



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 13, 2018
SUBJECT/REPORT NO:	Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the <i>Ontario Heritage Act</i> (PED18214) (Ward 8)
WARD(S) AFFECTED:	Ward 8
PREPARED BY:	Jeremy Parsons (905) 546-2424 Ext. 1214
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the designation of 828 Sanatorium Road, Hamilton, shown in Appendix “A” to Report PED18214, 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 “C” to PED18214, be approved;
- (c) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “D” to Report PED18214.

EXECUTIVE SUMMARY

The subject property comprises the northern portion (known as the Brow Campus) of the former Mountain Sanatorium, an institution which opened in 1906 in response to nation-wide efforts to combat tuberculosis. Historically referred to as “consumption” or “the Great White Plague”, pulmonary tuberculosis (TB) is an infectious disease that was common in Canada during the nineteenth and early twentieth centuries. In 1901 there were 9,709 deaths reported in the country as a result of the disease and by 1908 that number rose to 11,700 (Ralph Wilson, *Chedoke: More Than a Sanatorium*, Altona, MB: Friesens Corp, 2005: 16). At the time of the creation of Hamilton’s sanatorium, TB is

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 2 of 17

noted as being the number one killer in the city (G.J. Wherrett, *The Miracle of Empty Beds: A History of Tuberculosis in Canada*, Toronto: Univ. of Toronto Press, 1977:10).

Although the Mountain Sanatorium (known colloquially as the “San”) was the fourth TB hospital in Canada, at its height, it became the largest institution of its kind in the country and one of the largest in the British Empire (see Appendix “H” to Report PED18214). The institution also served as a site for the convalescence and chronic care of World War I veterans who had contracted the disease. Only one building remains on the subject property from this era of the institution: the Long & Bisby Building (built 1920). The property also contains other remnant heritage features of the hospital including the Cross of Lorraine (built 1953), a concrete pedestrian bridge, a stone wall and pillars, and concrete stairs.

The subject property is classified as a Cultural Heritage Landscape (Chedoke Brow Lands) in the City’s Cultural Heritage Landscape Inventory and is listed on the Register of Property of Cultural Heritage Value or Interest. The property also contains the Long & Bisby Building (1920) which is listed in the City’s Inventory of Buildings of Architectural and / or Historical Interest.

The Chedmac Secondary Plan policies state that the Long & Bisby Building is to be retained and conserved through sympathetic adaptive reuse, unless the building is structurally unsound and not able to be reused.

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 some open space and stormwater management blocks. The applicant’s proposal did not propose to retain or integrate the Long & Bisby Building within its site layout. An Official Plan Amendment, Zoning By-law Amendment, Site Plan Control Application, and amendments to the approved Draft Plan of Subdivision would be required to implement the applicant’s proposal.

At the July 13, 2018 meeting of City Council, staff’s recommendation to add the subject property to the City’s Register of Property of Cultural Heritage Value or Interest was approved as part of Planning Committee Report 18-006 (Item 5.7). On August 7, 2018 Building staff received a Building Permit Application for the demolition of the Long & Bisby Building, initiating a legislated 60-day hold on the issuance of the Building Permit in order to allow staff and Council an opportunity to review the property’s heritage value. Following a review, staff are of the opinion that the subject property meets six of nine criteria contained in *Ontario Regulation 9 / 06* and thus should be designated under Part IV of the *Ontario Heritage Act*. The 60-day period expires on October 6, 2018.

OUR Vision: To be the best place to raise a child and age successfully.

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.

Alternatives for Consideration – See Page 16

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The property's status on the City's Register of Properties 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 designating a property under Section 29 of the Act or removing reference to a property from the Register under Section 27 (1.3) of the Act.

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. Section 30 of the Act affirms that if a notice of intention to designate (NOID) a property is issued by Council then the Demolition Permit in review would be voided as of the day the NOID is given.

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.

HISTORICAL BACKGROUND

The Mountain Sanatorium opened in 1906 in response to the city's growing tuberculosis epidemic. Before antibiotics were developed, TB was a deadly wasting disease that affected thousands of people during the nineteenth and early twentieth centuries. The institution was Canada's fourth sanatorium and by 1932 became the largest in Canada.

