



Hamilton

**HAMILTON MUNICIPAL HERITAGE COMMITTEE
REPORT 21-007**

12:30 p.m.

Friday, September 24, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually

Present: Councillor M. Pearson
A. Denham-Robinson (Chair), D. Beland, J. Brown, K. Burke, G. Carroll, C. Dimitry (Vice-Chair), L. Lunsted, R. McKee, T. Ritchie and W. Rosart

**THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 21-007
AND RESPECTFULLY RECOMMENDS:**

1. Heritage Permit Application HP2021-037, Under Part IV of the Ontario Heritage Act, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2) (Item 8.1)

That Heritage Permit application HP2021-037, for redevelopment of the properties including integrating the designated heritage façades into a new six storey mixed use building, for the lands located at 18-28 King Street East, be approved, subject to the following conditions:

- (a) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be prepared and submitted by the applicant to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- (b) That the Conservation Plan completed by the applicant's heritage consultants address the following to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction:
 - (i) Structural drawings for the facade retention frame;
 - (ii) Demolition and dismantling plan that provides the methodology for labelling, dismantling, re-locating and storing heritage elements;
 - (iii) Inventory of items to be dismantled and stored;
 - (iv) Masonry key plan that shows the original location and condition of individual stones for 28 King Street East;
 - (v) Monitoring plan for regular monitoring of stored elements and structural retention frames;

- (vi) Repair methodologies and materials for heritage fabric including masonry specifications for suitable repair mortars and replacement stone;
 - (vii) Structural and architectural drawings for integration of the heritage facades into the new structure;
 - (viii) Window specifications for replacement windows to be installed in the heritage facades;
 - (ix) Construction management plan that includes protection and monitoring of the façade retention frame and sequencing and co-ordination of conservation work, demolition work and new construction;
 - (x) Project schedule and cost estimates for the proposed conservation work; and,
 - (xi) Identify what remains of the original storefronts and provide recommendations for the final storefront designs;
- (c) That the recommendations from the Conservation Plan submitted to the satisfaction of the Director of Planning and Chief Planner, be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of an Occupancy Permit;
- (d) That the following conditions with respect to cost estimates to implement the Conservation Plan and a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for removal of portions of the building:
- (i) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of three years and the total cost of restoration and protective enclosure of the retained Designated portions. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner;
 - (ii) The applicant shall provide a Letter of Credit to the Director of Planning and Chief Planner for 100% of the total estimated cost as per (i) above in a form satisfactory to the City's Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing, monitoring and restoring the retained portions as required by this Heritage Permit:
 - (1) The Letter of Credit shall be kept in force, whether or not the ownership of 18-28 King Street East changes at any time, until the completion of the required restoration of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or to

otherwise attach the retained portions to a new building in conformity with the approved design and requirements;

- (2) The Letter of Credit may be reduced in accordance with the City's Letter of Credit Policy for site plan applications;
 - (3) If the Letter of Credit is about to expire without renewal thereof and any part of securing, protecting, stabilizing, monitoring or restoring the retained portions has not been completed in conformity with their approved designs, the City may draw all of the Letter of Credit funds and hold them as security to guarantee completion unless the City's Finance Department (Development Officer, Budget, Taxation and Policy) is provided with a renewal of the Letter of Credit forthwith; and,
 - (4) In the event that the Owner fails to complete, to the satisfaction of the Director of Planning and Chief Planner, the required securing, protecting, stabilizing, monitoring or restoring of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or attach to a new building in conformity with its approved design within the time required, then the City, in addition to any other remedies that the City may have, may exercise its authority under section 446 of the Municipal Act to have its employees, agents or contractors enter 18-28 King Street East to complete any one or more of these requirements. The cost of completion of securing, protecting, stabilizing, monitoring or restoring the retained portions shall be paid in full by the Owner from the Letter of Credit. In the event that there is a surplus, the City shall pay the surplus to the Owner upon completion of the requirement(s). In the event that there is a deficit, the City may further exercise its authority under section 446 of the Municipal Act including but not limited to adding the deficit to the tax roll and collecting it in the same manner as property taxes;
- (e) That prior to the issuance of any Building Permit for demolition or new construction, the applicant enters into and registers on title a Heritage Easement Agreement and covenant with the City pursuant to the Ontario Heritage Act for the purposes of maintaining the heritage attributes consistent with the conditionally approved permit to the satisfaction and approval of the Director of Planning and Chief Planner, and that the Mayor and Clerk, or delegate, as the case may be, are hereby authorized to execute any such agreement;

- (f) 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 any application for a Building Permit and / or the commencement of any alterations;
- (g) That should a Building Permit for the proposed alterations, in accordance with this approval, not be obtained and acted upon by October 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;
- (h) That the proposed alterations, in accordance with this approval, shall be completed no later than October 31, 2024. If the alterations are not completed by October 31, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (i) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in conditions (g) and (h) of this approval if that request is submitted prior to the expiry and if progress is being made.

