeys or less in height, relatively narrow, and set back slightly further from the road than the earlier pre-1900 houses (to a setback similar to those for the post-1900 buildings);
- Suitable construction is frame with horizontal facades and cladding in wood (clapboard, board-and-batten or shingle), stucco, pebble-dash or rough cast, with no or minimal brick or stone. Small areas of high quality synthetic cladding may be permitted;
- Roof forms are encouraged to be well proportioned front-gable, cross-gable, centre-gable, hipped or truncated hip roofs;
- Windows of vertical and rectangular orientation that reflect traditional proportions and do not overwhelm the front facade are appropriate (i.e. avoid large, full-length, multi-storey, or picture windows);

SUBJECT: Heritage Permit Application HP2015-041, Under Part V of the *Ontario Heritage Act*, for the Erection of a Structure at 975 Beach Boulevard, Hamilton (PED16025) (Ward 5) - Page 5 of 19

- Front entrances are intended to be prominent and easily identifiable, and can be recessed or projecting and / or accentuated by door surrounds or porches; and,
- Parking and other outbuildings are intended to be in the rear yard.

The Council-adopted Guidelines also specify landscape character and conservation guidelines in Section 6.0. Sub-section 6.3.1 provides guidance for new infill development on vacant lots, summarized as follows:

- The existing vegetation around the perimeter of vacant lots should be retained and protected during construction. New driveways will be located in a manner that ensures the retention of mature trees; and,
- Building setbacks should be aligned with adjacent buildings.

RELEVANT CONSULTATION

Pursuant to Sub-sections 42(1) and 42(4.1) of the *Ontario Heritage Act*, the City of Hamilton Municipal Heritage Committee (HMHC) advises and assists Council on matters relating to Part V of the *Ontario Heritage Act*. At its meeting of October 27, 2015, the Heritage Permit Review Sub-committee considered a preliminary application from the applicant that proposed the construction of a new two-storey dwelling that replicated the Second Empire architectural style. The Sub-committee indicated concern that the proposed design was not in keeping with the historic character of the District, nor did it conform to the policies and guidelines in the District Plan. The applicant subsequently submitted a revised design, which was considered as a complete application by the Sub-committee at its meeting on November 24, 2015. The Sub-committee considered the application, together with comments from staff and the applicant.

The Sub-committee supported the preliminary Site Plan (see Appendix “D” of this Report) and the design of the new dwelling (see Appendix “C” of this Report) in principle, subject to modifications to the design, in consultation with and to the satisfaction of staff, to be more in keeping with the character of the District and in conformity with the policies of the District Plan, including:

- Mitigating the overall massing of the structure;
- Redesigning the front central bay to reduce the visual impact and disruption; and,
- Addressing the Sub-committee’s concerns with the dormers, which imply a three-storey structure.

The staff recommendations outlined in this Report are consistent with the advice of the Heritage Permit Review Sub-committee.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Two key factors that are considered in the evaluation of any change affecting a heritage building, or its setting, are:

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

Displacement Effects: The existing lot is currently vacant with eight deciduous trees and one coniferous tree in the front (western) yard. The preliminary Site Plan proposed as part of this heritage permit application does not address direct or grading-related impacts of the design to the existing vegetation on site. Staff recommend that a plan be prepared identifying the trees proposed to be removed and retained, and depicting the planting of any new trees, including caliper size, locations and species, to the satisfaction and approval of the Director of Planning and Chief Planner (see Recommendation (e)), and that any new tree plantings be a minimum caliper of 55 mm of a species consistent with the City of Hamilton's Tree Species and Recommended Index. These recommendations will help ensure the retention of existing trees and suitable planting of any new trees, where applicable.

Disruption Effects: The new construction will impact the Beach Boulevard streetscape and the character of the Hamilton Beach HCD. However, the preliminary Site Plan and proposed design of the new dwelling are consistent with the character of the HCD and previously approved new buildings within the District, in terms of lot layout and building width, height and massing.

