



Hamilton

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FILE: HP2022-036

December 21, 2022

98 James South (2022) Inc.
c/o Marcus Gillam
36 Northline Road, Unit 3
Toronto, ON
M4B 3E2

**Re: Heritage Permit Application HP2022-036:
Renewal of previously approved Heritage Permit Application HP2020-041
for the Redevelopment of 98 James Street South, Hamilton (former James
Street Baptist Church) (Ward 2)**

Note: This Heritage Permit application is the same as HP2020-041, which was approved on December 16, 2020 with condition (b) expiring December 31, 2022. It is being re-issued as HP2022-036 to extend the date for the completion of alterations as the proposed work will not be completed by December 31, 2022. This Heritage Permit application HP2022-036 will extend the permit for an interim three-month period set to expire March 31, 2023.

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 HP2022-036 is approved for the property located at 98 James Street South, Hamilton, in accordance with the previously submitted Heritage Permit Application for the following alterations:

- To renew previously approved Heritage Permit Application HP2020-041, notably the following:
 - Retention of the existing front (east) façade and corner towers on James Street South in situ, including all existing windows, doors and other features (the “retained portions”);
 - Salvage and reuse of features and materials from the removed portions of the building (the “salvaged portions”); and,
 - Construction of a new building and / or addition on the remainder of the site and attached to the retained portions (the “new building”).

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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;
- b) That implementation of the alterations, in accordance with this approval, shall be completed no later than March 31, 2023. If the alterations are not completed by March 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;
- c) That the applicant submit, on a monthly basis, ongoing monitoring reports assessing and outlining the condition of the retained portions to City staff;
- d) That the applicant provide a written update to City staff on the current condition of the site and existing salvaged features which remain;
- e) That, once the alterations are complete, the owner shall agree to appropriate amendments to the Heritage Conservation Easement agreement to reflect the altered building; and,
- f) That a Conservation Plan consisting of the following items shall be submitted to the satisfaction of the Director of Planning and Chief Planner prior to the commencement of any alterations:
 - I. Documentation of the existing building and its architectural features and finishes in situ;
 - II. Specifications and methodology for the protection, stabilization, and restoration of the retained portions;
 - I. Inventory of the existing architectural features and building materials and a methodology for salvaging these features and materials from the removed portions; and,
 - II. A plan for the storage and protection of retained and salvaged heritage elements, including the on or off site storage location(s), environmental conditions and security, a schedule of regular inspections and monitoring, and any other protection measures as appropriate. In addition:
 - i. If the storage location is to be changed, the new location and address shall be submitted to the satisfaction and approval of staff, prior to the removal of the heritage elements to a new storage facility;
 - ii. Any unsatisfactory environmental conditions or failures in the security measures shall be reported to Planning staff as soon as

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- they are discovered and appropriate remedies shall be developed and approved by Planning staff prior to implementation, except in emergency situations; and,
- iii. City staff shall be allowed reasonable access to inspect the heritage elements in storage, at any time.

Please note that this property is designated under Part IV of the *Ontario Heritage Act* and subject to a Heritage Conservation Easement held by the City of Hamilton, 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* and the terms of the Heritage Conservation Easement Agreement. 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,



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
Councillor Cameron Kroetsch, Ward 2