

Hamilton

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Planning and Economic Development Department
Planning Division
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Phone: 905-546-2424, Ext. 4281
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FILE: HP2021-031

June 28, 2021

Nancy Kinyua
46 James Street North
Hamilton, ON L8R 2K1

**Re: Heritage Permit Application HP2021-031:
Installation of exterior signage on main floor to 46 James Street North,
Hamilton (Ward 2) (By-law No. 08-215)**

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 HP2021-031 is approved for the designated property at 46 James Street North, Hamilton, in accordance with the submitted Heritage Permit application for the following alterations:

- Installation of exterior signage on main floor.

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) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2023. If the alterations are not completed by June 30, 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;
- c) That the method for affixing the sign to the building, including the types of fasteners, locations and flashing, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation; and,
- d) That the proposed signage conforms to the City of Hamilton's Sign By-law.

Re: Heritage Permit Application HP2021-031:
Installation of exterior signage on main floor to 46
James Street North, Hamilton (Ward 2) (By-law No. 08-
215)

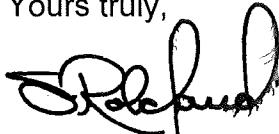
June 28, 2021
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Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal 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 Chloe Richer, Cultural Heritage Planner, at 905-546-2424 ext. 7163 or via email at Chloe.Richer@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Chloe Richer, 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 – HP2021-031
ADDRESS: 46 James Street North, Hamilton

Owner/Applicant: Nancy Kinyua

Description of proposed alterations:

- Installation of exterior signage on main floor.

Reasons for proposed alterations:

- Signage for restaurant.

Documentation submitted with application:

- Proposed sign design; and,
- Attachment method diagrams.

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. 08-215.

The applicant proposes to install an exterior restaurant sign at the ground floor level of the subject built heritage resource. The surface will be painted black and there will be PVC white lettering and channel letters. LED lights will illuminate the channel letters and will be attached to the buildings through the concrete. The attachment methods include 32 threaded rods (2”) and 14 anchors (4”).

While the west elevation of the designation By-law No. 08-215 for the subject property is listed as a Heritage Attribute (protected feature), the description does not specify the modern concrete storefront. Rather, the focus is on original construction materials (stone and wood) and component architectural features and detailing, including the fenestration pattern and the decorative window surrounds.

Minimal “disruption effects” are expected to the heritage context of the property. The sign is proposed to be located where there was previously a “For Lease” sign and is a

portion of the built heritage resource that had been intentionally designed to showcase signs for commercial tenants.

There will be minimal “displacement effects” to the subject property as a result of this work. The sign will be installed on modern materials of the structure (concrete) and will not be impacting any of the original heritage features of the building. As such, staff support the proposed alterations.

Key dates:

Sub-committee meeting date: June 15, 2021

Notice of Receipt: June 18, 2021

Sub-committee comments and advice:

The Sub-committee considered the application and passed the following motion:

(Ritchie / Carrol)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2021-031 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;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2023. If the alterations are not completed by June 30, 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;
- c) That the method for affixing the sign to the building, including the types of fasteners, locations and flashing, shall be submitted, to the satisfaction and approval of the Director of Planning, prior to installation; and,
- d) That the proposed signage conforms to the City of Hamilton's Sign By-law.

CARRIED

Final Recommendation:

That the applicant be advised that Heritage Permit Application HP2021-031 is approved in accordance with the submitted application, 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) Installation of the alterations, in accordance with this approval, shall be completed no later than June 30, 2023. If the alterations are not completed by June 30, 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;
- c) That the method for affixing the sign to the building, including the types of fasteners, locations and flashing, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation; and,
- d) That the proposed signage conforms to the City of Hamilton's Sign By-law.

Approval:

Staff Approval:

Chloe Richer

SM/AF

Chloe Richer
Cultural Heritage Planner

SPM/MGR Initials

Authorized:

Steve Robichaud

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Designation By-law (By-law 08-215)

Description of Heritage Attributes

The heritage attributes of 46-52 James Street North Include but are not limited to:

- The west elevation of the southern most section of the building (three bays wide) along with the flat roof; together with all original construction materials (stone and wood) and all component architectural features and detailing, including the fenestration pattern and decorative window surrounds.
- The west elevation of the northern portion of the building along with the flat roof, including the surviving architectural features or decorative elements.