2. Heritage Permit Application HP2021-033, under Part IV of the *Ontario Heritage Act* for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

- (a) That Heritage Permit application HP2021-033, for the relocation of the Part IV designated heritage building at 398 Wilson Street East, Ancaster, attached hereto as Appendix "A" under section 34 of the Ontario Heritage Act, be deemed to be premature and therefore **be denied**;
- (b) That appropriate notice of the Council decision be served on the owner of 398 Wilson Street East, Ancaster, and the Ontario Heritage Trust, as required under Section 34 of the Ontario Heritage Act.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Committee of the following changes:

5. COMMUNICATIONS

- 5.1. Correspondence respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

Recommendation: Be received, and referred to Item 8.2, Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12), for consideration

- 5.1.a Myfanwy Armes
- 5.1.b R.H. Baker
- 5.1.c Ben Burke
- 5.1.d David Starr
- 5.1.e Margaret and Myles D'Arcey
- 5.1.f S. Robin Larin
- 5.1.g Bob Maton, President, Ancaster Village Heritage Community, Inc.
- 5.1.h Gail Moffatt
- 5.1.i Liz Scheid
- 5.1.j Rhonda Scott
- 5.1.k Sandra Starr
- 5.1.l Wendi Van Exan
- 5.1.m Ben Burke (additional information)
- 5.1.n Sandy Price

6. DELEGATION REQUESTS

- 6.1 Delegation Request from Megan Hobson, Heritage Consultant, respecting HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East (for today's meeting)
- 6.2 Delegation Request, Paula Kilburn, Advisory Committee for Persons with Disabilities respecting the Integration of Accessibility in Heritage Properties (for a future meeting)
- 6.3 Delegation Request from Brenda Khes, Applicant, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (for today's meeting)
- 6.4 Delegation Request from Bob Maton, Ancaster Village Heritage Community, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

8. STAFF PRESENTATIONS

- 8.2 Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

The Agenda for the September 24, 2021 Hamilton Municipal Heritage Committee be approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

No declarations of interest were made.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) August 5 (Item 4.1)

The Minutes of the August 5, 2021 meeting of the Hamilton Municipal Heritage Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

- 5.1(a) Myfanwy Armes
- 5.1(b) R.H. Baker
- 5.1(c) Ben Burke
- 5.1(d) David Starr
- 5.1(e) Margaret and Myles D'Arcey
- 5.1(f) S. Robin Larin
- 5.1(g) Bob Maton, President, Ancaster Village Heritage Community, Inc.
- 5.1(h) Gail Moffatt
- 5.1(i) Liz Scheid
- 5.1(j) Rhonda Scott
- 5.1(k) Sandra Starr
- 5.1(l) Wendi Van Exan
- 5.1(m) Ben Burke (additional information)
- 5.1(n) Sandy Price

Correspondence respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) was received, and referred to Item 8.2, for consideration.

(e) DELEGATION REQUEST (Item 6)

The following Delegation Requests were approved, as presented:

- (i) Delegation Request from Megan Hobson, Heritage Consultant, respecting HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East (for today's meeting) (Added Item 6.1)

- (ii) Delegation Request, Paula Kilburn, Advisory Committee for Persons with Disabilities respecting the Integration of Accessibility in Heritage Properties (for a future meeting) (Added Item 6.2)
- (iii) Delegation Request from Brenda Khes, Applicant, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (for today's meeting) (Added Item 6.3)
- (iv) Delegation Request from Bob Maton, Ancaster Village Heritage Community, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (Added Item 6.4)

(f) CONSENT ITEMS (Item 7)

(i) Policy & Design Working Group Meeting Notes (Item 7.1)

The following items were received:

- (a) December 7, 2020 (Item 7.1(a))
- (b) January 25, 2021 (Item 7.1(b))
- (c) March 15, 2021 (Item 7.1(c))
- (d) April 19, 2021 (Item 7.1(d))
- (e) May 17, 2021 (Item 7.1(e))
- (f) June 21, 2021 (Item 7.1(f))

(ii) Heritage Permit Review Sub-Committee Minutes (Item 7.2)

The following items were received:

- (a) July 20, 2021 (Item 7.2(a))
- (b) July 27, 2021 (Item 7.2(b))
- (c) August 17, 2021 (Item 7.2(c))

**(iii) Inventory & Research Working Group Meeting Notes June 21, 2021
(Item 7.3)**

The Inventory & Research Working Group Meeting Notes of June 21, 2021, were received.

(iv) Heritage Permit Applications- Delegated Approvals (Item 7.4)

The following items were received:

- (a) Heritage Permit Application HP2021-032: Proposed construction of a rear addition sunroom to 140 Hatt Street, Dundas (Ward 13) (By-law 04-064) (Item 7.4(a))
- (b) Heritage Permit Application HP2021-035: Proposed installation of security signs to 114-116 MacNab Street South, Hamilton (MacNab Street Presbyterian Church) (Ward 2) (MacNab-Charles HCD) (Item 7.4(b))
- (c) Heritage Permit Application HP2021-036: Proposed installation of interior waterproofing, weeping tile and window well drains, 29 Mill Street North, Flamborough (Ward 15) (Mill Street HCD) (Item 7.4(c))
- (d) Heritage Permit Application HP2021-039: Replacement of the eavestroughs, soffits, fascia, and dormer cladding at 220 St. Clair Boulevard, Hamilton (Ward 3) (By-law No.92-140) (St. Clair Boulevard HCD) (Item 7.4(d))
- (e) Heritage Permit Application HP2021-040: Proposed alteration of investigative parking openings and brick removal at 35-43 Duke Street, Hamilton (Ward 2) (By-law No. 75-237) (Item 7.4(e))
- (f) Heritage Permit Application HP2021-042: Proposed Alteration of the Storefronts and Windows at 255-265 James Street North, Hamilton (Ward 2) (By-law No. 87-176) (Item 7.4(f))
- (g) Heritage Permit Application DP2021-026: Proposed replacement of existing windows at 220 St. Clair Boulevard, Hamilton (Ward 3) (St. Clair Boulevard HCD) (By-law No.92-140) (Item 7.4(g))
- (h) Heritage Permit Application HP2021-034: Proposed refurbishment of existing windows of the sanctuary to 21 Stone Church Road West (Barton Stone - Mount Hope United Church) (Ward 8) (By-law No. 17-119) (Item 7.4(h))

(g) STAFF PRESENTATIONS (Item 8)

(i) Heritage Permit Application HP2021-037, Under Part IV of the Ontario Heritage Act, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195) (Ward 2) (Item 8.1)

Amber Knowles, Cultural Heritage Planner, addressed Committee with an overview of Heritage Permit Application HP2021-037, Under Part IV of the Ontario Heritage Act, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195), with the aid of a PowerPoint presentation.

The Presentation respecting Heritage Permit Application HP2021-037, Under Part IV of the Ontario Heritage Act, for Façade Integration into Redevelopment of 18 - 28 King Street East, Hamilton (PED21195), was received.

For further disposition of this matter, refer to Item 1 and (h)(i)

(ii) Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (Added Item 8.2)

Stacey Kursikowski, Cultural Heritage Planner, addressed Committee with an overview of Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196), with the aid of a PowerPoint presentation.

The Presentation respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196), was received.

For further disposition of this matter, refer to Item 2 and (h)(ii) and (h)(iii)

(h) DELEGATIONS (Item 9)

(i) Megan Hobson, Heritage Consultant, respecting HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East (Added Item 9.1)

Megan Hobson, Heritage Consultant, addressed the Committee with an overview of HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East, with the aid of a PowerPoint presentation.

The Delegation from Megan Hobson, Heritage Consultant, respecting HP2021-037 - Facade Integration into Redevelopment of 18-28 King Street East, was received.

For further disposition of this matter, refer to Item 1 and (g)(i)

(ii) Brenda Khes, Applicant, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12) (Added Item 9.2)

Brenda Khes and Sergio Manchia addressed the Committee respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196). They are not in support of the recommendations in the report.

