



November 13, 2023

ATTN: Alissa Golden, MCIP, RPP
Cultural Heritage Planning Lead
City of Hamilton
71 Main St W, Hamilton, ON L8P 4Y5

RE: **Alternative to Designation of 84 York Boulevard, Hamilton**

On behalf of HC EC 89 Park LP (Empire Communities and Hamilton Coliseum Place) and in conjunction with Philpott Church, Armstrong Planning & Project Management is submitting this cover letter to provide an alternative to the designation of 84 York Boulevard, Hamilton. 84 York Boulevard is currently the home of Philpott Memorial Church, a Listed Property on the City of Hamilton's Municipal Heritage Register and 89 Park Street North serves as the church's parking lot. It is our understanding that the Hamilton Municipal Heritage Committee will consider a designation of the property at an upcoming meeting. While the property meets several criteria for determining cultural heritage value or interest, after a number of in-depth studies by a variety of experts, it is our belief that re-using the building in its current or modified form is not possible. Due to the condition of the building, we strongly encourage the Hamilton Municipal Heritage Committee to consider protecting important heritage attributes through a Heritage Conservation Easement in lieu of designation. A Cultural Heritage Impact Assessment (CHIA), prepared by MHBC Planning, has been provided with this submission.

The Philpott Memorial Church has been located at 84 York Boulevard for over 120 years. Through several studies, the congregation determined that the current building has several physical deficiencies requiring significant capital investment; as a result, they felt they had no choice but to begin the search for another home. A new church building was identified as being able to better serve the congregation long-term and a decision was made to sell the property. The sale is scheduled to close in September 2024. HC EC 89 Park LP is the purchaser of the property and intends to redevelop the property with a mixed-use development.

Empire Communities is based in the Greater Toronto and Hamilton Area and has been developing communities for over 30 years. Developments range from low-rise master planned communities to high-rise developments. High-rise and mid-rise projects under development in the City of Toronto include Maverick (King Street), Maven (Avenue Road), and Phoenix (Manitoba Avenue). Empire has also developed a number of low-rise communities in suburban Hamilton over the last 20 years and is hoping to build its first high-rise project in the City of Hamilton at 84 York Boulevard.

Preliminary Site Investigations

Empire has previously developed on sites with existing listed and designated structures, thoughtfully incorporating them into final site and building design; as such they recognized that a pivotal component of preliminary site design is to better understand the structural integrity of the existing church. It was their initial intent to reuse and incorporate parts of the structure into a final redevelopment plan for the site. As such, several subject matter experts (materials, heritage, and structural) were retained to review the existing structure to determine if either full or partial retention as part of a redevelopment was possible.

Jablonsky, Ast and Partners prepared a *Condition Assessment of Existing Structure* Report, which is summarized below and built on the work of other subject matter experts. The original buildings, constructed in 1901 and 1906 with brick, were covered with a cement-based mortar in 1952 likely due to the poor quality of the masonry. The cement-based mortar was adhered to the brick using steel mesh and nails. Overtime, moisture was trapped within the porous brick and the less porous cement-based mortar causing the nails and steel mesh to rust, which further degraded the masonry over the past 70 years. While the façades are in structurally reasonable condition, they are no longer able to perform the function of a durable building envelope and won't hold up over the long term. Therefore, although it was initially part of the redevelopment plan, full or partial retention of the building and integration with the proposed development is not feasible. Ultimately, the Report recommends the dismantlement of the building and re-use of certain heritage attributes.

Preliminary Proposal

Although the physical structure is unable to be integrated into a new development, our consultant team has recommended the retention of some of the heritage attributes and commemorative features that would highlight the history of the Philpott Memorial Church and its property. The attributes currently proposed to be retained and integrated into the new development include existing columns and stained-glass windows. A preliminary rendering provided below, demonstrates how these features could be integrated into a new development and pay respect to the site's history. Other features to be integrated, as recommended by the CHIA, include the exterior wood double doors, the date stone, and a lunette window.



*Figure 1: Preliminary Rendering of the Interior showing columns and stained-glass windows**

The preliminary proposal also considers how the space can continue to act as a public gathering spot, just as the church does today. The current design includes retail at-grade, possibly as a café, with an outdoor patio at the corner of York Boulevard and Park Street North as demonstrated in the below Figure. Although the current church serves as an important public gathering spot for the downtown community, through the redevelopment of this property, the at-grade retail can animate the street providing more active and accessible uses throughout the year.

