



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Planning Division

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	May 19, 2023
<b>SUBJECT/REPORT NO:</b>	Monthly Report on Proactive Listings for the Municipal Heritage Register, May 2023 (PED23136) (Ward 11)
<b>WARD(S) AFFECTED:</b>	Ward 11
<b>PREPARED BY:</b>	Lisa Christie (905) 546-2424 Ext. 1291
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That staff be directed to list the following properties on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, as outlined in Report PED23136, in accordance with Section 27 of the *Ontario Heritage Act*:

- (a) 9575 Twenty Road West, Glanbrook (Ward 11);
- (b) 9511 Twenty Road West, Glanbrook (Ward 11).

## EXECUTIVE SUMMARY

This Report recommends that Council list 2 non-designated properties of cultural heritage value or interest on the Municipal Heritage Register (Register). Listing on the Register under Section 27 of the *Ontario Heritage Act* recognizes value of the property to the community, provides properties with interim protection from demolition, and can help facilitate informed decision-making and priority-based planning from staff and Council. By Council deciding to proactively list these properties on the Register, staff will be able to take appropriate action should a Prescribed Event be triggered under the *Planning Act*, or if demolition or significant alteration is proposed as part of a Building Permit Application in the next two years before the Register listings expire. Should

---

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Monthly Report on Proactive Listings for the Municipal Heritage Register, May 2023 (PED23136) (Wards 11) - Page 2 of 5**

---

Council decide to list these properties on the Register, staff will provide notice of their listing to the owners and outline legislated process for objecting to the listings, as per the requirements of the *Ontario Heritage Act*.

**Alternatives for Consideration – N/A**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None.

Staffing: As outlined in Report PED22211(a), the City is in the process of hiring two temporary Cultural Heritage Planning Technician positions, whose primary focus will be on the research and evaluation of heritage properties on the high priority designation list and triggered by Prescribed Events under the *Planning Act*. The full extent of the implications on staff resources, resulting from the *Bill 23* and *Bill 109* changes to the *Ontario Heritage Act*, are not known at this time.

Legal: The *Ontario Heritage Act* enables Council to list non-designated properties that it believes to be of cultural heritage value or interest on the Register if it is demonstrated that they meet at least one criterion outlined in *Ontario Regulation 9/06*, as amended by *Ontario Regulation 569/22*. The Municipal Heritage Committee must be consulted prior to Council deciding to list a non-designated property on the Register. The recently amended *Ontario Heritage Act* now limits how the City can list a property, including a two-year expiry from the time of listing and a five-year restriction on re-listing after expiry.

The *Ontario Heritage Act* requires municipalities to notify owners within 30 days of a Council's decision to list a property on the Register. Under Section 27(7) of the *Ontario Heritage Act*, an owner can object to a property being included on the Register after receiving notice of it being listed. The owner's objection should be served on the Clerk of the municipality and identify the reasons for the objection and all relevant facts. Council must consider the objection and decide whether to keep the property listed on the Register or to remove it. The owner must be given notice of a Council's decision on the consideration of their objection within 90-days of the decision.

**HISTORICAL BACKGROUND**

The cumulative changes to the *Ontario Heritage Act* over the past few years, implemented by *Bill 108, More Homes, More Choice Act, 2019* and *Bill 23, More Homes Built Faster Act, 2022* (see Reports PED19125(c) and PED22211(a)), now require the

**SUBJECT: Monthly Report on Proactive Listings for the Municipal Heritage Register, May 2023 (PED23136) (Wards 11) - Page 3 of 5**

---

City to be strategic when it lists properties of cultural heritage value or interest on the Municipal Heritage Register (see Legal Implications above). A property is now required to be listed on the Register prior to a Prescribed Event under the *Planning Act* for a municipality to be able to issue a notice of intention to designate within a 90-day restricted window.

As outlined in Report PED22211(a), staff will be bringing forward proactive recommendations to list properties of heritage interest flagged as part of the Formal Consultation process, when they are anticipated to trigger a Prescribed Event under the *Planning Act*, or if they are under a perceived immediate threat of potential demolition or removal and require interim protection until such time as further review and evaluation for designation can be conducted.

