



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	April 19, 2018
SUBJECT/REPORT NO:	Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the <i>Ontario Heritage Act</i> (Ward 3) (PED18089)
WARD(S) AFFECTED:	Ward 3
PREPARED BY:	Chelsey Tyers (905) 546-2424 Ext.1202
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the designation of 378 Main Street East, Hamilton (Former Cathedral Boys' High School), shown in Appendix "A" to Report PED18089, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED18089, be approved;
- (c) That the City Clerk be directed to take appropriate action to designate 378 Main Street East, Hamilton (Former Cathedral Boys' High School) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18089.

EXECUTIVE SUMMARY

On August 4, 2013, the Stinson Community Association requested that the subject property be designated under Part IV of the *Ontario Heritage Act* (see location map attached as Appendix "A" to Report PED18089).

On October 23, 2013, Council added the property to the City of Hamilton Register of Property of Cultural Heritage Value or Interest (PED13167).

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In April, 2016, the City of Hamilton's Planning Division retained George Robb and Associates to prepare a comprehensive assessment of the cultural heritage value of 378 Main Street East, Hamilton. The historical research, the evaluation of the significance of the property, and the detailed description of the heritage attributes, were finalized by George Robb and Associates in March 2018 and are contained in the Cultural Heritage Assessment Report, attached as Appendix "D" to Report PED18089. Additionally, the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes and the draft Notice of Intention to Designate are attached as Appendices "B" and "C", respectively, to Report PED18089.

The subject property has been evaluated using both the City of Hamilton's Framework for Evaluating the Cultural Heritage Value or Interest of Property for Designation under Part IV of the *Ontario Heritage Act*, and the Criteria for Determining Cultural Heritage Value or Interest, as defined in Ontario Regulation 9 / 06 of the *Ontario Heritage Act*, in accordance with the Council-approved Designation Process. It has been determined that 378 Main Street East has design / physical value, historical / associative value and contextual value, and meets nine of the City's twelve criteria and seven of nine criteria as defined in Ontario Regulation 9 / 06. Therefore, staff recommends designation of the property under Part IV of the *Ontario Heritage Act*.

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 heard before the Conservation Review Board prior to further consideration by Council of the designation By-law.

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-

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section 33(1)). Designation does not restrict the use of a property, prohibit alterations or additions, or restrict the sale of a property. The City of Hamilton also provides heritage grant and loan programs to assist in the continuing conservation of properties, once they are designated.

HISTORICAL BACKGROUND

The subject property, municipally known as 378 Main Street East, Hamilton (see Appendix “A” to Report PED17168) is known locally as the Cathedral Boys’ High School.

The School was built in 1928 and funded by the Hamilton Catholic population. This school was the first purpose built Catholic High School in Hamilton. Designed by Hutton and Souter, the Former Cathedral Boys’ High School was designed in the architectural style known as Modern Gothic, Collegiate Gothic or Neo-Gothic. Hutton and Souter were prominent architects responsible for a number of other significant buildings in Hamilton such as the Delta Collegiate High School, the Royal Connaught Hotel, and the John Sopinka Courthouse.

In 1951, a wing was built to memorialize students that fought and lost their lives in the First and Second World Wars. Constructed in a vernacular style, the architect is unknown.

In September 1992, the Cathedral Boys’ High School and Cathedral Girls’ High School (on Main Street East, two blocks east of Cathedral Boys’ High School) were integrated.

In September 1995, the publicly funded Cathedral High School opened at King Street East and Wentworth Street North, replacing Cathedral Boys’ High School and Cathedral Girls’ High School.

The property is currently owned by Good Shepherd Hamilton.

On August 4, 2013, the Stinson Community Association requested that the subject property be designated under Part IV of the *Ontario Heritage Act*. In response, Council added the property to the City of Hamilton Register of Property of Cultural Heritage Value or Interest and designation work plan on October 23, 2013 (PED13167).

In April 2016, the City of Hamilton’s Planning Division retained George Robb and Associates to prepare a comprehensive assessment of the cultural heritage value of 378 Main Street East, Hamilton (see Appendix “D” to Report PED18089).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement:

Section 2.6 of the Provincial Policy Statement pertains to Cultural Heritage and Archaeology. Sub-section 2.6.1 states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”. The recommendations of this Report are consistent with this policy.

Urban Hamilton Official Plan:

Volume 1, Section B.3.4 - Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (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)), and “identify 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)). The policies also provide that 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*” (B.3.4.2.3).

The recommendations of this Report comply with these policies.

RELEVANT CONSULTATION

Pursuant to Sub-section 29 (2) of the *Ontario Heritage Act*, Council is required to consult with its Municipal Heritage Committee respecting designation of property under Sub-section (1) of the Act. As per the Council-adopted Heritage Designation Process (attached as Appendix “E” to Report PED18089), the Draft Cultural Heritage Assessment Report prepared by George Robb Architect was presented to the Inventory and Research Working Group of the Hamilton Municipal Heritage Committee at their meeting on January 29, 2018. The Inventory and Research Working Group were satisfied with the Cultural Heritage Assessment and recommended that staff proceed with the recommendation to designate the subject property under the *Ontario Heritage Act*. Minor grammatical corrections were since made to the final report dated March 2018.

