



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

Report 22-010

9:30 a.m.

Monday, November 21, 2022

Council Chambers, 2nd Floor, City Hall

Present: Councillor C. Kroetsch
A. Denham-Robinson (Chair), J. Brown, K. Burke, G. Carroll, L. Lunsted, R. McKee, and W. Rosart

**Absent with
Regrets:** C. Dimitry, T. Ritchie

THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 22-010 AND RESPECTFULLY:

- 1. Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208) (Ward 2) (Item 8.1) (attached hereto as Appendix “A” to Report 22-010)**
 - (a) That City Council state its intention to designate 66-68 Charlton Avenue West, Hamilton, shown in Appendix “A” attached to Report PED22208, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report 22-010;
 - (b) That the City Clerk be directed to give notice of intention to designate the property of cultural heritage value or interest in Recommendation (a) of Report PED22208, in accordance with the requirements of Section 29 of the Ontario Heritage Act, subject to the following:
 - (i) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
 - (ii) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

2. **Heritage Permit Application HP2022-026, Under Section 33 of the Ontario Heritage Act, for the Removal of the Contemporary Rear Addition, Construction of a New Rear Addition and Rehabilitation of the Pinehurst Building at 163 Jackson Street West, Hamilton (PED22195) (Ward 2) (Item 8.2) (attached here to as Appendix “C” to Report 22-010)**

- (a) That Heritage Permit Application HP2022-026, under Section 33 of the *Ontario Heritage Act*, for the removal of the contemporary rear addition, construction of a new addition and rehabilitation of the Pinehurst building located at 163 Jackson Street West, Hamilton (the “Property”), be **approved** in accordance with the submitted Heritage Permit Application, subject to the following conditions:
- (i) That the recommendations from the revised Conservation Plan dated November 3, 2022, attached as Appendix “E” to Report PED22195, submitted in support of the application be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of a final Occupancy Permit for the Pinehurst building;
 - (ii) That the following conditions with respect to cost estimates and security shall be satisfied prior to the issuance of a Building Permit for removal of the rear addition:
 - (1) 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 four years and the total cost of restoration and protective enclosure of the retained designated portions. Such cost estimates shall be in the form satisfactory to the Director of Planning and Chief Planner, or be prepared in accordance with the Guides for estimating security requirements for landscaping and engineering;
 - (2) The applicant shall calculate the lump sum security payment satisfactory to the City Solicitor for works to the satisfaction of the City’s Director of Planning and Chief Planner;
 - (3) The applicant shall provide a Financial Instrument for the security that is satisfactory to the City Solicitor such as the Letter of Credit (Policy), Surety Bond (Policy), or Certified Cheque/Bank Draft to the Director of Planning and Chief Planner for 100% of the total estimated cost as per condition (1) in a form satisfactory to the City’s Finance Department (Development Officer, Development Charges, Programs and Policies) to be held by the City as security for the completion of the on-site development works required in these conditions. Alternatively, the owner may choose to provide a lump sum payment for on-site works in accordance with condition (2) above;

- (4) The Security shall be kept in force, whether or not the ownership of 163 Jackson Street West, Hamilton, changes at any time, until the completion of the required site development works in conformity with this Heritage Permit, securities may be reduced in accordance with the approved Financial Instrument Policies by the City Solicitor. If the Security is about to expire without renewal thereof and the works have not been completed in conformity with their approved designs, the City may draw all of the funds so secured and hold them as security to guarantee completion unless the City Solicitor is provided with a replacement or renewal of the Security forthwith;
- (5) In the event that the Owner fails to complete, to the satisfaction of the City's Director of Planning and Chief Planner, the required site development works in conformity with this Heritage Permit within the time required, then the Owner shall permit the City, its employees, agents or contractors, at the City's sole option and in addition to any other remedies that the City may have, to enter on the lands and so complete the required site development works to the extent of monies received as Security. The cost of completion of such works shall be deducted from the monies obtained from the Security. In the event that there is a surplus, the City shall pay it forthwith to the Owner. In the event that there are required site development works remaining to be completed, the City may exercise its authority under (Section 446 of the *Municipal Act*) to have such works completed and to recover the expense incurred in doing so in like manner as municipal taxes and the Owner shall enter an agreement with the City to give effect to this Condition (5) and shall register this Agreement on title to the Property at the Owner's own expense;
- (iii) That the applicant submit the final details for the implementation of temporary occupancy of the Pinehurst building as an office, including but not limited to the reconnection of services, installation of ductwork and placement of air conditioning units, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations impacting the heritage attributes of the property not already addressed in the revised Conservation Plan, dated November 3, 2022, submitted with this Heritage Permit Application;
- (iv) That the applicant shall provide the City with copies of any monitoring reports of the Pinehurst building prepared in accordance with the revised Conservation Plan, dated November 3, 2022, until the time of project completion, and that the scope of any remedial actions required to be taken shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner prior to implementation;