The design and materials of the proposed new dwelling do not replicate historical styles, but incorporate features that are sympathetic to the character of the area, such as: the gable roof; the vertically-oriented windows; the stucco cladding; the second-storey balcony; and, the front porch (see Appendix "C" of this Report).

At its meeting of November 24, 2015, the Heritage Permit Review Sub-committee considered the application and supported the preliminary Site Plan and design of the new dwelling subject to the applicant modifying the design, in consultation with and to the satisfaction of staff, to be more in keeping with the character of the District and in conformity with the policies of the District Plan, including: mitigating the overall massing of the structure; redesigning the front central bay to reduce the visual impact and disruption; and, addressing the Sub-committee's concerns with the dormers, which imply a three-storey structure.

Following the review and advice from the Heritage Permit Review Sub-committee, the applicant revised the design of the proposed new construction and provided additional information and rationale in support of the proposed design on December 7, 2015, as follows:

1. The design of the central front bay:

- a. The overall glazing was reduced by 26%;
 - b. The visual impact of the central front bay massing was mitigated by balancing the proportion of cladding to glazing;
 - c. The design of the glass was changed from a thin contemporary frame to paired rectangular windows in each storey with transoms above; and,
 - d. The delineation between storeys was improved by a thicker spandrel between the first and second storey windows.
2. The overall massing of the building in relation to the size of the lot and its context:
- a. The applicant indicates that the proposed new dwelling is 48% smaller than the maximum gross floor area allowable as per the applicable zoning (total proposed GFA = 3,458.44 sq ft; total allowable GFA = 5,144 sq ft); and,
 - b. The applicant indicates that the proposed design includes more than 80% of open landscaping due to the pier design above the driveway and the last 12.11 m of the rear “modern” section.
3. The front dormers:
- a. The roof pitch was modified;
 - b. The applicant confirmed that the proposed roof height is 9 m, which is the maximum allowable height as per the zoning requirements; and,
 - c. The applicant reasoned that the proposed dormers provide a visually interesting feature and allow light into the proposed attic storage space, recognizing that basements are not permitted in this area.

Staff are satisfied that the design changes and additional information provided by the applicant address the Sub-committee’s concerns over the design of the central front bay and front dormers. However, staff have additional concerns regarding the overall massing of the building in relation to the lot and its context, specifically as it relates to the proposed side yard setbacks.

The proposed setback of the front facade of the new building is 7.9 m. This setback is consistent with the recently approved, and constructed, dwelling on the northern portion of the subject property. The proposed side yard setbacks are 0.97 m to the south and 0.85 m to the north. Staff note that the proposed setbacks are deficient and do not meet the minimum zoning requirement of 1.7 m. As such, staff recommend that any changes necessary to conform with the zoning requirements, such as reduction of the width of the proposed building to meet the minimum side yard setback requirements, 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 (see Recommendation a)). This staff recommendation is consistent with the Sub-committee’s advice and recommendation.

The drawings indicate that the proposed building will consist of a rectangular “traditional” portion fronting onto Beach Boulevard and an L-shaped “modern” rear portion (see Preliminary Site Plan attached as Appendix “D” to this Report). There is a recessed carport in the first storey of the front facade below the second-storey balcony in the southern bay. The proposed cladding is grey stucco in the front and side facades

of the “traditional” front portion and a combination of grey stucco, dark-grey vertical metal siding and earth-toned stone veneer in the side and rear elevations of the “modern” rear portion of the building.

The front “traditional” portion has a dark-grey metal-clad roof with three flat-roofed dormers. A contemporary central front bay is proposed with light-grey stone veneer and black aluminium-framed windows. The supporting columns for the recessed carport, front porch and second-storey balcony shall be finished with light-grey wood and transparent glass guardrails are proposed in the balcony. The drawings indicate light-grey wood fascia, soffit and cornice detailing.

The proposed windows are primarily vertically-oriented black aluminium-framed windows in the “traditional” front facade and banded windows in the “modern” side and rear facades. The “modern” rear section has a flat roof with black pre-finished metal fascia. An elevated deck is proposed off of the eastern end of the “modern” section and a cantilevered second-storey balcony projects over a portion of the rear deck, which is covered by a cantilevered flat roof (see proposed design attached as Appendix “C” of this Report).