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 veterans returning from

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 4 of 17

WWI with the disease. 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 more 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 PED18214).

The subject property formerly comprised the former Brow Campus but the Sanatorium had a second complex of buildings south of the brow, known as the Orchard Campus. The original 98 acres 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. In 1920, the Long & Bisby building was built as a residence for on-site Sanatorium hospital nurses.

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 addition to the Long & Bisby building, the property also contains a small number of other remnant built heritage features that connect to the historical narrative of the institution, including:

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

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.

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 5 of 17

From 1973 to 1983 the Long & Bisby Building housed an alternative education facility for challenged high school students. In 1983 the building was purposed as a day care centre for children of hospital employees. The building is believed to have continued in its use as a private day care until approximately 2010.

In 2001, a Cultural Heritage Assessment was completed by Unterman McPhail Associates Heritage Resource Management Consultants for the Brow Campus as part of the Scenic North Secondary Plan (see Appendix "I" to Report PED18214). Both the Long & Bisby Building and the Cross of Lorraine were noted as being built heritage features of interest. The Long & Bisby Building is considered to be "an important local architectural feature and merits appropriate preservation treatment and consideration for reuse." (Unterman McPhail Associates, 2001: 45). The Cross of Lorraine is noted as being "a local and regional landmark and when lit, it is clearly visible from below the mountain across most of the City of Hamilton and the Bay." (Ibid., 48). Further, the consultants concluded "it is the opinion of Unterman McPhail Associates that if change is to occur to the Brow Site that both the Moreland building [now demolished] and the Long and Bisby Building should be considered as priorities for preservation due to the integrity of their original design intent and form." (Ibid., 50). In addition, it was concluded that "the site landscape, including the preservation of the Lorraine Cross and sections of stone fencing, should be restored for the same reasons." (Ibid., 50).

In 2006, a second Cultural Heritage Assessment was completed by Unterman McPhail Associates, Heritage Resource Management Consultants for the Chedoke Health Corporation, and focused on the history of the Sanatorium and the buildings located on the Orchard Campus (see Appendix "H" to Report PED18214). The report also included a section on the Brow Campus, echoing the value of the Long & Bisby Building, the Cross of Lorraine, and the wider cultural heritage landscape (Unterman McPhail Associates, 2006: 32-36).

In 2007 a Cultural Heritage Assessment was submitted by Stevens Burgess Architects Ltd., and Wendy Shearer Landscape Architect Ltd., to the City of Hamilton for the Chedoke Brow Lands while under the new ownership of Deanlee Management Inc. (see Appendix "E" to Report PED18214). The Heritage Assessment report, which was completed as part of a requirement of an Official Plan Amendment Application for a previous proposal, 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 reuse but requiring some upgrades and accessibility adaptations (Ibid., 17-22). The report also identified the Cross of Lorraine as "a community landmark and as the site continues to evolve and change, its importance as a key interpretive device will continue to grow." (Ibid., 13).

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 6 of 17

In 2007, the Chedoke Browlands Sub-Neighbourhood Urban Design Guidelines were completed by Young + Wright Architects Inc. for Deanlee Management Inc. as part of an Official Plan Amendment (see Appendix “F” to Report PED18214). The guidelines note that development within the Chedoke Browlands Sub-Neighbourhood shall have regard to the following heritage intervention guidelines, including:

- The retention and conservation of the ‘Long & Bisby’ Building with an adaptive reuse;
- The continuation of a pedestrian corridor along the brow of the Escarpment;
- The protection of significant views to, and view corridors from, the site and its built-form;
- The protection of the open park-like landscape setting in front of the ‘Long & Bisby’ Building;
- Respecting the existing Scenic Drive and Sanatorium Road alignments; and,
- The preservation of significant built heritage features such as the existing pedestrian bridge, stone wall/pillars, and Cross of Lorraine, where possible. (Young and Wright, 2007: 14).

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 ruled that the development was consistent with municipal and provincial policy. The Board also noted within its decision that the Long and Bisby Building will be maintained (see Appendix “G” to Report PED18214).

In 2012, the property was sold and transferred from Deanlee Management Inc. 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 the subject property, under the municipal address 801, 820, 828, 855, 865, and 870 Scenic Drive. Staff required a Cultural Heritage Impact Assessment, and a Documentation and Salvage Report prior to any further approvals or as part of a *Planning Act* submission. In discussions with the applicants, Cultural Heritage staff have recommended retaining and integrating the Long & Bisby Building into the future development of the site.