- (v) 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;
- (vi) That should a Building Permit for the demolition of the contemporary rear addition, in accordance with this approval, not be obtained and acted upon by September 30, 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;
- (vii) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in condition (vi) of this approval, if that request is submitted prior to the expiry and if progress is being made;
- (b) That the Director of Planning and Chief Planner be authorized to execute an Agreement with the owner(s) of 163 Jackson Street West satisfactory to the City Solicitor, to be registered on title by the owner(s) and to give effect to Recommendation (a) (ii) (5) of Report PED22195;
- (c) That the Director of Planning and Chief Planner is authorized to execute any required Agreements with the owner(s) and other necessary parties with respect to the security required by Recommendation (a) (ii) of Report PED22195.

3. Inventory & Research Working Group Meetings Notes – October 26, 2022 (Item 10.1)

- (a) 66-68 Charlton Avenue West, Hamilton (Item 1)
That the information respecting 66-68 Charlton Avenue West, Hamilton, be received)
- (b) Osler House - 30 South Street West, Dundas
 - (i) That 30 South Street, Dundas, be added to the Municipal Heritage Register as a non-Designated Built Heritage Property; and
 - (ii) That 30 South Street, Dundas, be added to Staff's Designation Work Plan.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Committee of the following changes to the agenda:

5. COMMUNICATIONS

- 5.1. Correspondence respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton

5.1.a. I. Langlais

5.1.b. A. Regenstreif

5.1.c. C. Redmond, President, Durand Neighbourhood Association

Recommendation: Be received and referred to Item 8.1 on this agenda, for consideration

- 5.2. Correspondence from C. Redford President, Durand Neighbourhood Association, respecting Heritage Permit Application HP20-022-026, 163 Jackson Street West, Hamilton

Recommendation: Be received and referred to Item 8.2 on this agenda, for consideration

- 5.3. Notice of Passing of By-law No. 22-258 to Designate a Portion of Melville Street in Dundas as a Heritage Conservation District Study Area under Section 40.1 of the Ontario Heritage Act

Recommendation: Be Received

6. DELEGATION REQUESTS:

- 6.2 Matt Johnston, UrbanSolutions Planning & Development, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton

That the agenda for November 21, 2022, 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) September 15, 2022 (Item 4.1)

The minutes were amended to read as follows:

(e) DELEGATIONS (Item 9)

(i) Idan Erez, respecting Item 5.1, Correspondence from City to Property Owner respecting 66-68 Charlton Avenue West (Added Item 9.2)

That the discussion around a possible designation of the property at 66-68 Charlton be referred to the Inventory and Research Working Group. ~~monitor the property located at 66-68 Charlton Avenue West, Hamilton.~~

The Minutes of the August 11, 2022, meeting of the Hamilton Municipal Heritage Committee were approved, as amended.

C. Kroetsch requested to be recorded as OPPOSED to the above motion.

(d) COMMUNICATIONS (Item 5)

The following Communications items were approved, as presented:

(i) Correspondence respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton (Item 5.1)

(a) I. Langlais (Added Item 5.1(a))

(b) A. Regenstreif (Added Item 5.1(b))

(c) C. Redmond, President, Durand Neighbourhood Association (Added Item 5.1(c))

Recommendation: Be received and referred to Item 8.1 on this agenda, for consideration

(ii) Correspondence from C. Redford President, Durand Neighbourhood Association, respecting Heritage Permit Application HP20-022-026, 163 Jackson Street West, Hamilton (Added Item 5.2)

Recommendation: Be received and referred to Item 8.2 on this agenda, for consideration

(iii) Notice of Passing of By-law No. 22-258 to Designate a Portion of Melville Street in Dundas as a Heritage Conservation District Study Area under Section 40.1 of the Ontario Heritage Act (Added Item 5.3)

Recommendation: Be Received

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved, for today's meeting:

- (i) Shannon Kyles, Architectural Conservancy of Ontario, Hamilton Region Branch, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, and 60 South Street Dundas (for today's meeting) (Item 6.1)
- (ii) Matt Johnston, Urban Solutions Planning & Development, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton (for today's meeting) (Added Item 6.2)

(f) DELEGATIONS (Item 7)

- (i) **Shannon Kyles, Architectural Conservancy of Ontario, Hamilton Region Branch, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, and 60 South Street Dundas (Item 7.1)**

Shannon Kyles, Architectural Conservancy of Ontario, Hamilton Region Branch, addressed Committee respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, and 60 South Street Dundas.

The Delegation from Shannon Kyles, Architectural Conservancy of Ontario, Hamilton Region Branch, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, and 60 South Street Dundas, was received.

- (ii) **Matt Johnston, UrbanSolutions Planning & Development, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton (Added Item 7.2)**

Matt Johnston, UrbanSolutions Planning & Development, addressed the Committee respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton.