The proposed width of the driveway is 3.35 m. However, the preliminary Site Plan does not indicate any finishing materials or additional walkways and other hard surfaces that may be required. Staff recommend that the dimensions and surfacing materials for the new driveway and any walkways, patios or other hard-surface areas, be submitted to the satisfaction and approval of the Director of Planning and Chief Planner in accordance with the Site Plan approval process, and prior to installation (see Recommendation c)). In addition, staff recommend that the dimensions, design and materials for any new fencing and gates shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, in accordance with the Site Plan approval process and prior to installation (see Recommendation d)).

This heritage permit application is for the construction of a new dwelling on a vacant lot and requires approval by the Planning Committee and Council, as advised by the Hamilton Municipal Heritage Committee. Construction on the subject property is also subject to Site Plan Control under the *Planning Act* and requires the finalization of Severance Application HM/B-13:06.

Staff recommend that the applicant demonstrate finalization of the approved Severance Application HM/B-13:06, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the submission of any application for a Building Permit (see Recommendation f)). In addition, staff recommend 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 (see Recommendation g)). In addition, it is also recommended that the Heritage Permit have an expiry date of February 28, 2018 (see Recommendation h)). An expiry date of two years after approval is standard on all approved heritage permits, and the February 28, 2018 date will reflect the expected end date of the new construction.

Staff recommend conditional approval of Heritage Permit Application HP2015-041, as per the recommendations of this Report.

ALTERNATIVES FOR CONSIDERATION

1. Refuse the Heritage Permit Application.

Refusal of the Heritage Permit to erect the new structure does not contribute to the built heritage landscape of the Hamilton Beach Heritage Conservation District, and does not advance the Hamilton Beach HCD Guidelines that permit the erection of new buildings and other site alterations which are sympathetic to the existing building fabric and maintain the character of the Hamilton Beach HCD.

2. Approve the Heritage Permit with Additional or Amended Conditions.

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

3. Approve the Heritage Permit with No Conditions.

HMHC may advise Council to approve this application with no conditions. This alternative is not recommended, as it would prevent staff review of additional details to ensure that the Heritage Permit approval will result in high-quality construction and the implementation of the project design, as submitted.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Staff Comments:

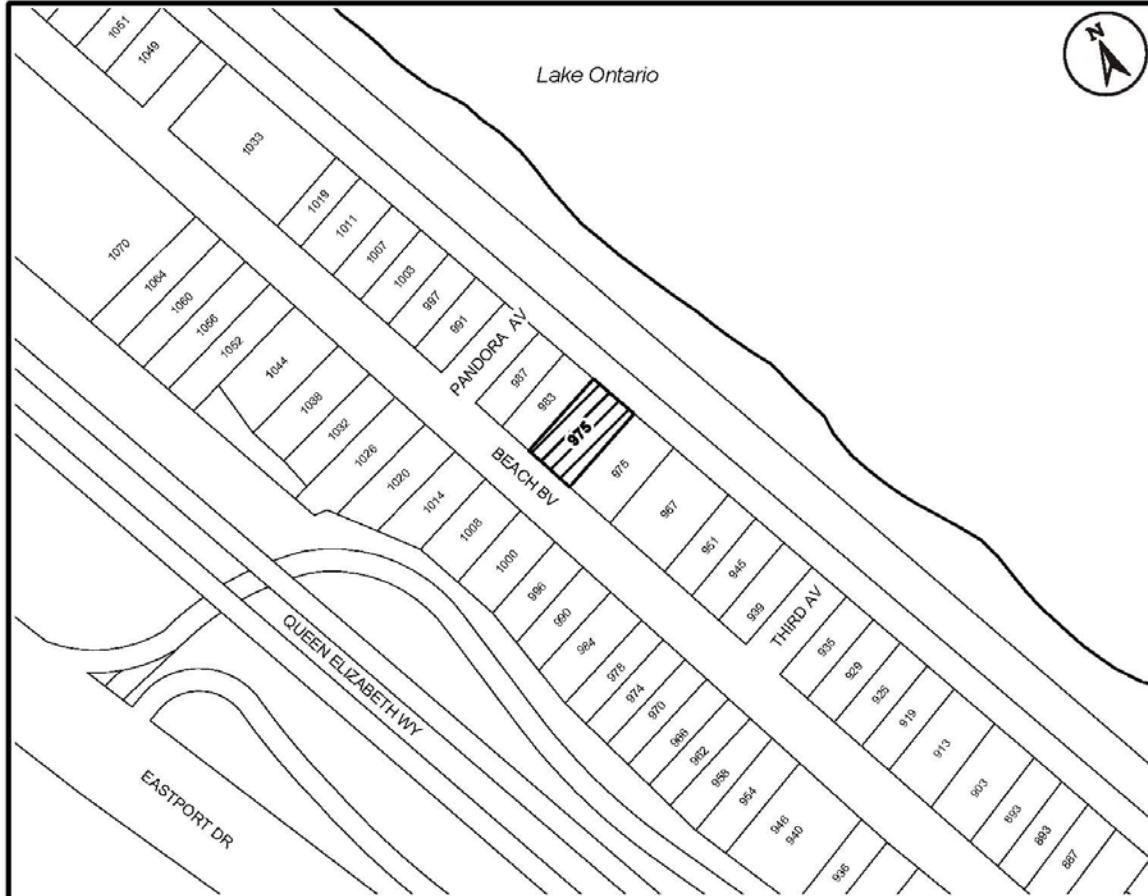
The approval of the Recommendations of this Report demonstrates Council's commitment to conserving cultural heritage resources, as directed by provincial and federal level policies.

APPENDICES AND SCHEDULES ATTACHED

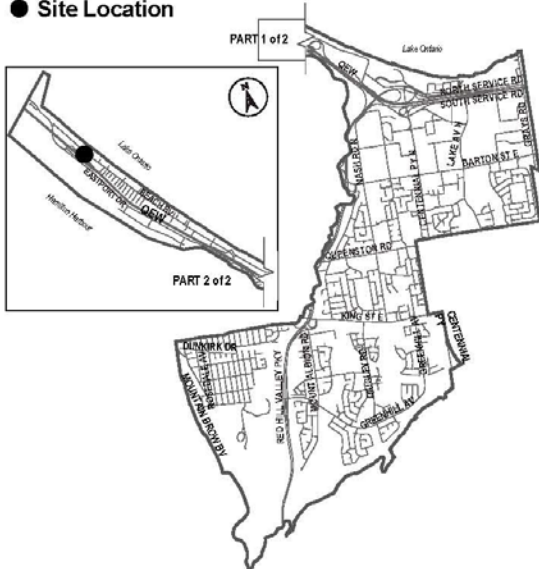
- Appendix "A": Location Map
- Appendix "B": Photographs
- Appendix "C": Elevations for the Proposed Dwelling
- Appendix "D": Preliminary Site Plan

:AG/th

SUBJECT: Heritage Permit Application HP2015-041, Under Part V of the *Ontario Heritage Act*, for the Erection of a Structure at 975 Beach Boulevard, Hamilton (PED16025) (Ward 5) - Page 11 of 19



