



Hamilton

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Planning Division
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FILE: HP2020-029

November 4, 2020

Wentworth Condominium Corporation #96
c/o Anna Prowcat
P.O. Box 43523 Lower James P.O.
Hamilton, ON
L8P 4X5

**Re: Heritage Permit Application HP2020-029:
Replacement of the existing exit balcony and stairs at the rear of the
building (south elevation) at 35-43 Duke Street, Hamilton (Ward 2) (By-law
No. 75-237)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2020-029 is approved for the designated property at 35-43 Duke Street, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replacement of the existing exit balcony and stairs at the rear of the building (south elevation) with a new steel structure and pressure treated timber decking.

Subject to the following conditions:

- a) 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 / or the commencement of any alterations;
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than November 30, 2022. If the alterations are not completed by November 30, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,

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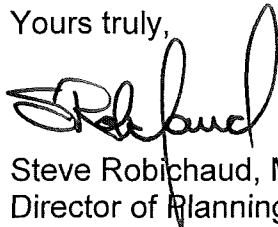
- c) That the applicant provide confirmation on the existing condition of the rear wall including specifications for its restoration in the areas where the existing balcony structure has been secured and any additional areas requiring repair prior to the installation of the new balcony structure, to the satisfaction and approval of the Director of Planning and Chief Planner.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact David Addington, Cultural Heritage Planner, at 905-546-2424 ext.1214, or via email at David.Addington@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Hank Huitema, Kalos Engineering Inc.
David Addington, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
John Lane, Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement MLE
Loren Kolar, Legislative Coordinator
Christine Vernem, Legislative Secretary
Councillor Jason Farr, Ward 2