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Planning and Economic Development Department
Planning Division
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Phone: 905-546-2424, Ext. 7163
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FILE: HP2022-001

February 11, 2022

Irene Kraus-Picado
374-376 Mountsberg Road
Flamborough, ON
L0P 1B0

Re: Heritage Permit Application HP2022-001: To construct a new wood deck with a roof structure to the rear of the original portion of the dwelling, adjacent to the rear addition at 374-376 Mountsberg Road, Flamborough (Ward 15), Part IV Designated, By-law No. 2000-17-H

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 HP2021-001 is approved for the designated property at 374-376 Mountsberg Road in accordance with the submitted Heritage Permit Application for the following alterations:

- To construct a new wood deck with a roof structure to the rear of the original portion of the dwelling, adjacent to the rear addition.

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) Installation of the alterations, in accordance with this approval, shall be completed no later than February 11, 2024. If the alterations are not completed by February 11, 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.

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

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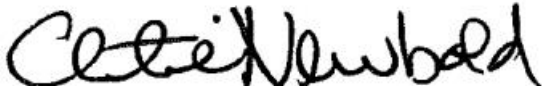
**February 11, 2022
Page 2 of 2**

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,

Per: 

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Chloe Richer, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Bob Nuttall, Acting Manager, Building Inspections
Tamara Reid, Supervisor-Operations and Enforcement
Loren Kolar, Legislative Coordinator
Councillor Judi Partridge, Ward 15

HERITAGE PERMIT DELEGATED AUTHORITY REPORT – HP2022-001
ADDRESS: 374-376 Mountsberg Road, Flamborough

Owner: Irene Kraus-Piacado
Applicant / Agent: N/A

Description of proposed alterations:

- To construct a new wood deck with a roof structure to the rear of the original portion of the dwelling, adjacent to the rear addition.

Reasons for proposed alterations:

- Additional outdoor amenity space.

Documentation submitted with application:

- Architectural plans and elevations;
- Concept presentation; and,
- Exterior photographs of existing dwelling.

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 Reasons for Designation mentioned in the Designation By-law, in this case, By-Law No. 2000-17-H.

The Applicant proposes to construct a new wood deck with a roof structure to the rear of the original portion of the dwelling, adjacent to the rear addition.

“Displacement effects” to the subject property as a result of this work are not anticipated, as the deck will not be physically attached to the original portion of the building. Should there be any potential negative impacts on the original masonry from the new roof structure above the deck (e.g., due to water run-off), the City’s Masonry Restoration Guidelines are to be followed, including choosing an appropriate mortar that is compatible with the historic masonry. The heritage attributes of the property will not be lost or removed.

Minimal “disruption effects” are expected to the heritage setting and character of the property as a result of this work, as the deck is to be located at the rear of the building’s original front portion, adjacent to an addition. Further, the roofing structure of the deck will not be physically attached to the original portion of the building.

Staff are supportive of the application as disbursement effects are not anticipated and there will be minimal disruption effects due to the location of the proposed alteration.

Key dates:

Sub-committee meeting date: January 18, 2022
Notice of Complete Application: January 12, 2022

Sub-committee comments and advice:

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

(Priamo / Carroll)

That the Heritage Permit Review Sub-committee advises that Heritage Permit Application HP2022-001 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 January 31, 2024. If the alterations are not completed by January 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.

CARRIED

Final Recommendation:

That the Applicant be advised that Heritage Permit Application HP2022-001 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) Implementation of the alterations, in accordance with this approval, shall be completed no later than February 11, 2024. If the alterations are not completed by February 11, 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.

Approval:

Staff Approval:

Chloe Richer

Chloe Richer
Cultural Heritage Planner

SPM/MGR Initials

Authorized:

per: *Steve Robichaud*

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

Excerpt from By-Law No. 2000-17-H
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DESIGNATED FEATURES

The exterior features to be designated at 376 Mountsberg Road are the exterior walls, the Georgian style entrance, with its 6 panel door and 4 light transom above and the windows on either side. In addition, the flat brick arches above the entrance, and windows, the moulded frieze board and box cornice on the gable end are included.

The exterior features to be designated at 374 Mountsberg Road are the exterior walls, clad in buff brick, and the decorative brick detailing, including the flat brick arches above the windows and the series of brick label or drip mouldings above the arches.

EXCLUSION

Excluded from the designation is the land surrounding each house.