● Site Location



Key Map - Ward 5

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
HP2015-041

Date:
December 18, 2015

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
CT/AL

Subject Property

 975 Beach Boulevard



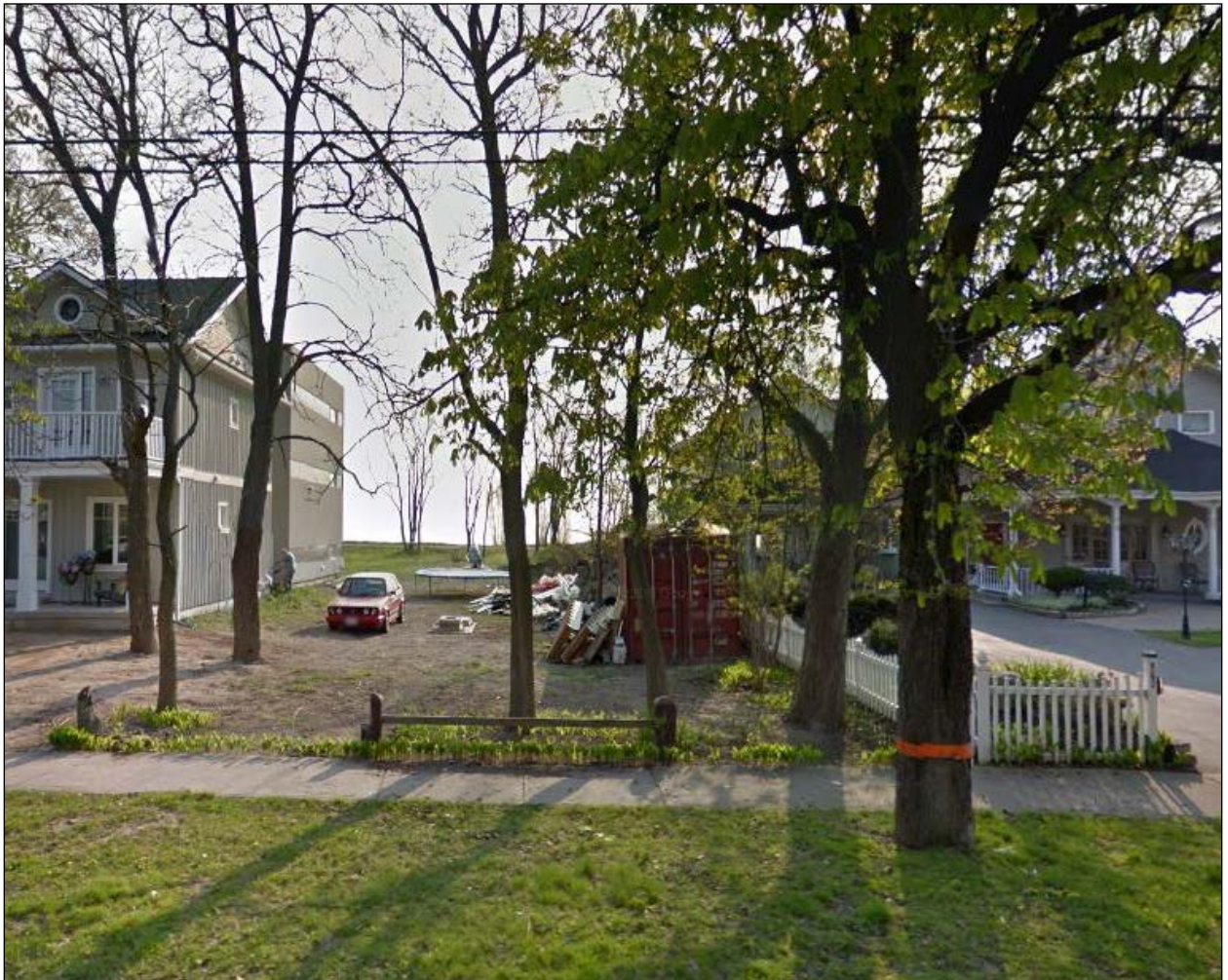
975 Beach Boulevard, former historic dwelling – May 2012