The Delegation from Matt Johnston, UrbanSolutions Planning & Development, respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, be received.

(g) STAFF PRESENTATIONS (Item 8)

(i) Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208) (Ward 2) (Item 8.1)

Lisa Christie, Cultural Heritage Planner, addressed Committee with a presentation respecting the Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208) (Ward 2).

The Presentation respecting a Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208) (Ward 2), was received.

For further disposition, refer to Item 1

(ii) Heritage Permit Application HP2022-026, Under Section 33 of the Ontario Heritage Act, for the Removal of the Contemporary Rear Addition, Construction of a New Rear Addition and Rehabilitation of the Pinehurst Building at 163 Jackson Street West, Hamilton (PED22195) (Ward 2) (Item 8.2)

Chloe Richer, Cultural Heritage Planner, addressed Committee with a presentation respecting Heritage Permit Application HP2022-026, Under Section 33 of the Ontario Heritage Act, for the Removal of the Contemporary Rear Addition, Construction of a New Rear Addition and Rehabilitation of the Pinehurst Building at 163 Jackson Street West, Hamilton (PED22195) (Ward 2).

The Presentation respecting a Heritage Permit Application HP2022-026, Under Section 33 of the Ontario Heritage Act, for the Removal of the Contemporary Rear Addition, Construction of a New Rear Addition and Rehabilitation of the Pinehurst Building at 163 Jackson Street West, Hamilton (PED22195) (Ward 2), was received.

Due to bulk, the appendices to this report are only available online.

For further disposition of this matter, refer to Item 2

(h) CONSENT ITEMS (Item 9)

That the following items were received:

(i) Heritage Permit Review Sub-Committee Minutes (Item 9.1)

(i) August 23, 2022 (Item 9.1(a))

(ii) September 13, 2022 (Item 9.1(b))

(iii) October 18, 2022 (Item 9.1(c))

(ii) Policy and Design Working Group Meeting Notes - September 19, 2022 (Item 9.2)

That the Policy and Design Working Group Meeting Notes of September 19, 2022 was received.

(iii) Bill 23, Schedule 6, More Homes Built Faster Act, 2022, and Proposed Changes to the Ontario Heritage Act (PED22211) (City Wide) (Item 9.3)

That Report PED22211, respecting Bill 23, Schedule 6, More Homes Built Faster Act, 2022, and Proposed Changes to the Ontario Heritage Act, was received.

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

(i) Buildings and Landscapes (Item 13.1)

Updates to properties can be viewed in the meeting recording.

(Carroll/Kroetsch)

That the following updates, be 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

(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
- (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) – G. Carroll
- (xx) 219 King Street West, Dundas – K. Burke
- (xxi) 216 Hatt Street, Dundas – K. Burke
- (xxii) 537 King Street East, Hamilton – G. Carroll
- (xxiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xxiv) 2235 Upper James Street, Hamilton – G. Carroll
- (xxv) 66-68 Charlton Avenue West – J. Brown

(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) – G. Carroll
- (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) – G. Carroll
- (vii) St. Clair Blvd. Conservation District (D) – G. Carroll
- (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) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie

- (xiv) 1 Main Street West, Hamilton (D) – W. Rosart
- (xv) 54 – 56 Hess Street South, Hamilton (R) – J. Brown
- (xvi) 384 Barton Street East, Hamilton – T. Ritchie
- (xvii) 311 Rymal Road East, Hamilton – C. Dimitry
- (xviii) 42 Dartnell Road, Hamilton (Rymal Road Stations Silos) – G. Carroll
- (xix) Knox Presbyterian Church, 23 Melville Street, Dundas – K. Burke
- (xx) 84 York Blvd. (Philpott Church), Hamilton – G. Carroll
- (xxi) 283 Brock Road, Greensville (West Township Hall) – L. Lunsted
- (xxii) Masonic Lodge, Dundas – K. Burke
- (xxiii) Battlefield National House – R. McKee
- (xxiv) 175 Lawrence Avenue (Brickworks) – G. Carroll

(c) Heritage Properties Update (GREEN):

(Green = Properties whose status is stable)

- (i) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (ii) Former Post Office, 104 King Street West, Dundas (R) – K. Burke
- (iii) Rastrick House, 46 Forest Avenue, Hamilton – G. Carroll
- (iv) 125 King Street East, Hamilton (R) – T. Ritchie
- (v) 206 Main Street W., Hamilton (Arlo House) – J. Brown

(d) Heritage Properties Update (black):

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

- (i) 442, 450 and 452 Wilson Street East, Ancaster – C. Dimitry

(g) ADJOURNMENT (Item 15)

(Carroll/Burke)

That there being no further business, the Hamilton Municipal Heritage Committee adjourned at 11:48 a.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Loren Kolar

Legislative Coordinator
Office of the City Clerk