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 7 of 17

On July 13, 2018, City Council approved staff's recommendation to include the subject property on the City's Register of Property of Cultural Heritage Value or Interest.

On August 7, 2018, Building Division staff received a Building Permit Application for the demolition of the Long & Bisby Building, triggering a holding period of 60 days to allow for adequate time to notify Council and to determine if the building merits protection through designation. The 60-day period expires on October 6, 2018.

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:

Section 29 of the *Ontario Heritage Act* states that "the council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest" if the property meets one or more of the criteria set out in *Ontario Regulation 9 / 06* and the designation is made in accordance with the process set out in Section 29.

After consultation with the Hamilton Municipal Heritage Committee, Council is required to serve notice of its intention to designate a property on the owner of the property, the Ontario Heritage Trust, and have the notice published in a local newspaper having general circulation.

Section 30 of the *Ontario Heritage Act* states that "if a notice of intention to designate a property as a property of cultural heritage value or interest is given under section 29, any permit that allowed for the alteration or demolition of the property and that was issued by the municipality under any Act, including a building permit, before the day the notice was served on the owner of the property and on the Trust and published in a newspaper is void as of the day the notice of intention is given."

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

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 8 of 17

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 was identified as “major institutional lands” in the former City of Hamilton Official Plan. The Chedmac Secondary Plan, as amended by the OMB approval of the Deanlee Official Plan Amendment, designated the lands as Medium Density Residential III, General Open Space, and Natural Open Space (See Schedule J-1, page 25 in Appendix “G” to Report PED18214). The decision also added specific heritage policies applicable to the Long & Bisby Building (Decision date June 22, 2012; Case No. PL100691 attached as Appendix “G” to Report PED18214). Designating the subject building under the *Ontario Heritage Act* is consistent with the Secondary Plan.

On August 17, 2018 Council approved housekeeping amendments to the UHOP (Item 11 (18-011) in Report PED18148), incorporating this site in the UHOP and designating it to be consistent with the OMB approval relating to this site. Following the culmination of the regulated appeal period, these amendments will be final and binding.

The updated UHOP recognizes the subject property as a Cultural Heritage Landscape and identifies the Long & Bisby Building as a cultural heritage feature within that landscape (Map B.6.3-2). The updated UHOP also includes the following policies directly relevant to the subject property, identified as being located within Area B on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan:

“Area Specific Policy – Area B

6.3.7.2.1. Objectives

- iv) To integrate natural and cultural heritage features into the design of the site with specific focus on the open space areas as well as providing a strong link to the Niagara Escarpment;
- v) To integrate significant cultural heritage landscape features and characteristics such as the pavilion design, the curvilinear street pattern, as well as the sense of openness and park-like setting, into the development;
- vi) To identify and protect historically or architecturally significant buildings and cultural heritage landscape features.

OUR Vision: To be the best place to raise a child and age successfully.

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.

6.3.7.2.2 Residential Policies

- vi) The Long & Bisby Building, existing as of June 22, 2012, and shown on Map B.6.3-2 – Cultural Heritage Landscapes, shall be retained and conserved through sympathetic adaptive reuse, where structurally feasible.
- vii) Notwithstanding Policies B.6.3.7.2.2. a) v), b) i) and c) i), uses contained within any existing heritage building shall not contribute to the overall unite count gross floor area or density.

6.3.7.2.3 Natural Open Spaces

- a) Lands designated “Natural Open Space” and identified as B-3 and B-4 on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan shall be preserved as natural open space and no development shall be permitted. Conservation, flood and erosion control, and passive recreation uses shall be permitted.
- b) Notwithstanding Policy B.6.3.7.2.3 a), the existing heritage building may be converted to other uses in accordance with Policies B.6.3.7.2.2. c) iii) and iv).

6.3.7.2.4 Urban Design

- e) A Master Site Plan shall be prepared prior to the removal of any “H” Holding Provision in the implementing Zoning By-law and prior to Site Plan Approval.
- f) Master Site Plan shall provide a general site plan for all of the lands within Chedoke Browlands (Area B) and shall include:
 - i) Key neighbourhood design and built form elements, such as: the internal road system; pedestrian and cycling circulation and connectivity; buildings and associated parking areas; open space and recreational areas; cultural heritage buildings, structures and features that are to be preserved; locations of commercial and other non-residential uses; and other neighbourhood and site design elements such as viewsheds identified in the Visual Impact Assessment as set out in Policy B.6.3.7.2.4 b) to d);
 - ii) General urban design guidelines to illustrate the intended character of buildings, streets and exterior spaces, and building relationships to streets and public spaces, to natural environment areas, to heritage buildings and structures to be preserved and to the surrounding neighbourhood. The guidelines shall address how the proposed development features such as new buildings, entry features, streetscape and landscape design are to be

sympathetic in nature to the historical significance of the Chedoke Browlands (Area B), retained natural heritage features (including the Niagara Escarpment) and, to the heritage architectural and cultural landscape features that will be conserved.

6.3.7.2.6 Cultural Heritage Resources

In addition to Section B.3.4 – Cultural Heritage Resources of Volume 1, the following policies shall also apply:

- a) The lands contained within the Chedoke Browlands (Area B) have been included in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest, Appendix A: Inventory of Cultural Heritage Landscapes, as such, development and redevelopment within the Chedoke Browlands (Area B) shall be sympathetic to the cultural heritage landscape and shall ensure the conservation of significant built heritage and cultural heritage resources.
- b) The Chedoke Browlands (Area B) shall be developed in accordance with the following built heritage conservation and planning principles and objectives:
 - i) The continuation of a pedestrian corridor along the brow of the Niagara Escarpment;
 - ii) The protection and retention of the “Long and Bisby” Building as shown as LB on Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Landscapes, in situ through sympathetic adaptive reuse;
 - iii) A new building in the location of the former “Brow Infirmary” Building shall be designed to respect the heritage architecture of the original building shall be constructed in the same approximate building footprint to a maximum height of 4 storeys and be set back from the staked limit of the brow of the Niagara Escarpment no closer than the existing “Brow Infirmary” Building;
 - iv) The preservation and conservation of the pedestrian bridge over the Chedoke Creek and the stone vehicular bridge and associated stone wall/pillars; and,
 - v) The preservation and conservation of other heritage resources shall be encouraged. Where these resources cannot be retained, then the City will require the appropriate documentation of all buildings to be demolished be provided prior to removal.

OUR Vision: To be the best place to raise a child and age successfully.

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.

Cultural Heritage Landscapes

- c) The cultural heritage landscape consists of the curvilinear street pattern, open park-like setting, the undulating topography, the natural areas, the views through the site and the spatial organization of the buildings. In addition, the buildings themselves, the pedestrian bridge, the Cross of Lorraine, the stone pillars and stone wall, the stormwater management facility and Escarpment stairs are elements of the cultural heritage landscape.
- d) Development within the Chedoke Browlands (Area B) shall have regard to the following cultural heritage landscape requirements:
 - i) Development shall be compatible with the existing cultural heritage landscape, such that open spaces, plantings and the curvilinear street pattern are maintained and/or referenced in the new development and that the layout and scale of buildings reflect the existing site, where possible;
 - ii) The existing topography of the perimeter roads, woodlots and Chedoke Creek and stormwater management facility shall be maintained, where feasible;
 - iii) The existing trees and vegetation, within the Chedoke Creek/stormwater management facility shall be maintained and enhanced;
 - iv) A tree preservation plan shall be submitted to determine the opportunities for the protection and preservation of individual trees and the recommendations shall be implemented to the satisfaction of the City. The plan shall be prepared in association with the Heritage Impact Assessment so that trees that contribute to the cultural heritage landscape can be identified and considered for preservation;
 - v) Significant view and view corridors to, through, and from Chedoke Browlands (Area B) shall be protected, as identified in the Master Site Plan, identified in Section B.6.3.7.2.4 – Urban Design of Volume 2;
 - vi) An open, park-like landscape setting shall be provided in front of the “Long and Bisby” Building. Limited parking may be permitted provided there are no other feasible alternative locations; and,
 - vii) The existing curvilinear road alignment of old Sanatorium Road shall be respected, where technically feasible.

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 12 of 17

In the absence of any information demonstrating that the adaptive reuse of the existing building is not structurally feasible, then the recommendations of this Report comply and implement the Secondary Plan policies.

RELEVANT CONSULTATION

Following a site visit on May 11, 2018, staff notified the property owners' applicants that the building appeared to have at least one broken window and accessible point of entry, leaving the property vulnerable to vandalism and arson. On August 16, 2018, staff followed up with the property owners and their applicants on this concern and forwarded the case to Municipal Law Enforcement staff.

Staff have informed the Ward Councillor of the recommendations of this report on August 15, 2018.

Staff have informed the property owners and their applicants of the recommendations of this report through a letter sent by registered mail on August 28, 2018.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

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.

As outlined below, based on staff's review, the heritage studies attached as Appendices "E" and "H" to Report PED18214, and the OMB Report PL100691 attached as Appendix "G" to Report PED18214, the subject property is identified as satisfying six of the nine criteria contained in *Ontario Regulation 9 / 06* in all three categories. Staff note that this evaluation was based on a review of the exterior of the property, previous studies, as well as historical research and photographs. It would be reasonable to assume that further cultural heritage evaluation of the interior of the heritage resource could reveal that the property meets more criteria and / or identifies more heritage attributes.

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 13 of 17

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 includes a representative example of Edwardian Classical architecture in the Long & Bisby Building. The building was built in 1920 by W.H. Cooper Construction Ltd as a nursing residence with costs donated by W.D. Long and G.H. Bisby. The buff brick structure includes an eight-bay façade that displays classical symmetry with the exception of a northern addition. A decorative doorway is surrounded by a classical entrance portico with paired Corinthian-inspired columns, simple cornice brackets, and a low metal railing. The doorway, which is topped by a brick voussoir, features a webbed fanlight and decorative sidelights. The building profile displays slightly projecting façade end and a flat roof punctuated by brick parapet wall featuring a finial accent and inset stone block. The façade also contains a stone sill band running the course of the lower floor and a painted frieze board above upper windows. The upper windows have stone sills and all window openings voussoirs and side trim of brick headers. Given the myriad of modern uses that have occurred in the building, and also its current vacancy, it is not anticipated that any interior spaces retain original features of design or physical value.

The property's landscape features a number of remnant features from its former use as a hospital including a concrete pedestrian bridge, concrete stairs, and a stone wall and pillars. The property also includes a unique landmark in the Cross of Lorraine, which was built in 1953 by the E.L. Ruddy Company. The double-barred cross was the logo of Chedoke Hospital, the National Tuberculosis Association (now the Canadian Lung Association), and an international symbol for the fight against respiratory diseases.

- 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.

2. **Historical / Associative Value:**

- i. The property has direct associations with the former Hamilton Mountain Sanatorium (later Chedoke Hospital). The Long & Bisby Building is the last

OUR Vision: To be the best place to raise a child and age successfully.

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.

remaining building on the former Brow Campus and the only remaining building from the institution associated with the chronic care of veterans from the First World War. The building is associated with the growth and construction boom that occurred at the institution post-WWI. It is also associated with local businessmen W.D. Long and G.H. Bisby who donated funds for the building and were instrumental in the genesis of the Sanatorium itself, having donated 96 acres of farmland in 1906.

The Cross of Lorraine is a tangible reminder of the former use of the property and the wider struggle to contain and eradicate TB. The symbol was adopted in 1902 as the emblem of efforts to combat the disease by the International Conference on Tuberculosis. The initial use of the cross is credited to French doctor Gilbert Sersiron who felt that it was a fitting symbol of peace and brotherly understanding. The cross has Christian heraldic origins and continues to be a symbol of numerous Christian traditions and of the French region of Lorraine. The Cross of Lorraine symbol was originally found throughout the Sanatorium, including within the entrance portico of the Southam Pavilion and the façade of the Wilcox Pavilion.

- ii. The property is not understood to have the potential to yield additional information that contributes to an understanding of a community or culture.
- iii. The Long & Bisby Building is believed to have been designed by prominent local architects Witton and Walsh (1920-1927) and built by well-known local contractor W. H. Cooper Construction Ltd (now Cooper Construction). William Palmer Witton (1871-1947) and William James Walsh (1885-1952) were responsible for numerous local civic, institutional, and ecclesiastical works during their partnership. Witton originally formed a partnership with Walter Wilson Stewart (1871-1917) in Hamilton in 1904. Stewart and Witton were responsible for designing many of the buildings of the Mountain Sanatorium during its inception. Stewart was killed in action while fighting in France during the First World War and in 1920 Witton joined in partnership with W.J. Walsh.

The Cross of Lorraine was built in 1953 by the E.L. Ruddy Company (now CBS Outdoor). American-born advertiser Ruddy was known colloquially as the “Billboard King of Canada”. Ruddy’s firm specialized in billboard signage and illuminable neon signs.

OUR Vision: To be the best place to raise a child and age successfully.

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.

3. Contextual Value:

- i. The property is important in defining and maintaining the character of the area as former institutional lands that now function as open space with views from the Niagara Escarpment. The property was originally selected for a sanatorium because of its rural setting being both removed from and close to the urban context of Hamilton. Its location atop the Escarpment was believed to provide patients with access to fresh air. Although the Sanatorium was a single institution, the Brow Campus was visually separated from the principal hospital site, known as the Orchard Campus, to the south. The Brow site was primarily purposed towards the treatment of WWI veterans and contained a landscape of planned gardens, a stream, open space, curvilinear streets, and woodlots.
- ii. The property is historically linked to its surroundings as the site of the former Mountain Sanatorium (later Chedoke Hospital). As is evidenced in mapping shown in Appendices E-I of Report PED18214, the property evolved from settled farmland to become the institutional lands in 1906. Although numerous buildings at the Brow site have been demolished in recent years, the majority of the property retains its natural, park-like setting at the Escarpment edge. As such, residential development of the site will serve as a significant departure from its longstanding character.
- iii. The property is identified as containing two local landmarks: the Long & Bisby Building; widely identifiable to the West Mountain community, and the Cross of Lorraine; a clear landmark to the broader city. The prominent location of the cross, its recognizable design, and its past illumination all contribute to its importance as a local landmark pointing to the unique history of the institutional lands and the history of the city itself.

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. This assessment was based on staff's cultural heritage evaluation and the evaluation conducted by Unterman McPhail Associates Heritage Resource Management Consultants, Stevens Burgess Architects Ltd., Wendy Shearer Landscape Architect Ltd., and Young & Wright Architects Inc. As such, staff are of the opinion that the subject property is of cultural heritage value or interest, sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Accordingly, staff recommends designating the subject property according to the Statement of Cultural Heritage Value or Interest and the Description of Heritage Attributes, attached as Appendix "C" to

OUR Vision: To be the best place to raise a child and age successfully.

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.

SUBJECT: Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) - Page 16 of 17

Report PED18214 and the draft Notice of Intention to Designate attached as Appendix “D” to Report PED18214.

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 or decline to designate the property.

Decline to Designate:

By declining to designate, the municipality would be unable to ensure long-term, legal protection to this cultural heritage resource (designation provides protection against inappropriate alterations, new construction and demolition). In addition, the City of Hamilton would not be acting in congruence with recommendations made in the Ontario Municipal Board decision in report PL100691 (Appendix “G” to Report PED18214), the Chedoke Hospital Cultural Heritage Assessment (Appendix “E” to Report PED18214), or the Chedoke Browlands Sub-Neighbourhood Urban Design Guidelines (Appendix “F” to Report PED18214).

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. Rather, designation provides for a tool for Council to manage the heritage resource and ensure that any alterations to the building respect the heritage attributes of the building through the heritage permit process.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

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" – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes
- Appendix "D" – Notice of Intention to Designate
- Appendix "E" – Heritage Assessment: Browlands, Chedoke Hospital
- Appendix "F" – Chedoke Browlands Sub-Neighbourhood Urban Design Guidelines
- Appendix "G" – Ontario Municipal Board Report PL100691
- Appendix "H" – Cultural Heritage Resource Assessment Report of the Bruce Memorial Building, Southam Pavilion, Evel Pavilion, & Brow Site
- Appendix "I" – Cultural Heritage Assessment – Scenic North Secondary Plan

OUR Vision: To be the best place to raise a child and age successfully.

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.