975 Beach Boulevard, during construction of new dwelling approved through HP2012-033 (left) – May 2014

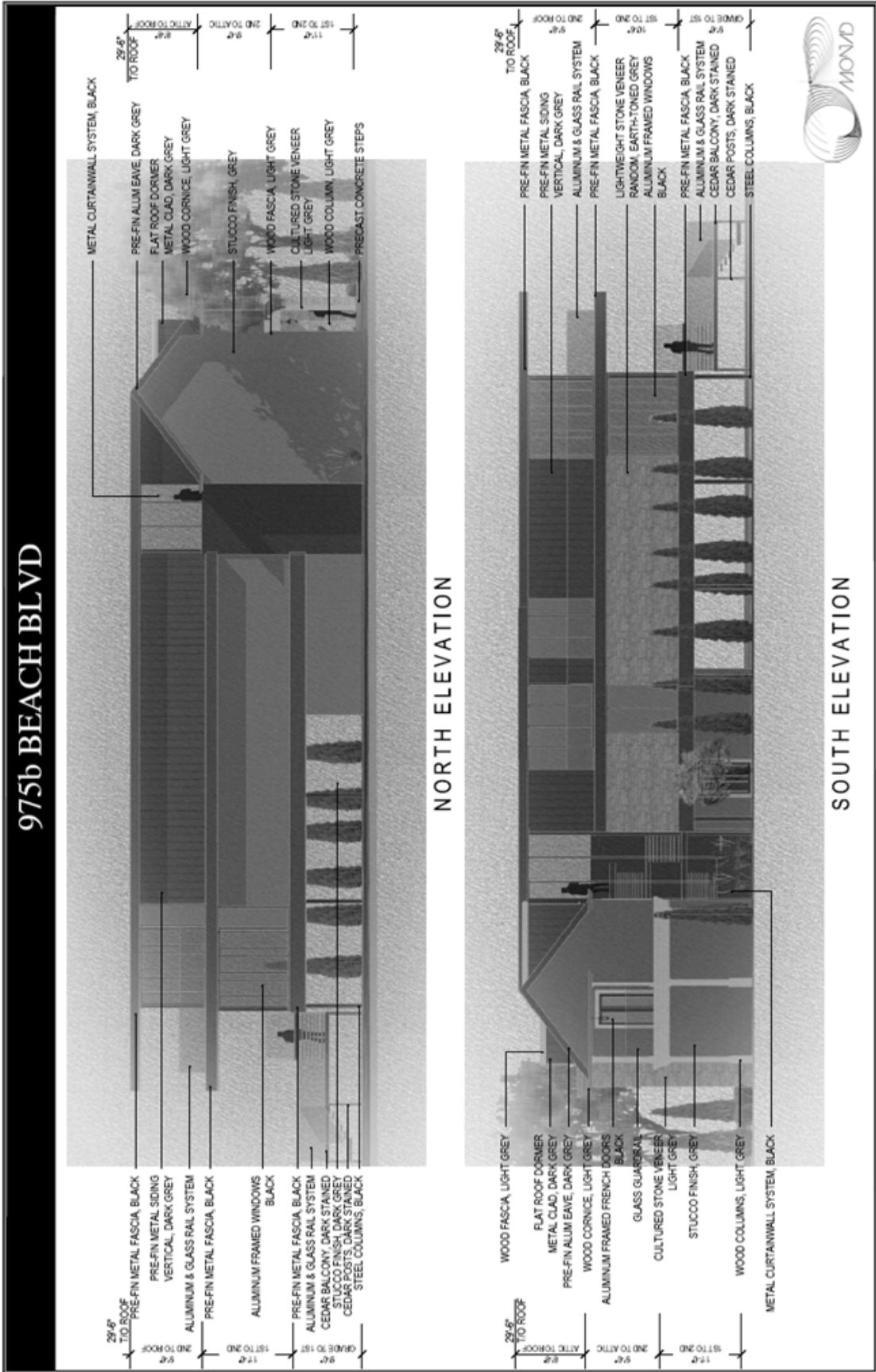


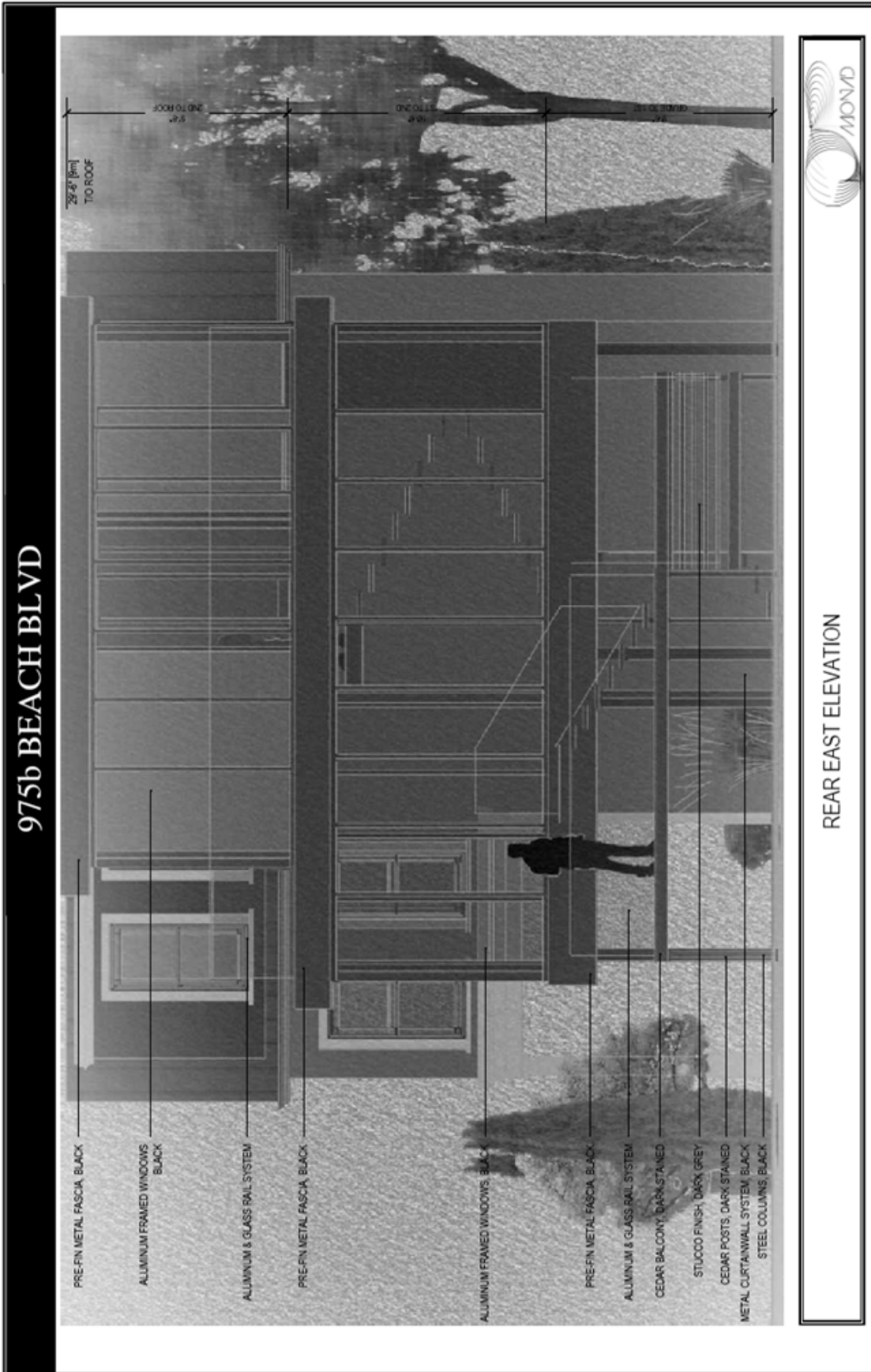
975 Beach Boulevard, new dwelling approved through HP2012-033 (left) and vacant southern half subject to HP2015-041 (right) – May 2015