The applicants and agents of properties flagged for listing as part of the Formal Consultation process were notified of the staff recommendation to list as part of the application commenting process. Those owners not notified as part of the Formal Consultation process were sent letters notifying them of the staff recommendation to list their property on the Register in advance of this Report being considered by the HMHC.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendations of this Report are consistent with Provincial and Municipal legislation, including:

- Determining the cultural heritage value or interest of a property based on design / physical value, historical / associative value and contextual value criteria (*Ontario Heritage Act, Ontario Regulation 9/06*);
- Ensuring significant built heritage resources are conserved (*Provincial Policy Statement, 2020, Sub-section 2.6.1*);
- Identifying cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources (Urban Hamilton Official Plan, Volume 1, B.3.4.2.1 b)); and,
- Maintaining the Municipal Heritage Register, pursuant to the *Ontario Heritage Act* (Urban Hamilton Official Plan, Volume 1, B.3.4.2.4).

## **RELEVANT CONSULTATION**

### **External**

- Property owners / applicants.

**Internal**

- Ward Councillor Tadeson, Ward 11.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

**9575 and 9511 Twenty Road West, Glanbrook**

The property located at 9575 Twenty Road West, Glanbrook, is comprised of a one-and-one-half storey brick building constructed circa 1871 and is currently listed on the City's Inventory of Heritage Properties. The property located at 9511 Twenty Road West, Glanbrook, is comprised of a two-storey brick building constructed circa 1900 and is currently listed on the City's Inventory of Heritage Properties.

The City received Formal Consultation Application FC-23-049, which proposes an Official Plan Amendment to establish a Secondary Plan and zoning requirements for a new urban neighbourhood in the Twenty Road West area of Glanbrook. The subject lands include the Twenty Road West Urban Expansion Area and portions of the Airport Employment Growth District Secondary Plan area. The conceptual Secondary Plan design does not propose the retention of any of the existing built heritage features on the subject properties. Staff conducted a preliminary cultural heritage evaluation of the subject properties and determined that they met multiple criteria for determining cultural heritage value or interest, as outlined in *Ontario Regulation 9/06*, as follows:

The property located at 9575 Twenty Road West, Glanbrook has design value as a representative example of a late 19th century vernacular farmhouse, exhibiting influences from Gothic Revival and Italianate style architecture. The property has historical value for its association with early settlement in the former Township of Glanford. The property has contextual value as it helps to maintain and support the rural character of the area, with its large lot size flanked by rows of mature trees and deep setback from the road.

The property located at 9511 Twenty Road West, Glanbrook has design value as a representative example of a late 19th century farmhouse built in the Italianate style, exhibiting a hip roof with modillion brackets and segmental arch windows and doors. The property has historical value for its association with the development of Glanbrook and the Marshall family. The property has contextual value as it helps maintain and support the rural character of the area, with its large lot size, deep setback from the road, and its collection of related outbuildings.

The full summary of the preliminary evaluations of cultural heritage value or interest for these properties are attached as Appendix "A" and Appendix "B" to Report PED23136. Therefore, the properties at 9575 and 9511 Twenty Road West, in Glanbrook, have

**SUBJECT: Monthly Report on Proactive Listings for the Municipal Heritage Register, May 2023 (PED23136) (Wards 11) - Page 5 of 5**

---

been determined to have sufficient cultural heritage value or interest to warrant listing on the Municipal Heritage Register as a non-designated property under Section 27 of the *Ontario Heritage Act*, as per the Recommendations of Report PED23136.

**ALTERNATIVES FOR CONSIDERATION**

Not applicable.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Clean and Green**

*Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.*

**Built Environment and Infrastructure**

*Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.*

**Culture and Diversity**

*Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.*

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED23136 – Preliminary Heritage Evaluation of 9575 Twenty Road West, Glanbrook

Appendix “B” to Report PED23136 – Preliminary Heritage Evaluation of 9511 Twenty Road West, Glanbrook

LC:sd