



Hamilton

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Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424, Ext. 1202  
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FILE: HP2021-022

June 9, 2021

City of Hamilton  
c/o Jarrett Zacharko  
71 Main Street West  
Hamilton, Ontario  
L8P 4Y5

**Re: Heritage Permit Application HP2021-022:  
Proposed replacement of storm windows, restoration and replacement of  
shutters, and the addition of new wood trellises and time appropriate  
hardware at 41 Jackson Street West, Hamilton (Ward 2) (By-law No. 77-239)**

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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 HP2021-022 is approved for the designated property at 41 Jackson Street West, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Addition and replacement of new storm windows;
- Restoration and replacement of shutters;
- Addition of new stained wood trellises;
- Custom fabricated hinges on shutters; and,
- Period appropriate hook and eye hardware on storms.

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; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2023. If the alterations are not completed by May

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**May 31, 2021  
Page 2 of 2**

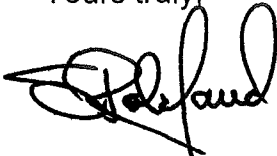
31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

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 Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202 or via email at [Stacey.Kursikowski@hamilton.ca](mailto:Stacey.Kursikowski@hamilton.ca).

Yours truly,



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

cc: Stacey Kursikowski, Cultural Heritage Planner  
Chantal Costa, Plan Examination Secretary  
John Lane, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Jason Farr, Ward 2

**HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2021-022**

**ADDRESS:** 41 Jackson Street West, Hamilton

**Owner:** City of Hamilton

**Applicant / Agent:** Jarrett Zacharko

**Description of proposed alterations:**

- Addition and replacement of new storm windows;
- Restoration and replacement of shutters;
- Addition of new stained wood trellises;
- Custom fabricated hinges on shutters; and,
- Period appropriate hook and eye hardware on storms.

**Reasons for proposed alterations:**

- Repair and maintenance.

**Documentation submitted with application:**

- Window Schedule;
- Window and Shutter Assessment Report;
- Exterior Restoration Specifications;
- Sketches of Proposed Windows and Shutters; and,
- Photos of Existing Conditions.

**Staff assessment:**

Key factors in the evaluation of alterations affecting a heritage building or its setting are the consideration of:

- **“displacement effects”** (those adverse actions that result in the damage, loss or removal of valued heritage features); and,
- **“disruption effects”** (those actions that result in detrimental changes to the setting or character of a heritage feature).

In the consideration of any heritage permit application, staff must assess the impact of the displacement and disruption effects on the heritage resource, particularly in relation to the heritage attributes mentioned in the Designation By-law in this case By-law No. 77-239.

The proponent proposes maintenance and repair work on the windows, storms, shutters, and sills as well as the installation of 10 new stained wood trellises to Whitehern Historic House and Garden. This will include the restoration of five existing storm windows, installation of 30 new storm windows, the restoration of 49 existing shutters, installation of nine shutters, and repair to existing mortar.

There will be minimal displacement effects resulting from the proposed work. Many of the storms have been previously replaced and original storms are being repaired as a part of this work. This work will ensure that the windows remain functioning longer and helps protect the remaining features of heritage value. The existing shutters will also be repaired and those that are being replaced are currently damaged or missing.

There will be no disruption effects resulting from the proposal as the scope of the work is to repair, maintain, or replace the existing conditions of the building. The exception to this is new custom-built trellises to replace existing deteriorating wood trellises to support the existing rose bushes along the exterior walls of the building. This addition will enhance the character of the designated property.

Staff support this proposed work as it will aid in maintaining the heritage features of the structure. The replacement of missing shutters will aid in restoring the historic character of the building. The minimal displacement and disruption effects are reasonable given that the improvements and maintenance will help enhance and maintain the historic value of the designated building.

<b>Key dates:</b>
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Sub-committee meeting date: May 18, 2021

Notice of Receipt: May 18, 2021

<b>Sub-committee comments and advice:</b>
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The Sub-committee considered the application and passed the following motion:

(Ritchie / MacLaren)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-022 be approved as submitted, 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; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2023. If the alterations are not completed by May 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

CARRIED

<b>Final Recommendation:</b>
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That the applicant be advised that Heritage Permit Application HP2021-022 is approved in accordance with the submitted application, subject to the following conditions:

- a) That 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; and,
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than May 31, 2023. If the alterations are not completed by May 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Approval:**

Staff Approval:

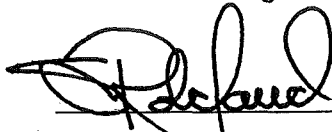


SM/AF \_\_\_\_\_

Stacey Kursikowski, MCIP RPP  
Cultural Heritage Planner

SPM/MGR Initials

Authorized:



Steve Robichaud, MCIP RPP  
Director of Planning and Chief Planner

<b>Reasons for Designation Excerpt (By-law 77-239)</b>
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**Whitehern**

**Reasons for Designation**

"The interior and exterior of this property are recommended for conservation as property having historic and architectural value or interest by the Local Architectural Conservation Advisory Committee of the City of Hamilton.