975 Beach Boulevard, vacant southern half subject to HP2015-041 – May 2015







975b BEACH BLVD



PERSPECTIVE RENDERING

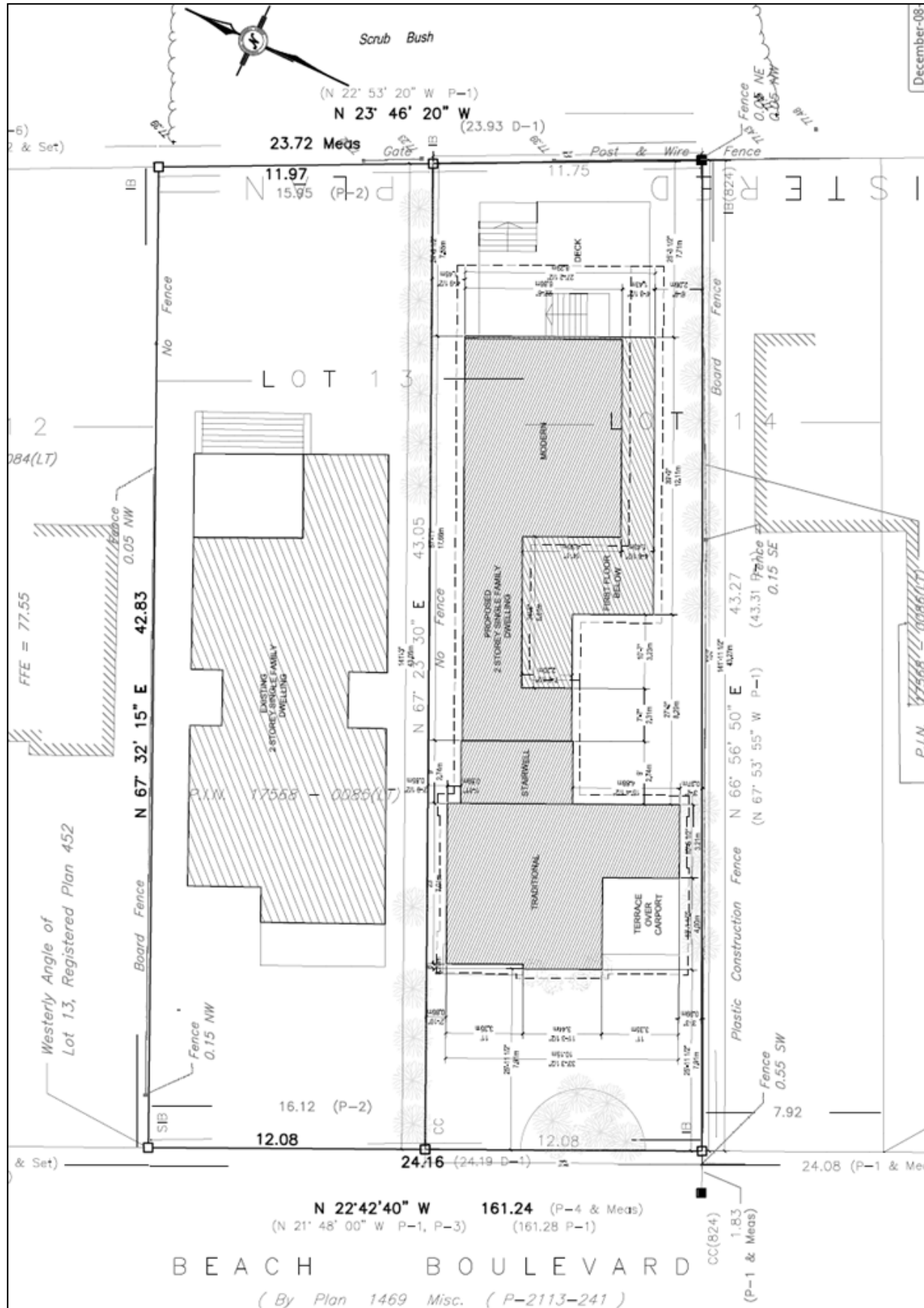


975b BEACH BLVD



PERSPECTIVE RENDERING

PRELIMINARY SITE PLAN - 975 BEACH BOULEVARD



December-08

P.I.N. 175558 - 0086(LT)

P.I.N. 175558 - 0086(LT)

CC(824) 1.83 (P-1 & Meas)