



Hamilton

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Planning Division
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FILE: HP2022-032

December 22, 2022

City of Hamilton – Public Works
c/o Dennis Schram
1301 Upper Ottawa St
Hamilton, ON L8W 3L5

**Re: Heritage Permit Application HP2022-032:
Removal of Dead Pine Trees at Battlefield Park, 77 King Street West,
Stoney Creek (Ward 5), Part IV Designated (By-law No. 3419-91)**

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 HP2022-032 is approved for the designated property at 77 King Street West, Stoney Creek (Battlefield Park) in accordance with the submitted Heritage Permit Application for the following alterations:

- Removal of 23 dead pine trees at the north and east of the property, including:
 - Minimizing compression of soil in areas of archaeological potential by have the vehicles access the trees from the existing driveway and stone paths where possible and the use of track mats where it is not; and,
 - Grinding the stumps down after tree removal and remediating the affected areas with grass seed and soil.

Subject to the following conditions:

- a) Any minor changes to the proposed scope of work 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 alteration(s), in accordance with this approval, shall be completed no later than December 31, 2024. If the alteration(s) are not completed by December 31, 2024, then this approval expires as of that date and no

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Page 2 of 2

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 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 Lisa Christie, Cultural Heritage Planner, at 905-546-2424 ext. 1291, or via email at Lisa.Christie@Hamilton.ca.

Yours truly,

 for

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Lisa Christie, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Loren Kolar, Legislative Coordinator
Robyn Pollard, Manager of Forestry and Horticulture
Councillor Matt Francis, Ward 5