Staff also informed the Ward Councillor of the request to designate and the recommendations of this Report. The Ward Councillor did not express any concerns with the recommendation to designate 378 Main Street East, Hamilton.

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 cultural resources. Once a property is designated, the municipality is enabled to manage alterations to the property through the Heritage Permit process and to ensure that the significant features of the property are maintained through the provision of financial assistance programs and the enforcement of Property Standards By-laws.

Designation is guided by the process of cultural heritage evaluation and assessment. The evaluation process, as documented in the Cultural Heritage Assessment, attached as Appendix “D” to Report PED18089, attempts to clearly identify those heritage values associated with a property. Properties with clearly defined and distinctive heritage attributes are considered to be more worthy of designation, than those where heritage attributes are poorly demonstrated or non-existent.

Council-Adopted Evaluation Criteria:

A set of criteria were endorsed by the City of Hamilton Municipal Heritage Committee on June 19, 2003, and were adopted by Council on October 29, 2008 (Appendix “B” of Report PED08211), as the Cultural Heritage Evaluation Criteria: A Framework for Evaluating the Cultural Heritage Value or Interest of Property for Designation under Part IV of the *Ontario Heritage Act*. The criteria are used to identify the cultural heritage values of a property and to assess their significance. This evaluation assists in determining a property’s merit for designation under the *Ontario Heritage Act*, as well as deriving a Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes.

Through the consultants’ evaluation, the property meets nine of the City’s twelve criteria pertaining to built heritage value.

Ontario Regulation 9 / 06: Criteria for Determining Cultural Heritage Value or Interest:

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 the criteria prescribed by provincial regulation. In 2006, the Province issued Ontario Regulation 9 / 06: Criteria for Determining Cultural Heritage Value or Interest. According to Sub-section 1(2) of Ontario Regulation 9 / 06, a property may be designated under Section 29 of the *Ontario Heritage Act* where it meets one or more of the identified criteria. Ontario Regulation 9 / 06 identifies criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and, Contextual Value.

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As outlined in the attached Cultural Heritage Assessment Report (see Appendix “D” to Report PED18089), the subject property satisfies seven of the nine criteria contained in Ontario Regulation 9 / 06 in all three categories.

1. **Design / Physical Value:**

- i. The property is a representative example of the architectural style known as Modern Gothic, Collegiate Gothic or Neo-Gothic.
- ii. The property does demonstrate a high degree of craftsmanship in the stone work on the front façade and east and west elevations, the treatment of the ceremonial entrance porch and the terrazzo floor laid by Midgley & West in the 1951 wing’s ground floor lobby.
- iii. The property does not demonstrate a high degree of technical and scientific achievement.

2. **Historical / Associative Value:**

- i. The property does have direct associations with the local Catholic population and Diocese of Hamilton and the beginnings of Catholic High School education in Hamilton. The 1951 wing constructed as a memorial has associations with the First and Second World Wars.
- ii. The property does have the potential to yield information about Hamilton’s Catholic population which banded together to build a high school of the same quality as publicly funded high schools.
- iii. The property does reflect the work of Hutton and Souter, prominent architects responsible for a number of other notable buildings in Hamilton such as the Delta Collegiate High School, the Royal Connaught hotel, and the John Sopinka Courthouse (previously known as Dominion Public Building).

3. **Contextual Value:**

- i. The property is considered to have contextual value as it dominates the corner of Main Street East and Emerald Street.
- ii. The property is not considered to be linked to its surroundings as its surroundings have changed drastically since the school was built in 1928.
- iii. The property is considered a landmark in the Stinson neighbourhood and along Main Street East.

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Conclusion:

The consultants have determined that the subject property, 378 Main Street East, Hamilton is of cultural heritage value or interest, sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Staff concurs with the findings of the Cultural Heritage Assessment Report and recommends designation of 378 Main Street East, Hamilton under Part IV of the *Ontario Heritage Act* according to the Statement of Cultural Heritage Value or Interest and the Description of Heritage Attributes, attached as Appendix “B” to Report PED18089 and the draft Notice of Intention to Designate attached as Appendix “C” to Report PED18089.

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 consider two alternatives: agree 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 these significant heritage resources (designation provides protection against inappropriate alterations, new construction 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 heritage grant and loan programs. Designation does not restrict the use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or affect its resale value. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes
- Appendix “C”: Notice of Intention to Designate
- Appendix “D”: Cultural Heritage Assessment Report on the Former Cathedral Boys’ High School 378 Main Street East, Hamilton, dated March 2018
- Appendix “E”: Council-Adopted Heritage Designation Process

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