



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

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	June 21, 2018
<b>SUBJECT/REPORT NO:</b>	Recommendation to Include the Property Located at 828 Sanatorium Road, Hamilton in the Register of Property of Cultural Heritage Value or Interest (Ward 8) (PED18142)
<b>WARD(S) AFFECTED:</b>	Ward 8
<b>PREPARED BY:</b>	Jeremy Parsons (905) 546-2424 Ext. 1214
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That the property located at 828 Sanatorium Road, Hamilton (Long & Bisby Building), as shown in Appendix "A" to PED18142, be included in the City's Register of Property of Cultural Heritage Value or Interest under Section 27 of the *Ontario Heritage Act*.

### EXECUTIVE SUMMARY

The subject property comprises part of the former Mountain Sanatorium, which opened in 1906 in response to nation-wide efforts to combat tuberculosis, an infectious disease common in the nineteenth and early twentieth centuries. At its height, the institution was the largest of its kind in Canada. The institution also served as a site for the convalescence and chronic care of World War I veterans. Only one building remains on the property: the Long & Bisby Building (built 1920).

The subject property is classified as a Cultural Heritage Landscape (Chedoke Brow Lands) and the Long & Bisby Building (1920) is listed in the City's Inventory of Buildings of Architectural and/or Historical Interest.

In January, 2018, the property owner and their applicant submitted a Formal Consultation Application (FC-18-004) to develop the subject lands with 764 multiple dwelling units and 110 townhouse units, for a total of 874 residential units, with associated open space and stormwater management blocks. The proposal is generally in conformity with the OMB approved plans for the subject lands but an expansion of the

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developable area into the open space is contemplated. The applicant's proposal does not propose to retain or integrate the Long & Bisby Building within their conceptual site layout. An Official Plan Amendment, Zoning By-law Amendment, Site Plan, and Draft Plan of Subdivision would all be required to implement the applicant's proposal.

The subject property currently has no status under the *Ontario Heritage Act* and thus no protection from demolition is in place. While to date no demolition permit has been submitted, staff are recommending that the subject property be added to the City's Register of Property of Cultural Heritage Value or Interest in order to provide provisional demolition protection and to further convey to the owner/applicant the City's interest in retaining the oldest remaining building from the Mountain Sanatorium. Should a written notice of intent to demolish be submitted to the City for the Long & Bisby Building, a more comprehensive heritage assessment would take place in order to determine the suitability of designating the property under Part IV of the *Ontario Heritage Act*.

***Alternatives for Consideration – See Page 8***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: Inclusion in the City's Register of Property of Cultural Heritage Value or Interest under Section 27 (1.2) of the *Ontario Heritage Act* requires that Council be given 60 days' notice of the intention to demolish or remove any building or structure on the property. Council must consult with their Municipal Heritage Committee prior to including a non-designated property in the Register or removing reference to a property from the Register under Section 27 (1.3) of the Act.

**HISTORICAL BACKGROUND**

The Mountain Sanatorium opened in 1906 in response to the city's growing tuberculosis epidemic. Historically known as "consumption" due to its wasting effects, pulmonary tuberculosis (TB) was a severe disease that affected thousands of people during the nineteenth and early twentieth centuries. The institution was Canada's fourth sanatorium but the largest of its kind in Canada. The subject property comprised the former Brow Campus but the Sanatorium had a second complex of buildings south of the brow, known as the Orchard Campus.

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Originally consisting of just a few small tents, the Sanatorium eventually grew to include upwards of 30 buildings for hospital uses as well as staff and patient residences. The Sanatorium held more than 700 patients at the height of its use in the 1920s and 1930s, and acted as a regional centre for the treatment of chronically ill or injured veterans returning from WWI. The institution is also notable for treating over 1,200 Indigenous (Inuit) patients from northern Canada during the late 1950s and early 1960s.

Following efforts to contain outbreaks of TB during the First World War, the Federal Government invested in sanatoria across the country, resulting in Hamilton's institution constructing several substantial structures. The Long & Bisby Building was constructed during this period and is believed to be the oldest remaining Sanatorium building still standing today (see Appendix "B" to Report PED18142).