The Delegation from Brenda Khes and Sergio Manchia, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196), was received.

For further disposition of this matter, refer to Item 2 and (h)(ii) and (h)(iii)

(iii) Bob Maton, Ancaster Village Heritage Community, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196) (Ward 12)

Bob Maton, Ancaster Village Heritage Community, addressed the Committee in support of Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196).

The Delegation from Bob Maton, Ancaster Village Heritage Community, respecting Heritage Permit Application HP2021-033, under Part IV of the Ontario Heritage Act for the relocation of 398 Wilson Street East, Ancaster (PED21196), was received.

For further disposition of this matter, refer to Item 2 and (h)(ii) and (h)(iii)

(i) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

(i) **Buildings and Landscapes (Item 13.1)**

The following updates were received:

(a) **Endangered Buildings and Landscapes (RED):**

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
- (iv) 18-22 King Street East, Hamilton (D) – W. Rosart
- (v) 24-28 King Street East, Hamilton (D) – W. Rosart
- (vi) 2 Hatt Street, Dundas (R) – K. Burke

Signs have been posted on the property.

- (vii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown
- (viii) Long and Bisby Building, 828 Sanatorium Road (D) – G. Carroll
- (ix) 120 Park Street, North, Hamilton (R) – R. McKee
- (x) 398 Wilson Street East, Ancaster (D) – C. Dimitry
- (xi) Lampman House, 1021 Garner Road East, Ancaster (D) – C. Dimitry
- (xii) Cathedral Boys School, 378 Main Street East, Hamilton (R) – T. Ritchie
- (xiii) Firth Brothers Building, 127 Hughson Street North, Hamilton (NOID) – T. Ritchie
- (xiv) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee
- (xv) Former Hanrahan Hotel (former) 80 to 92 Barton Street East (I)– T. Ritchie
- (xvi) Television City, 163 Jackson Street West (D) – J. Brown

Alley ways in the area have been cleaned up by various community groups.

- (xvii) 1932 Wing of the Former Mount Hamilton Hospital, 711 Concession Street (R) – G. Carroll
- (xviii) 215 King Street West, Dundas (I) – K. Burke
- (xix) 679 Main Street East, and 85 Holton Street South, Hamilton (Former St. Giles Church) – D. Beland
- (xx) 219 King Street West, Dundas – K. Burke
- (xxi) 216 Hatt Street, Dundas – K. Burke

(b) Buildings and Landscapes of Interest (YELLOW):
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland
- (ii) 2251 Rymal Road East, Stoney Creek (R) – C. Dimitry
- (iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas (R) – K. Burke
- (iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (ND) – W. Rosart
- (v) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll
- (vi) Dunnington-Grubb Gardens, 1000 Main Street East (within Gage Park) (R) – D. Beland
- (vii) St. Clair Blvd. Conservation District (D) – D. Beland
- (viii) 52 Charlton Avenue West, Hamilton (D) – J. Brown
- (ix) 292 Dundas Street East, Waterdown (R) – L. Lunsted
- (x) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton (R) – T. Ritchie
- (xi) Binkley property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown
- (xii) 62 6th Concession East, Flamborough (I) - L. Lunsted
- (xiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xiv) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie
- (xv) 1 Main Street West, Hamilton (D) – W. Rosart
- (xvi) 54 - 56 Hess Street South, Hamilton (R) – J. Brown

(c) Heritage Properties Update (GREEN):

(Green = Properties whose status is stable)

- (i) Royal Connaught Hotel, 112 King Street East, Hamilton (NOID) – T. Ritchie
- (ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (iii) Treble Hall, 4-12 John Street North, Hamilton (D) – T. Ritchie
- (iv) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (v) Rastrick House, 46 Forest Avenue, Hamilton – G. Carroll

The property appears to be up for sale.

- (vi) 125 King Street East, Hamilton (R) – T. Ritchie

(d) Heritage Properties Update (black):

(Black = Properties that HMHC have no control over and may be demolished)

No properties.

(ii) Staff Work Plan as of September 14, 2021 (Item 13.2)

The Staff Work Plan as of September 14, 2021, was received.

(j) ADJOURNMENT (Item 15)

(Burke/Brown)

That there being no further business, the Hamilton Municipal Heritage Committee, adjourned at 2:15 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk