



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

Report 23-010

1:30 p.m.

October 20, 2023

Council Chambers, 2nd Floor, City Hall

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

THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 23-010 AND RESPECTFULLY RECOMMENDS:

- 1. Recommendation to Designate 7 Ravenscliffe Avenue, Hamilton, under Part IV of the Ontario Heritage Act (PED23187) (Ward 2) (Item 8.1)**
 - (a) That the City Clerk be directed to give notice of Council's intention to designate 7 Ravenscliffe Avenue, Hamilton, shown in Appendix "A" attached to Report PED23187, 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 PED23187, 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 HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster, and Recommendation to Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12) (Item 10.1)**
 - (a) That Heritage Permit Application HP2023-042, for the demolition of the designated property at 1541 Fiddlers Green Road, Ancaster, as shown in

Appendix “A” to Report PED23220, be approved, subject to the following Heritage Permit condition:

- (i) That the applicant make every reasonable effort to facilitate salvaging any remaining heritage features as part of the demolition process as may be safely permitted, to the satisfaction and approval of the Director of Planning and Chief Planner;
 - (b) That the City Clerk be directed to give notice of Council’s intention to repeal Bylaw No. 84-55, being a by-law designating 1541 Fiddlers Green Road, Ancaster attached as Appendix “B” to Report PED23220, in accordance with the requirements of Section 31(3) of the Ontario Heritage Act, subject to the following:
 - (i) If no objections to the notice of intention to repeal are received in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to repeal to City Council;
 - (ii) If an objection to the notice of intention to repeal 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 repeal.
- 3. Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2) (Item 10.2)**

That the non-designated property located at 309 James Street North, Hamilton, be removed from the Municipal Heritage Register.

- 4. Heritage Permit Application HP2023-036, Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Item 10.3)**

That Heritage Permit Application HP2023-036 for the adaptive reuse of the former Delta Secondary School Building (circa 1924), removal of the rear additions (circa 1948- 1950), construction of new four storey rear additions and modifications to the landscape at 1284 Main Street East, Hamilton, under Sections 33 and 34 of the Ontario Heritage Act, be refused.

- 5. Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 10.4)**

- (a) That Heritage Permit Application HP2023-041, for the erection of a front detached accessory structure on the designated property at 79 Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as

shown in Appendix “A” attached to Report PED23223, be approved, subject to the approval of any required Planning Act applications and the following Heritage Permit conditions:

- (i) That the final details for the proposed stucco be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (ii) 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;
- (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than November 30, 2025. If the construction and site alterations are not completed by November 30, 2025, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

6. DELEGATIONS

- 6.3 James Webb, WEBB Planning Consultants, respecting item 10.2 Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2)
- 6.4 Sarah Knoll, GSP Group Inc., respecting item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4)
- 6.5 Kasper Koblauch, ERA Architects, respecting item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4)

- 6.6 Nathan Morgenstern, Sullivan Festeryga LLP, respecting item 10.1 Heritage Permit Application HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12)

9. CONSENT ITEMS

- 9.1 Working Group Meeting Notes
- b. Education and Communication Working Group (September 6, 2023)
- 9.3 Heritage Permit Review Sub-Committee Minutes (September 19, 2023)

The agenda for October 20, 2023 Hamilton Municipal Heritage Committee, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

A. Denham-Robinson declared a disqualifying interest to Item 9.2 (e) respecting Heritage Permit Application HP2023-045: Exterior Alterations to the Long & Bisby Building and Landscape Alterations to the Surrounding Open, Park-Like Setting of the Property at 828 Sanatorium Road and 870 Scenic Drive, Hamilton (Mountain Sanatorium Brow Site) (Ward 14) (by-law No. 21-036) as she works for an architecture firm involved with the property.

A. Denham-Robinson declared a disqualifying interest to Item 10.2 respecting Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2) as she has a family member involved with the property.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) September 26, 2023 (Item 4.1)

The Minutes of September 26, 2023 meeting of the Hamilton Municipal Heritage Committee, were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) That the following Communication items were approved, as presented:

- (a) Russell Cheeseman for Brown's Wharf Development respecting Designation of 54 and 56 Hess St South (Item 5.1)

Recommendation: Be received.

- (b) Correspondence to the Ontario Heritage Trust, Provincial Heritage Registrar, respecting Notice of Intention to Designate under Part IV of the Ontario Heritage Act 54-56 Hess Street South (Item 5.2)

Recommendation: Be received.

(e) DELEGATION REQUESTS (Item 6)

- (i) That the following Delegation Request were approved for today's meeting:
 - (a) Chris Cavacuiti, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 6.1)
 - (b) Michael Baytman, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 6.2)
 - (c) James Webb, WEBB Planning Consultants, respecting item 10.2 Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2) (Added Item 6.3)
 - (d) Sarah Knoll, GSP Group Inc., respecting item 10.3 Heritage Permit Application HP2023-036, Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 6.4)
 - (e) Kasper Koblauch, ERA Architects, respecting item 10.3 Heritage Permit Application HP2023-036, Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 6.5)
 - (f) Nathan Morgenstern, Sullivan Festeryga LLP, respecting item 10.1 Heritage Permit Application HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12) (Added Item 6.6)

(f) **DELEGATIONS (Item 7)**

- (i) **Chris Cavacuiti, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 7.1)**

Chris Cavacuiti, addressed Committee respecting Item 10.4, Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2).

- (ii) **Michael Baytman, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 7.2)**

Michael Baytman, addressed Committee with the aid of a PowerPoint presentation respecting Item 10.4, Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2).

- (iii) **James Webb, WEBB Planning Consultants, respecting Item 10.2 Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2) (Added Item 7.3)**

James Webb, addressed Committee respecting Item 10.2 Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2).

- (iv) **Sarah Knoll, GSP Group Inc., respecting Item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 7.4)**

Sarah Knoll, addressed Committee with the aid of a PowerPoint presentation respecting Item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4).

- (v) **Kasper Koblauch, ERA Architects, respecting item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 7.5)**

Kasper Koblauch, addressed Committee with the aid of a PowerPoint presentation respecting Item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4).

- (vi) **Nathan Morgenstern, Sullivan Festeryga LLP, respecting Item 10.1 Heritage Permit Application HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12) (Added Item 7.6)**

Nathan Morgenstern, addressed Committee respecting Item 10.1 Heritage Permit Application HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12).

That the following Delegations, were received:

- (i) Chris Cavacuiti, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 7.1)
- (ii) Michael Baytman, respecting Item 10.4 Heritage Permit Application HP2023-041, Under Part V of the Ontario Heritage Act, for the Erection of a New Front Detached Accessory Structure at 79 Markland Street, Hamilton (PED23223) (Ward 2) (Item 7.2)
- (iii) James Webb, WEBB Planning Consultants, respecting Item 10.2 Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2) (Added Item 7.3)
- (iv) Sarah Knoll, GSP Group Inc., respecting Item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-

1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 7.4)

- (v) Kasper Koblauch, ERA Architects, respecting item 10.3 Heritage Permit Application HP2023-036 , Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) (Added Item 7.5)
- (vi) Nathan Morgenstern, Sullivan Festeryga LLP, respecting Item 10.1 Heritage Permit Application HP2023-042 to Demolish the Remnant Structure at 1541 Fiddlers Green Road, Ancaster Repeal Designation By-law No. 84-55 under Section 31 of the Ontario Heritage Act (PED23220) (Ward 12) (Added Item 7.6)

(g) STAFF PRESENTATIONS (Item 8)

- (i) **Recommendation to Designate 7 Ravenscliffe Avenue, Hamilton, under Part IV of the Ontario Heritage Act (PED23187) (Ward 2) (Item 8.1)**

The Staff Presentation, was waived.

For disposition of this matter, please refer to Item 1.

(h) CONSENT ITEMS (Item 9)

The following Consent Items were received:

- (i) Working Group Meeting Notes (Item 9.1)
 - (a) Education and Communication Working Group (July 5, 2023) (Item 9.1(a))
 - (b) Education and Communication Working Group (September 6, 2023) (Item 9.1(b))
- (ii) Delegated Approval: Heritage Permit Applications (Item 9.2)
 - (a) Heritage Permit Application HP2023-044: Removal of Dying Norway Maple Trees at 211 Mill Street North, Flamborough (Ward 15) (By-law No. 96-34-H) (Item 9.2 (a))
 - (b) Heritage Permit Application HP2023-034: Removal and Installation of New Roofing Material at 31 Cross Street, Dundas (Cross-Melville)

Heritage Conservation District) (Ward 13) (By-law No. 3899-90)
(Item 9.2 (b))

- (c) Heritage Permit Application HP2023-039: Repairs to Exterior Features at 78 Highway 8, Flamborough (Three Gables Antiques and Things) (Ward 13) (By-law No. 87-150H) (Item 9.2 (c))
 - (d) Heritage Permit Application HP2023-037: Installation of Permanent Tactile Walking Surface Indicators at 71 Main Street West, Hamilton (City Hall) (Ward 2) (By-law No. 06-011) (Item 9.2 (d))
 - (e) Heritage Permit Application HP2023-045: Exterior Alterations to the Long & Bisby Building and Landscape Alterations to the Surrounding Open, Park-Like Setting of the Property at 828 Sanatorium Road and 870 Scenic Drive, Hamilton (Mountain Sanatorium Brow Site) (Ward 14) (by-law No. 21-036) (Item 9.2 (e))
- (iii) Heritage Permit Review Sub-Committee Minutes (September 19, 2023)
(Item 9.3)

Due to a declared conflict, Item 9.2 (e) was voted on separately, with A. Denham-Robinson abstaining

- (ii) Delegated Approval: Heritage Permit Applications (Item 9.2)
 - (e) Heritage Permit Application HP2023-045: Exterior Alterations to the Long & Bisby Building and Landscape Alterations to the Surrounding Open, Park-Like Setting of the Property at 828 Sanatorium Road and 870 Scenic Drive, Hamilton (Mountain Sanatorium Brow Site) (Ward 14) (by-law No. 21-036) (Item 9.2 (e))

Balance of the Consent Items were received.

(i) DISCUSSION ITEMS (Item 10)

(i) Notice of Intention to Demolish the Building Located at 309 James Street North, Hamilton, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23225) (Ward 2)

A. Denham-Robinson relinquished the Chair to G. Carroll, and abstained from voting on this matter, due to Conflict of Interest

For disposition of this matter, refer to Item 3.

A. Denham-Robinson assumed the Chair.

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

(i) Buildings and Landscapes (Item 13.1)

Committee members provided brief updates on properties of interest.

The property located at 77 King Street West, Battlefield House NHS (D), was removed from the Buildings and Landscapes of Interest (YELLOW) listing.

The property located at 56 Charlton Avenue West, Former Charlton Hall (D), was removed from the Buildings and Landscapes of Interest (YELLOW) listing.

The following updates, were 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)

Ancaster

- (i) 372 Butter Road West, Andrew Sloss House (D) – K. Burke
- (ii) 1021 Garner Road East, Lampman House (D) – K. Burke
- (iii) 398 Wilson Street East, Marr House (D) – K. Burke

Dundas

- (iv) 2 Hatt Street (R) – K. Burke
- (v) 216 Hatt Street (I) – K. Burke
- (vi) 215 King Street West (R) – K. Burke
- (vii) 219 King Street West (R) – K. Burke
- (viii) 6 Tally Ho Drive, Dundas (I) – K. Burke

Glanbrook

- (viii) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (ix) 80-92 Barton Street East, Former Hanrahan Hotel (R) – T. Ritchie
- (x) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xi) 66-68 Charlton Avenue West (D) – J. Brown
- (xii) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – R. McKee
- (xiii) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (xiv) 127 Hughson Street North, Firth Brothers Building (D) – T. Ritchie
- (xv) 163 Jackson Street West, Pinehurst / Television City (D) – J. Brown
- (xvi) 108 James Street North, Tivoli (D) – T. Ritchie
- (xvii) 98 James Street South, Former James Street Baptist Church (D) – J. Brown
- (xviii) 18-22 King Street East, Gore Buildings (D) – W. Rosart

- (xix) 24-28 King Street East, Gore Buildings (D) – W. Rosart
- (xx) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (xxi) 378 Main Street East, Cathedral Boys School (R) – T. Ritchie
- (xxii) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (xxiii) 120 Park Street North (R) – R. McKee
- (xxiv) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (xxv) 100 West 5th Street, Century Manor (D) – G. Carroll

- (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)

Dundas

- (i) 64 Hatt Street, Former Valley City Manufacturing (R) – K. Burke
- (ii) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (iii) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (iv) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (v) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – W. Rosart

Flamborough

- (vi) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (vii) 62 6th Concession East, Hewick House (I) – L. Lunsted

Hamilton

- (viii) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – T. Ritchie
- (ix) 384 Barton Street East, St. Paul's Ecumenical Church (D) – T. Ritchie
- (x) 134 Cannon Street East, Cannon Knitting Mill (R) – T. Ritchie
- (xi) 52 Charlton Avenue West, Former Charlton Hall (D) – J. Brown
- (xii) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (xiii) 54-56 Hess Street South (NOID) – J. Brown
- (xiv) 1000 Main Street East, Dunnington-Grubb Gardens / Gage Park (R) – G. Carroll
- (xv) 1284 Main Street East, Delta High School (D) – G. Carroll

- (xvi) 1 Main Street West, Former BMO / Gowlings (D) – W. Rosart
- (xvii) 311 Rymal Road East (R) – G. Carroll
- (xviii) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (xix) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (xx) 84 York Boulevard, Philpott Church (R) – G. Carroll
- (xxi) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xxii) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (xxiii) 4 Turner Avenue, Hamilton (R) – J. Brown
- (xxiv) 420 King St E, St. Patrick Roman Catholic Church (I) – W. Rosart

Stoney Creek

- (xxv) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

- (c) Heritage Properties Update (GREEN):
(Green = Properties whose status is stable)

Dundas

- (i) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (ii) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (iii) 88 Fennell Avenue West, Auchmar (D) – R. McKee
- (iv) 125 King Street East, Norwich Apartments (R) – T. Ritchie
- (v) 206 Main Street West, Arlo House (R) – J. Brown
- (vi) 50-54 Sanders Boulevard, Binkley Property (R) – J. Brown

- (d) Heritage Properties Update (BLACK):
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (i) 442, 450 and 452 Wilson Street East (R) – K. Burke

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated, (NHS) National Historic Site

(ii) Cultural Heritage Planning Staff Update (Item 13.2)

Alissa Golden, Program Lead, provided the Committee with a verbal update, respecting departmental staffing changes.

The verbal update respecting departmental staffing changes, was received.

(k) ADJOURNMENT (Item 15)

There being no further business, the Hamilton Municipal Heritage Committee adjourned at 4:18 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Aleah Whalen
Legislative Coordinator
Office of the City Clerk

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND
DESCRIPTION OF HERITAGE ATTRIBUTES**

Description of Property

The 0.17-hectare property at 7 Ravenscliffe Avenue is comprised of a two-and-one-half-storey stucco-clad brick residence constructed circa 1911, located in the Durand neighbourhood of the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the property lies in its design value as a representative example of residential Italian Renaissance Revival architectural style in Hamilton, as demonstrated by its low hipped roof with red clay tiles, stucco façade, paired bracketed eaves, balconets, belt course, pilasters, and Tuscan columns. The property displays a high degree of craftsmanship as demonstrated by the interior wood and plaster features in the front foyer, library, and first and second storey staircase, and the exterior features including the moulded entablature, double bracketed eaves, and Tuscan columns.

The historical value of the property lies in its direct association with Harry Blois Witton (1865-1927), the original owner of the building. Witton worked as a lawyer in Hamilton for 11 years before he was named the vice-president of Tuckett Tobacco Company Ltd. In 1896, and president in 1915. Witton also served on the Hamilton City Council from 1911-1927, and the Board of Education’s appointment to the Library Board. Additionally, the historical value of the property also lies in its direct association with the prominent Hamilton architectural firm of Stewart & Witton, which was operated by Walter Stewart (1871-1917) and William Witton (1871-1947), Harry Blois Witton’s brother, from 1904-1917. The pair designed a number of recognizable residential and institutional buildings in Hamilton, including 6 Ravenscliffe Avenue, Herkimer Apartments, King George Public School, and St. Giles Presbyterian Church.

The contextual value of the property lies in its role in defining the historic character of Ravenscliffe Avenue and the Durand neighbourhood. The building is visually and historically linked to its surroundings as part of the surviving late-nineteenth to early-twentieth century residential streetscape that makes up one of Hamilton’s most prominent and distinguished neighbourhoods.

Description of Heritage Attributes

The key attributes that embody the cultural heritage value of the property as a representative example of the Italian Renaissance Revival style of architecture, with a high degree of craftsmanship, and its historical association with previous owner Harry Blois Witton and architectural firm of Stewart & Witton include:

- All four elevations and roofline of the two-and-one-half storey stucco-clad brick structure including its:
 - Front hipped roof with flanking projecting bays with its:
 - Flanking stucco-clad decorative chimneys;
 - Red clay tiles;
 - Two hipped-roof front dormers;
 - Entablature with modillioned eaves cornice, carved soffit, moulded frieze and architrave, with paired carved brackets;
 - Smooth stucco façades;
 - Flat-headed window openings with one-over-one hung wood windows and storms and plain lug sills;
 - Belt course between the first and second storeys;
 - Five-bay front (west) elevation with its:
 - Flanking balconets in the outer second-storey projecting bays with wrought-iron railings, corbels beneath and decorative keystones in the window below;
 - Central entrance with enclosed portico, plain architrave and pilasters, balcony with balustrades, and arched entryway with French doors;
 - Covered porch in the side (south) elevation with entablature, pilasters, and Tuscan columns;
 - Decorative copper downspouts; and,
 - Coal chutes in the side (north) elevation.
- The interior and original first and second storey features, including the:
 - Front foyer with its segmentally arched front entry way with double doors with wood carved leaf and acorn design, wood paneled walls with carved wood pilasters and double brackets, and cross vaulted ceiling;
 - First-floor library with its ornately decorated plaster ceiling with plaster rosettes, wood carved crown moulding and dentils, wood paneled walls

with built in shelves, fluted square wood columns with Ionic capitals, and fireplace with moulded wood and marble detailing;

- Oval shaped dining room with its ornately decorated plaster ceiling with wood carved crown moulding and dentils, curved wood paneling and curved wood doors; and,
- First and second storey main staircase with carved wood handrail and newel post, carved wood paneling, and alcove with carved wood keystone, fluted pilasters, and fluted Tuscan columns.

The key attributes that embody the contextual value of the property as a defining feature of the historical character of Ravenscliffe Avenue and the Durand neighbourhood include its:

- Moderate setback from Ravenscliffe Avenue with grassed lawn and central walkway to the front entrance.



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	October 20, 2023
SUBJECT/REPORT NO:	Heritage Permit Application HP2023-036, Under Sections 33 and 34 of the <i>Ontario Heritage Act</i> , for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4)
WARD(S) AFFECTED:	Ward 4
PREPARED BY:	Emily Bent (905) 546-2424 Ext. 6663
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That Heritage Permit Application HP2023-036 for the adaptive reuse of the former Delta Secondary School Building (circa 1924), removal of the rear additions (circa 1948-1950), construction of new four storey rear additions and modifications to the landscape at 1284 Main Street East, Hamilton, under Sections 33 and 34 of the *Ontario Heritage Act*, be **refused**.

EXECUTIVE SUMMARY

This Report recommends refusal of Heritage Permit Application HP2023-036, for the adaptative reuse and rehabilitation of the former Delta Secondary School (circa 1924), removal of the rear additions (circa 1948-50), construction of new four-storey rear additions and modification of the landscape to facilitate new residential development at 1284 Main Street East, Hamilton (see Appendix "A" attached to Report PED23224).

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The subject property is designated under Part IV of the *Ontario Heritage Act* by By-law No. 14-077 (see Appendix "B" attached to Report PED23224).

The Heritage Permit Application was submitted in conjunction with *Planning Act* applications for redevelopment of the subject property, including Urban Hamilton Official Plan Amendment Application UHOPA-23-006 and Zoning By-law Amendment Application ZAC-23-012. The Heritage Permit Application was being processed in parallel with the *Planning Act* applications, as they are inter-related and have implications on whether they are supportable from a heritage perspective. However, the *Planning Act* applications were appealed for non-decision to the Ontario Land Tribunal on August 31, 2023.

Staff do not support demolition of a Part IV building without the required policy and zoning by-law amendments in place to facilitate a development proposal, without which would see the demolition completed without a Council approved concept in place. As such, staff recommend that Heritage Permit Application HP2023-036 be refused until such time as the appeal of the related *Planning Act* Applications has been resolved.

Alternatives for Consideration – See Page 12

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The *Ontario Heritage Act* requires that the City make a decision on a Heritage Permit Application 90 days after a Notice of Complete Application is served on the applicant, or after the end of a 60-day period from the day an application is received if it is not deemed complete within that period. The subject Heritage Permit Application HP2023-036 was received on June 29, 2023. A Notice of Complete Application was issued on August 22, 2023.

By-law No. 05-364, as amended by By-law No. 07-322, delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner. However, the delegated powers in Section 1 do not include the power to refuse an application or to approve an application under Section 34(1)1 to demolish or remove any of the property's heritage attributes. The subject application includes scopes of work under Section 33 (alteration of property) and Section 34 (demolition or

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removal) of the *Ontario Heritage Act* and will therefore require a decision of Council, as advised by the Hamilton Municipal Heritage Committee. As per Section 34(4.2), the notice of Council's decision will be required to be served on the owner of the property, the Ontario Heritage Trust and shall be published in a newspaper having general circulation in the municipality. If Council consents to the application subject to terms or conditions, or refuses the application, the owner of the property may appeal Council's decision to the Ontario Land Tribunal within 30 days of receiving notice of Council's decision.

HISTORICAL BACKGROUND

The subject property located at 1284 Main Street East, Hamilton (see Appendix "A" attached to Report PED23224) was designated under Part IV of the *Ontario Heritage Act* in 2014 by By-law No. 14-077 (see Appendix "B" attached to Report PED23224). The Heritage Attributes identified in the designation By-law include the exterior of the original 1924 Neo-Gothic school building and its rear auditorium, the exterior of the circa 1948-50 rear additions and landscape features, including the open space of the front lawn. Interior features of the circa 1924 building include the front vestibule's doorways and vaulted plaster ceiling, the front lobby's marble floor and baseboard and doorways to the east-west corridor and to the auditorium, all original features of the auditorium, the ramped corridors running along the auditorium's outer east and west walls, the layout of the other corridors and their marble baseboards, the four cast-iron marble stairways with natural light, the fenestration and layout of the room atop the tower (known as the Alumni Room) and its marble staircase, and the pattern of wood trim in the classrooms. The wood-block floors in the woodworking rooms of the southwest wing of the rear addition are also identified as interior Heritage Attributes.

On November 15, 2022, the Heritage Permit Review Subcommittee considered a preliminary proposal to redevelop the subject property as part of a pre-submission discussion. In 2023, the City received Urban Hamilton Official Plan Amendment (UHOPA-23-006) and Zoning By-law Amendment (ZAC-23-012) applications for residential redevelopment of the subject property, which includes the rehabilitation of the original 1924 school building and its adaptation for residential uses. The proposal contemplates the removal of the designated 1949-1950 rear additions to integrate residential towers into the rear of the original 1924 building connected by new four storey rear additions, as well as the introduction of townhouses on the perimeter of the site fronting onto Graham Avenue South, Maple Avenue and Wexford Avenue South.

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The subject Heritage Permit Application HP2023-036 was received on June 29, 2023, including a supporting Cultural Heritage Impact Assessment and Heritage Permit Review Subcommittee presentation slides prepared by ERA Architects (attached as Appendix “C” and “D” to Report PED23224). Further to the submitted materials, Cultural Heritage staff and ERA agreed that the Urban Design Brief and Planning Justification Report (attached as Appendix “E” and “F” to Report PED23224) that accompanied the Urban Hamilton Official Plan and Zoning By-law Amendment applications should also be included in the materials circulated to Heritage Permit Review Subcommittee members ahead of the meeting. A Notice of Complete Application was issued on August 22, 2023.

The Heritage Permit Review Subcommittee of the Hamilton Municipal Heritage Committee reviewed the subject application at their meeting on August 29, 2023. After a presentation and question and answer period with the applicant’s agent and consultant, the Heritage Permit Review Subcommittee passed a motion by a vote of 5-3, recommending conditional approval of the Heritage Permit Application. The Heritage Permit Review Subcommittee members noted that a future Conservation Strategy should include details for interim protection, mothballing and stabilization of the original 1924 building following demolition of the 1948-1950 additions designed by renowned Hamilton architects Prack & Prack (see Analysis and Rationale Section). While the Subcommittee voted to approve the Heritage Permit, those who abstained did not want to see the Prack & Prack additions removed.

The related *Planning Act* applications for redevelopment of the subject property were appealed to the Ontario Land Tribunal for non-decision on August 31, 2023.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

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

- Ensuring significant built heritage resources are conserved (*Provincial Policy Statement*, 2020, Sub-section 2.6.1);
- Protecting and conserving the tangible cultural heritage resources of the City, including built heritage resources for present and future generations (Urban Hamilton Official Plan, Volume 1, Chapter B, 3.4.2.1(a)); and,
- Encouraging the retention and conservation of significant built heritage resources in their original locations when considering *Planning Act* applications and heritage permit applications under the *Ontario Heritage Act* (Urban Hamilton Official Plan, Volume 1, Chapter B, 3.4.5.2).

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RELEVANT CONSULTATION

External

- Heritage Permit Review Subcommittee of the Hamilton Municipal Heritage Committee; and,
- Property owner/applicant.

Internal

- Corporate Services Department, Legal Services Division, Legal and Risk Management Services; and,
- Ward 4 Councillor.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The subject Heritage Permit Application HP2023-036 is for the adaptive reuse of the former Delta Secondary School Building (circa 1924), removal of the rear additions (circa 1948-1950), construction of new four-storey rear additions and modifications to the landscape at 1284 Main Street East, Hamilton, a Part IV designated property. The subject Heritage Permit Application HP2023-036 is required to implement redevelopment of the subject site proposed as part of the related *Planning Act* applications (see Historical Background Section). In support of the Heritage Permit Application, the following documents were submitted:

- Completed Heritage Permit Application Form, dated June 29, 2023;
- Cultural Heritage Impact Assessment, prepared by ERA Architects on June 19, 2023 and revised August 1, 2023, attached as Appendix “C” to Report PED23224;
- Heritage Permit Review Subcommittee Presentation Slides, prepared by ERA Architects on August 15, 2023 and revised August 29, 2023;
- Urban Design Brief, prepared by Whitehouse Urban Design dated November 2022; and,
- Planning Justification Report prepared by GSP Group dated December 2022.

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Staff reviewed the subject application and supporting materials and determined that the proposal is requesting Heritage Permit approval for the following scope of work under Sections 33 and 34 of the *Ontario Heritage Act*:

1. Retention of the original 1924 school building and its adaptation for residential use, including:
 - a. Rehabilitation and renovation of the doors, windows, masonry and roof of the exterior of the building, including:
 - i. Rehabilitation and reglazing the original main entrance and lobby doors, transoms, and associated hardware, and refinishing wood;
 - ii. Removal of all contemporary windows and replacement with new wood sash windows, similar to original design;
 - iii. Removal of the contemporary steel doors on east and west elevations and replacement with new glazed wood doors, similar to original designs;
 - iv. Introduction of new metal windows in the existing infilled openings, similar to original design (courtyard facing clerestory windows in auditorium that have been bricked in);
 - v. Removal of the contemporary steel windows and replacement with new metal windows, similar to original design (courtyard facing steel windows and tower [alumni room] windows);
 - vi. Masonry cleaning to address areas of soiling, staining, paint, efflorescence and algae;
 - vii. Masonry repointing, including selective repair of damaged, chipped, spalled, or cracked bricks, full repoint mortar joints (at base of all exterior walls, all exterior steps), and selective repointing mortar joints, where required;
 - viii. Rebuilding of masonry at areas of where demolition of the rear wings will occur and in areas with mismatched bricks (courtyard walls) with salvaged bricks;
 - ix. Repair of cracked, spalled, and delaminated stone units;
 - x. Repair of areas of spalled, damaged, or cracked stucco finish;
 - xi. Rehabilitation of metal work, including stripping paint, removing rust and repainting (handrails, gate);
 - xii. Replacement of all raingear, eaves and downspouts with new prefinished metal;
 - xiii. Installation of new metal flashings at copings, reglets, eaves, roofs, cornices and other projections;

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- xiv. Replacement of the existing pitched roof membrane above the auditorium with a new standing seam metal roof;
 - xv. Repair of the existing concrete roof decks, as required;
 - xvi. Replacement of the existing flat roof membrane, in kind;
 - xvii. Restoration of the original exterior light fixtures at the main entrance;
 - xviii. Introduction of new exterior lighting fixtures; and,
 - xix. Introduction of new bird deterrence protection on all exterior projections (entrance portal).
- b. Rehabilitation and renovation of the interior of the building, including:
- i. Rehabilitation of the interior stairwells, including:
 - Striping, rust removal and repainting of the existing metal balustrade pickets, newel posts and stringers;
 - Striping and repainting existing wood handrails;
 - Introducing a new solid metal rod above existing handrails to meet building code height requirements;
 - ii. Introduction of privacy glazing at stairwell windows facing residential suites;
 - iii. Restoration of plaster ceilings and wall elements in the lobby and alumni [tower] rooms;
 - iv. Renovations to the auditorium, including:
 - Rehabilitation of the stage proscenium's decorative arched opening and surround, mezzanine and seating areas;
 - Conservation of the decorative plaster ceilings and mouldings;
 - Installation of a new floating floor system above the existing sloped floor, to be installed in a reversible manner;
 - Removal and salvaging of the existing wood doors and casings and modification of the openings to suit the new floor level;
 - v. Modification of the room layouts, including removal of and salvaging of wood baseboards, trim, moulding for use in repairs and fabrication of new matching trim where needed.
2. Removal of the 1948-1950 rear additions, including:

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- c. Dismantling and salvaging of bricks from façades to be demolished in sufficient quantity to facilitate conservation work of retained 1924 portion; and,
 - d. Panelize and salvaging of the wood block floor from the woodworking shop for future interpretive reuse;
2. Reduction of the rear yard open space to two publicly-accessible parkettes at the southeast and southwest corners to accommodate the construction of new townhouses and residential towers, including the retention and integration of the arched canopy at the northwest corner of Graham Avenue South and Maple Avenue;
 3. Construction of two new rear east and west wings to be attached to the rear of the 1924 building by contemporary four storey connections; and,
 4. Removal of the side yard surface parking to allow for construction of new townhomes and additional grassed open space, to enhance views to the east and west side façades of the 1924 building.

Recommendation for Refusal

As mentioned, Heritage Permit Application HP2023-036 was submitted in conjunction with *Planning Act* applications for redevelopment of the subject property, including Urban Hamilton Official Plan Amendment Application UHOPA-23-006 and Zoning By-law Amendment Application ZAC-23-012. The intention was for the Heritage Permit to be processed in parallel with the related development applications to ensure that the overall proposal was supportable from a heritage perspective.

However, given that both *Planning Act* applications were appealed for non-decision to the Ontario Land Tribunal on August 31, 2023, and that these applications were intended to facilitate the proposal for Heritage Permit Application HP2023-036, processing the Heritage Permit Application at this time is now considered to be premature. Staff do not support the demolition of this Part IV building without the required policy and zoning amendments in place. As such, staff recommend that Heritage Permit Application HP2023-036 be refused, until such time as the appeal of the related *Planning Act* Applications has been resolved.

Analysis of Alternative for Consideration: Approval of the Heritage Permit Application with Conditions

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Should the alternative to approve the Heritage Permit Application with conditions be considered, the following provides an analysis of that alternative (see Alternatives for Consideration on Page 12 of Report PED23224).

Key factors that are considered in the evaluation of any changes affecting a heritage resource are:

- 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 the heritage feature.

Adaptive Reuse of the 1924 Building and New Rear Connections

Minimal displacement effects are expected for the 1924 school building, designed by distinguished Hamilton architects Gordon Hutton and William Souter, which will be retained in-situ. Given the existence of the 1948 rear additions, portions of the south façades of the original 1924 building have already been removed to facilitate the previous extension, and the proposal contemplates a connection to the 1924 building using the existing openings. The proposal maintains all of the exterior heritage attributes, proposing to repair features that are in disrepair, to make in-kind replacements for existing metal windows, and to replace less sympathetic windows and doors with new wood windows and doors. Interior features requiring rehabilitation, such as plaster ceilings, are proposed to be restored. Although modifications are proposed to the auditorium's heritage attributes, such as the installation of a new floating floor, these modifications will be made in a manner that is reversible. Cultural Heritage Staff are supportive of this approach given that these interventions will allow for the auditorium to be adaptively reused as an amenity space and that the interventions could be reversed in the future.

The construction of the two new four-storey rear east and west wings propose similar footprints and siting as the existing 1948-1950 rear additions. The Cultural Heritage Impact Assessment notes that a contemporary and sympathetic interface is proposed between the retained 1924 school building and the new additions, including a material palette of predominately dark grey aluminum and glass that is set back from the east and west elevations of the original building to maintain its legibility. The new additions will function as four storey podiums for the proposed towers. The four storey additions are intended to be clad in sympathetic masonry, with window openings and datum lines that respond to the fenestration patterns and height of the retained 1924 building. The Cultural Heritage Impact Assessment also notes that the design of the towers above the

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podium have not been finalized and that compatibility with the retained 1924 building will be prioritized. Therefore, the contemporary integration of the two new wings with the original 1924 building, together with a sympathetic four storey podium, attempts to minimize disruption effects on the retained heritage attributes and achieve a balance of the proposal's intensification and heritage objectives. Staff are supportive of the consultant's approach to further revise the design of the towers and encourage a sympathetic materiality and fenestration pattern.

Removal of the 1948-1950 rear additions

The removal of the 1948-1950 additions will result in the permanent loss of all listed heritage attributes of the portion of the building designed by renowned Hamilton architects Prack & Prack. The Conservation Strategy in the Cultural Heritage Impact Assessment notes that "good quality bricks from the façades to be demolished in sufficient quantity" will be dismantled and salvaged to facilitate the conservation work on the retained 1924 structure. Further, the woodblock floor will be panelized and salvaged for future interpretative reuse, details of which will be included in the forthcoming Conservation Plan.

The removal of the 1940-1950 additions will result in the ultimate displacement effect, permanent loss of identified heritage attributes. It is staff's understanding that the removal of these additions is the only way to facilitate the quantity of below grade parking identified for the residential intensification proposal, as per the supporting documentation from the applicant. In the Cultural Heritage Impact Assessment, ERA notes that it is their professional opinion that "the additions designed for Delta Collegiate do not exemplify the quality of [Prack & Prack's] work to the extent that they must be retained," supporting their recommendation to remove the 1948-1950 additions. Staff acknowledge the attempt to balance residential intensification of a site with access to transit, while adaptively reusing and rehabilitating an underutilized heritage resource. Ultimately, while Cultural Heritage staff are of the opinion that a proposal to adaptively reuse the existing buildings without any demolition would also add residential density to the site while maintaining the integrity of the Prack & Prack additions, staff recognize that striking a balance between the planning rationale for the related development applications with the desire to retain the on-site cultural heritage resource requires a compromise. However, staff respectfully disagree with the assessment of the 1948-1950 additions designed by Prack & Prack within the Cultural Heritage Impact Assessment.

During its consideration of Heritage Permit HP2023-036, the Heritage Permit Review Subcommittee raised concerns regarding the temporary hoarding measures to seal the

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building once demolition of the 1948-1950 additions were removed. Proposed Condition (i) identified in the Alternatives for Consideration Section of Report PED23224 would address those concerns by requiring a fulsome Conservation Plan be submitted to the satisfaction of staff. Further, Condition (ii) requires securities prior to issuance of a demolition permit for the 1948-1950 additions, ensuring that the City will have the finances to administer the recommended conservation measures outlined in the forthcoming Conservation Plan should the owner fail to complete the required works.

Modifications to the Landscape

The front lawn open space will be fully retained to preserve the siting of the existing 1924 building and its relationship to the street, thereby mitigating any disruption effects from the public realm along Main Street East. Further, portions of the protected open space in the westerly and easterly side yards that are currently being used as parking lots will be grassed, with a subset of the protected side yards removed to facilitate the proposed development. Given that this intervention will eliminate the existing paved areas and increase the grassed open space connected to the front law, staff consider this disruption effect to be minimal.

Regarding the rear yard open space, a listed heritage attribute, displacement effects are intended to be minimized by the preservation of publicly-accessible space in the form of two parkettes at the southeast and southwest corners of the site, as well as retaining the arched canopy at the northwest corner of Graham Avenue South and Maple Avenue. As part of the Cultural Heritage Impact Assessment, ERA performed a cultural heritage evaluation using *Ontario Regulation 9/06* to use their own professional opinion to evaluate the site's heritage attributes, with their findings pointing to a lack of perceived heritage value in the publicly accessible open space in the rear yard. While Cultural Heritage staff disagree with this evaluation, upholding the list of attributes in the 2014 designation by-law, given the nuance of this application, the removal of parking lots to be partially returned to greenspace in the side yards as well as the proposed outdoor amenity space at the centre of the site, staff are supportive of the proposal.

Disruption effects are intended to be minimized through the proposed publicly accessible parkettes which will preserve the existing landscaped access to the site from the southeast and southwest corners. While the proposed townhouses will replace the previous open space used by the public, their low-rise form and sympathetic materials provide an appropriate transition to the surrounding neighbourhood, thereby minimizing impacts to the retained 1924 building, its grounds and neighbouring heritage resources.

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Portions of the protected open space in the westerly and easterly side yards that are currently used for parking lots will be grassed, which will increase greenspace on the site and the connection from the side yards to the front lawn along Main Street East.

Other portions of the side yards used for parking will be removed and replaced with the new four storey podiums. Given that the areas for the new podiums are not removing existing landscaping and the proposal for the new wings and additional landscaping is sympathetic to the retained 1924 building, staff consider the disruption and displacement effects of this intervention to be minimal.

Conclusion of Analysis of Alternative for Consideration

Should the alternative to approve the Heritage Permit Application subject to conditions be considered, staff proposed conditions of the approval to ensure that the outstanding concerns of staff and the Heritage Permit Review Subcommittee are addressed, as identified in Conditions (i) through (iii) in the Alternatives for Consideration Section of this Report. Condition (i) would ensure that a Conservation Strategy is prepared to the satisfaction of staff prior to the application for any building permits. Further, Condition (ii) would allow for the taking of securities for the proposed conservation works prior to the issuance of any building permits. The proposed conditions for the alternative for consideration also include the standard Heritage Permit Conditions (iv) through (vi), that would allow for any minor changes to be submitted through staff for approval, would have the permit expire if a building permit for demolition is not issued and acted upon within two years, and would allow for the extension of the conditional approval of the permit if requested before it expires, at the discretion of the Director of Planning and Chief Planner. The additional recommendations would ensure that the Director of Planning and Chief Planner has the authority to enter into the necessary agreements to implement the conditions of Heritage Permit approval.

ALTERNATIVES FOR CONSIDERATION

- **Recommend Approval of the Heritage Permit with Conditions**

The Hamilton Municipal Heritage Committee may recommend that Council approve the Heritage Permit Application, subject to conditions of approval. Staff do not recommend this alternative because the related *Planning Act* applications for this proposal have been appealed to the Ontario Land Tribunal for non-decision. Should this alternative be considered, staff propose the following recommendations and conditions of approval to address the outstanding concerns

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raised by staff in the analysis of alternatives above and by the Heritage Permit Review Subcommittee:

RECOMMENDATIONS

- (a) That Heritage Permit Application HP2023-036, under Sections 33 and 34 of the *Ontario Heritage Act*, for the adaptive reuse of the former Delta Secondary School Building (circa 1924), removal of the rear additions (circa 1948-1950), construction of new four storey rear additions and modifications to the landscape at 1284 Main Street East, Hamilton, be **approved** in accordance with the submitted Heritage Permit Application, subject to the following conditions:
 - (i) That a Conservation Strategy prepared in accordance with the recommendations of the Cultural Heritage Impact Assessment prepared by ERA Architects, dated August 1, 2023, including a Conservation Plan, Interpretation Plan, Documentation and Salvage Report and Heritage Lighting Plan, be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to implementation of any of the related conservation measures or the application of any related Building Permit Application;
 - (ii) That the following conditions with respect to cost estimates and security shall be satisfied prior to the issuance of a Building Permit to demolish the circa 1948-1950 rear additions:
 - (1) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained circa 1924 building, the cost of monitoring and security for a period of four years and the total cost of restoration work and conservation measures 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;

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SUBJECT: Heritage Permit Application HP2023-036, Under Sections 33 and 34 of the Ontario Heritage Act, for the Adaptive Reuse of the Former Delta Secondary School Building (circa 1924), Removal of the Rear Additions (circa 1948-1950), Construction of New Four-Storey Rear Additions and Modifications to the Landscape at 1284 Main Street East, Hamilton (PED23224) (Ward 4) - Page 14 of 16

- (2) The applicant shall calculate the lump sum security payment satisfactory to the City Solicitor for works to the satisfaction of the 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 1284 Main Street East, Hamilton, changes at any time, until the completion of the required site development works in conformity with this Heritage Permit, and 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 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.

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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 shall provide the City with copies of any monitoring reports of the original 1924 building prepared in accordance with the Conservation Plan required as per Condition (a)(i), 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;
- (iv) 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;
- (v) That should a Building Permit for the demolition of the 1948-1950 additions, in accordance with this approval, not be obtained and acted upon by November 30, 2025, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (vi) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in Condition (v) of this approval, if that request is submitted prior to the expiry and if progress is being made; and,
- (vii) That the owner receives approval of an Official Plan Amendment, Zoning By-law Amendment and Site Plan Control Application, and any other required *Planning Act* applications, for the redevelopment of 1284 Main Street East prior to the issuance of a Building Permit to demolish the circa 1948-1950 rear additions.

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- (b) That the Director of Planning and Chief Planner be authorized to execute an Agreement with the owner(s) of 1284 Main Street East, Hamilton, 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 PED23224;
 - (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 PED23224; and,
 - (d) That staff be directed to amend Designation By-law No. 14-077, being a by-law to designate 1284 Main Street East, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with subsection 30.1(2) of the *Ontario Heritage Act*, to update the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, as required, following the implementation of Heritage Permit Application HP2023-036.
- **Recommend Approval of the Heritage Permit with No Conditions**

The Hamilton Municipal Heritage Committee may recommend that Council approve the Heritage Permit Application with no conditions of approval. Staff do not recommend this alternative because the related *Planning Act* applications for this proposal have been appealed to the Ontario Land Tribunal for non-decision and, if approval were contemplated, the conditions outlined in the alternative above would address the outstanding concerns raised by staff and the Heritage Permit Review Subcommittee.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23224 – Location Map
Appendix “B” to Report PED23224 – Designation By-law No. 14-077
Appendix “C” to Report PED23224 – Cultural Heritage Impact Assessment
Appendix “D” to Report PED23224 – Heritage Permit Review Subcommittee Presentation Slides
Appendix “E” to Report PED23224 – Urban Design Brief
Appendix “F” to Report PED23224 – Planning Justification Report

EB:sd