The original 40 ha (98 ac) of the property was donated in 1906 by Hamilton wool merchants W.D. Long and G.H. Bisby, for whom the subject building is named. The Long & Bisby building was constructed as a nursing residence in 1920.

The subject property formerly contained a number of buildings from the original Sanatorium that were demolished in 2014-2015 as part of previous development plans for the site. These include:

- The Brow Building (built 1916, demolished 2014-2015);
- The Brow Annex (built 1917, demolished 2014-2015);
- The Hose and Reel House (ca. 1917, demolished 2014-2015);
- The East Pavilion (built 1917, demolished 2014-2015); and,
- The Moreland Residence (built 1936, demolished 2014-2015).

In 1961, the Sanatorium became the Chedoke General and Children's Hospital. In 1971, the name was changed to the Chedoke Hospital and in 1979 through a merger with McMaster University Medical Centre it became part of the Chedoke-McMaster Hospitals. Finally, in 1997, the institution became a part of Hamilton Health Sciences as the Chedoke Hospital of Hamilton Health Sciences. Treatment programs remaining in the Orchard Campus buildings were transferred to other facilities as late as 2014.

In 2007, a Heritage Assessment was submitted to the City of Hamilton for the Chedoke Brow Lands as part of a development application by Deanlee Management Inc. who had acquired the lands (see Appendix "C" to Report PED18142). The Heritage Assessment report, which was completed by SBA Architects Ltd. and Wendy Shearer Landscape Architect Ltd. provided both an assessment of cultural heritage features and a condition assessment of the Long & Bisby Building (March, 2007). The condition assessment noted the building to be in an overall "fair to good" condition, suitable for adaptive re-use but requiring some upgrades and accessibility adaptations.

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In 2007, the Chedoke Browlands Sub-Neighbourhood Urban Design Guidelines were completed by Young + Wright Architects Inc. for Deanlee Management Inc. as part of the Deanlee Development proposed condominium (see Appendix “D” to Report PED18142). The guidelines note that “Development within the Chedoke Browlands Sub-Neighbourhood shall have regard to the following heritage built-form intervention guidelines: ...the retention and conservation of the ‘Long & Bisby’ Building with an adaptive re-use”.

In 2006, the property was sold and transferred from Chedoke Health Corporation to Deanlee Management Inc.

In 2007, the owner submitted an application for a development consisting of townhomes and multiple dwellings.

In 2010, the owner appealed their application for non-decision by the City of Hamilton to the Ontario Municipal Board.

In 2012, the Ontario Municipal Board found that the development was consistent with municipal and provincial policy. The Board also noted within its decision that the proposal provided for the re-use of the Long and Bisby Building, but the retention and/or the re-use of the building was not made an explicit condition of draft plan approval (see Appendix “E” to Report PED18142). The OMB approved conditions of draft plan approval, require that “prior to demolition of any buildings or structures on the site, the owner shall prepare and implement the recommendations of a Cultural Heritage Impact Assessment to the Satisfaction of the Director of Planning.” It is noted that the 2007 Heritage Assessment submitted by Deanlee Management application recommended the retention of the Long and Bisby Building and that “as a condition of site plan approval – the building should be designated.” The OMB approved Official Plan Amendment contains policies directing the retention and re-use of the Long and Bisby Building.

In 2012, the property was sold to Valery (Chedoke Browlands) Developments Inc.

On February 8, 2018, Cultural Heritage staff commented on the Formal Consultation Application by Valery (Chedoke Browlands) Developments Inc. for lands located at 801, 820, 828, 855, 865, and 870 Scenic Drive. Staff require a Cultural Heritage Impact Assessment, as well as a condition to complete a documentation and salvage report prior to any further approvals or as part of a *Planning Act* submission. In discussions with the applicants, Planning Staff have recommended retaining and integrating the Long & Bisby Building into future development of the site.

