



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	July 3, 2020
SUBJECT/REPORT NO:	Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Miranda Brunton (905) 546-2424 Ext. 1202
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the properties contained in Appendix "A" to Report PED20112 be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority.

EXECUTIVE SUMMARY

On April 29, 2020, the Committee of the Whole approved a motion to add 40 properties included in the Ancaster Wilson Street Secondary Plan, in the City's Inventory of Buildings of Architectural and/or Historical Interest and located within the Village Core of Ancaster, fronting on Wilson Street East, to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (the 'Register'), after consultation with the Hamilton Municipal Heritage Committee (HMHC) (refer to Appendix "B" to Report PED20112).

Following Cultural Heritage staff's more detailed review of the properties identified in the motion, staff identified ten properties that should be removed from consideration (refer to Appendix "C" to Report PED20112) and one property added for the following reasons:

SUBJECT: Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12) - Page 2 of 5

- Ten properties are no longer active Inventory listings because the heritage resources identified through past inventory work no longer exist (refer to Appendix "C" to Report PED20112); and,
- The initial mapping of Inventoried properties was based on ownership parcels. Because the properties with municipal address 231, 241 and 253 Wilson Street E were owned by the same person and contiguous, the properties were bundled on the mapping and the catalogue reference is to 231 Wilson Street E. As such the property at 231 Wilson Street E was incorrectly included in the motion and should be removed because it is not included in the City's Inventory and the property located at 241 Wilson Street E, which is currently included on the City's Inventory, should be added to the list for consideration as this was the intended property.

The purpose of this report is to add the active Inventoried properties, listed in Appendix "A" of PED20112, located within the Village Core of Ancaster, fronting on Wilson Street East, to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest and to staff's Designation Work Plan and be assigned a high priority.

Alternatives for Consideration – See Page 4

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 (3) 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 the 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.

BACKGROUND

In order to provide protection under the *Ontario Heritage Act* to a number of properties having potential cultural heritage value, the Ward Councilor brought forward a motion to the Committee of the Whole Meeting on April 29th, 2020 to add 40 properties included on the City's Inventory of Buildings of Architectural and/or Historical Interest (the 'Inventory'), located within the Village Core of Ancaster and fronting on Wilson Street

SUBJECT: Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton’s Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12) - Page 3 of 5

East to the City of Hamilton’s Register (the Register), after consultation with the HMHC. The motion was approved by Council (see Appendix “B” to Report PED20112).

The list of properties includes properties located in the Village Core of Ancaster, as defined in Section B.2.8.3 of the Ancaster Wilson Street Secondary Plan, from Rousseaux Street to Dalley Drive, that are currently listed on the City of Hamilton’s Inventory. They have no formal protection from demolition under the *Ontario Heritage Act*. The list includes properties that are not only identified on the map in Appendix “A” of the Ancaster Wilson Street Secondary Plan but also properties that have been added to the Inventory since the Ancaster Wilson Street Secondary Plan came into force and effect on February 18, 2015.

Council’s direction to first consult with HMHC prior to putting the properties on the Registrar is in keeping with Section 27 (1.3) of the *Ontario Heritage Act*:

“Where the council of a municipality has appointed a municipal heritage committee, the council shall, before including a property that has not been designated under this Part in the register under subsection (1.2) or removing the reference to such a property from the register, consult with its municipal heritage committee.”

RELEVANT CONSULTATION

Staff have informed the property owners, via a letter sent by regular mail, of the Ward Councillor’s Council approved Motion to include their property on the Register and this Report (PED20112). Staff have also informed the Ward Councillor of the recommendations of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Since the motion was passed by Council on April 29, 2020, staff reviewed the list of properties in more detail. This review revealed that multiple inactive Inventory listings were included in the motion and one property with municipal address 231 Wilson Street E was incorrectly included in the motion.

The purpose of the motion was to add active Inventory listings to the Register, providing protection under the *Ontario Heritage Act*. Active Inventory listings include those properties with existing heritage resources (such as buildings or other structures) that were identified as part of past inventory surveys. Inactive, or historic, Inventory listings include those properties that were identified as part of past inventory surveys where the address associated with the heritage resource has changed or the heritage resources are no longer existent. That is to say, the property was either redeveloped or the heritage resource was demolished, and the property left vacant. Staff propose that the

SUBJECT: Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12) - Page 4 of 5

list be adjusted to exclude those inactive Inventoried properties and correct the municipal address for one of the properties. The revised list is shown in Appendix "A" to PED20112. The list of properties to be removed from the consideration is included in Appendix "C" to Report PED20112.

The property with municipal address 231 Wilson Street E was incorrectly included in the original list of properties in the Councillor's April 29th, 2020 motion and should be removed. The adjacent, and contiguous property with municipal address 241 Wilson Street E should be added to the Municipal Register as this was the intended property. The reason behind the incorrect inclusion of 231 Wilson Street E instead of 241 Wilson Street E on the list is related to the mapping of the properties. The initial mapping of Inventoried properties was based on ownership parcels. For example, if multiple contiguous properties were owned by the same person, the information in the database only included one property address for all the parcels. Because the properties with municipal address 231, 241 and 253 Wilson Street E were owned by the same person, the properties were bundled on the mapping and the catalogue reference is to 231 Wilson Street E.

ALTERNATIVES FOR CONSIDERATION

Possible alternatives for consideration include:

- 1) Council, after consultation with the HMHC, may decide to leave all the properties on the Register and Staff's work plan (refer to Appendix 'B' of PED20112), affording all of the properties provisional demolition protection under Section 27 of the *Ontario Heritage Act*. If the inactive Inventoried properties (refer to Appendix 'C' of PED20112) are included on the Register, the properties will be afforded provisional demolition protection even though the heritage resources no longer exist.
- 2) Council, after consultation with the HMHC, may decide not to add 241 Wilson Street E to the Register and Staff's work plan. If this property is not added to the Register, the property will not be afforded provisional demolition protection under Section 27 of the OHA.
- 3) Council, after consultation with the HMHC, may decline to include any properties on the Register. By declining to include any of the properties on the City of Hamilton's Register, the municipality would be unable to provide provisional demolition protection under Section 27 of the *Ontario Heritage Act* to these identified heritage resources.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

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

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Revised property list

Appendix "B" – Excerpt from City Council Minutes 20-009

Appendix "C" – List of properties to be removed from the consideration