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The property also contains a small number of other remnant built heritage features that connect to the historical narrative of the institution:

- The Cross of Lorraine (built 1953);
- Early concrete pedestrian bridge (date unknown);
- Stone wall and pillars (date unknown); and,
- Concrete stairs (date unknown).

## **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”.

### **Ontario Heritage Act:**

Inclusion in the City’s Register of Property of Cultural Heritage Value or Interest under Section 27 (1.2) of the *Ontario Heritage Act*, requires that Council be given 60 days’ notice of the intention to demolish or remove any building or structure on the property and the demolition and removal of any building or structure is prohibited during this time period.

### **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).

### **Chedmac Secondary Plan**

The subject property is identified as Institutional lands within the Chedmac Secondary Plan. The Secondary Plan, as amended by the OMB approval of the Deanlee Official Plan Amendment, added specific heritage policies applicable to the Long and Bisby

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Building. Adding the subject building to the Registry is consistent with the Secondary Plan.

The recommendations of this Report comply with these policies.

## **RELEVANT CONSULTATION**

Staff have informed the property owners and their applicants through a letter sent by registered mail on June 4, 2018 of intentions to include this site in the City's Register of Property of Cultural Heritage Value or Interest. Staff have also informed the Ward Councillor of the recommendations of this Report. At the time of the writing of this Report, the Councillor has not expressed any concerns with the inclusion of the Long and Bisby Building on the Registry.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

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

Section 27 (1.2) of the *Ontario Heritage Act* permits the Council of a municipality to include a non-designated property on a municipal register. In 2006, the Province issued Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. While property is not legislatively required to meet the criteria in Ontario Regulation 9/06 to be included on a municipal register, staff are of the opinion that application of this criteria for individual property requests is appropriate. A property must meet a minimum of one of the nine criteria to be determined to have cultural heritage value or interest.

The subject property satisfies six 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 Edwardian Classical architecture.
- ii. The property does not demonstrate a high degree of craftsmanship or artistic merit.
- iii. The property does not demonstrate a high degree of technical or scientific achievement.

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**2. Historical/Associative Value:**

- i. The property has direct associations with the former Mountain Sanatorium (later Chedoke Hospital). The Long and Bisby Building is the last remaining building from the former Brow Campus and the only remaining building associated with WWI chronic care.
- ii. The property is not understood to have the potential to yield information that contributes to an understanding of a community or culture.
- iii. The property is believed to have been designed by prominent local architects Witton and Walsh (1920-1927) and built by well-known local contractors W. H. Cooper Construction Ltd. William Palmer Witton (1871-1947) and William James Walsh (1885-1952) were responsible for numerous local civic, institutional, and ecclesiastical works during their partnership.

**3. Contextual Value:**

- i. The property is important in maintaining the character of the area as former institutional lands that now function as open space with views from the Escarpment.
- ii. The property is historically linked to its surroundings as the site of the former Mountain Sanatorium (later Chedoke Hospital).
- iii. The property is identified as being a landmark within the immediate community and the broader west mountain of Hamilton.

**Conclusion:**

Staff have determined that the property located at 828 Sanatorium Road, Hamilton, meets six of nine of criteria contained in *Ontario Regulation 9/06* in all three categories. As such, staff are of the opinion that the subject property is of cultural heritage value or interest, sufficient to warrant registration within the Register of Property of Cultural Heritage Value or Interest, under Section 27 of the *Ontario Heritage Act*.

## **ALTERNATIVES FOR CONSIDERATION**

### **Decline to Include in the Register:**

The inclusion of properties to the City's Register of Property of Cultural Heritage Value or Interest is a discretionary activity on the part of Council. Council may decline to include the property in the Register. By declining to include the property in the City of Hamilton's Register, the municipality would be unable to provide provisional demolition protection to these significant heritage resources in situ.

## **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": Photographs
- Appendix "C": Heritage Assessment: Browlands, Chedoke Hospital
- Appendix "D": Chedoke Browlands Sub-Neighbourhood Urban Design Guidelines
- Appendix "E": Ontario Municipal Board Report

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