The overall intent of the new building is to create a great place for residents and the public to gather. It will help to animate the street directly across from First Ontario Centre and compliment the emerging Entertainment District and investments by the City of Hamilton and Hamilton Urban Precinct Entertainment Group (HUPEG).

* Please note that this is an artist's rendering only and does not necessarily represent the final design; it is intended to provide a thoughtful example of how certain heritage attributes can be re-used within the lobby. It is intended that final design will be reviewed and approved by City Staff through the Site Plan application process.

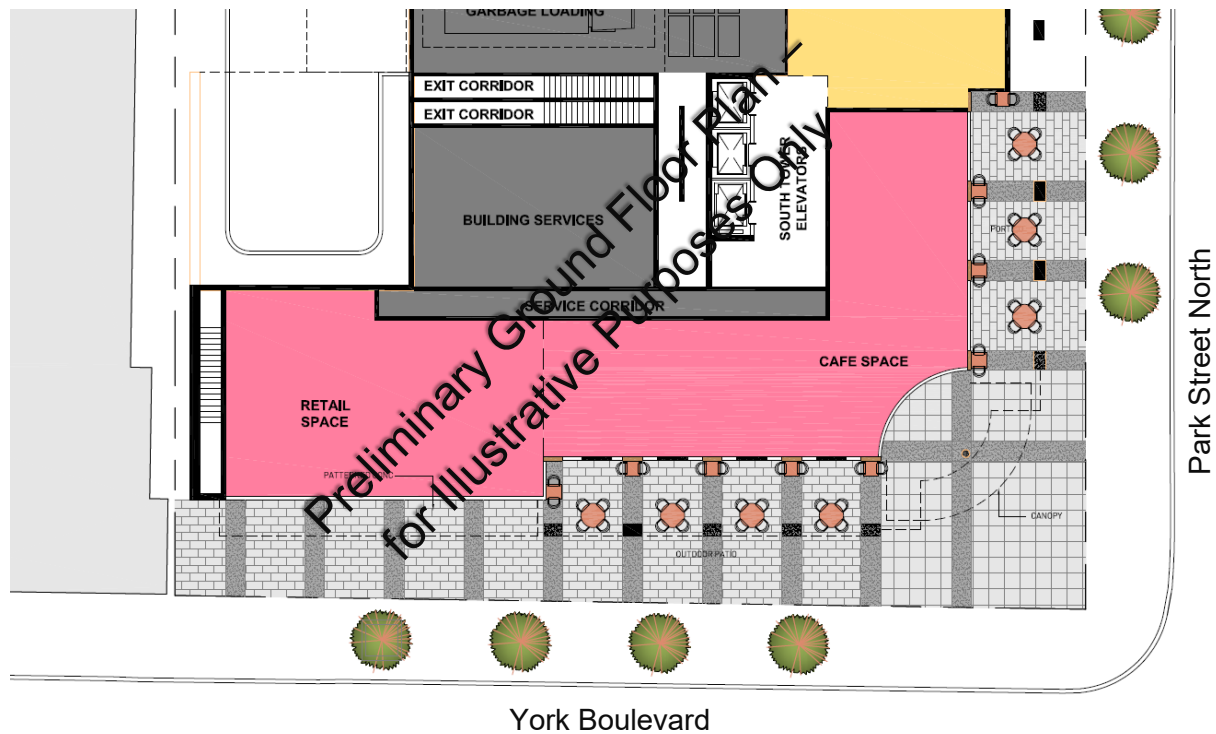


Figure 2: Preliminary Ground Floor Plan²

Policy Analysis

It is the intent of HC EC 89 Park LP to propose a development that meets the in-effect zoning and balance Cultural Heritage policies with the overall goals of the Downtown Hamilton Urban Growth Centre. 84 York Boulevard / 89 Park Street North is within the City of Hamilton's Downtown Urban Growth Centre and designated 'Downtown Mixed Use Area' in the City's Urban Hamilton Official Plan. The designation and in-effect zoning permit a number of uses including retail, restaurants, and multiple dwellings. The Downtown Hamilton Secondary Plan identifies the lands as 'High-rise 2' which permits a maximum height of 30 storeys for the site.

The Downtown Mixed Use Area "shall be designed as a pedestrian focused area with a high level of pedestrian comfort and amenities. Buildings shall generally be situated close to and oriented to the street. Retail buildings shall have store-fronts and other active uses opening onto the sidewalk." (Urban Hamilton Official Plan Policy 4.4.10). Redevelopment of the site provides an opportunity to create more active uses than presently exist which will help animate the street in this important part of the

² Please note that this is a preliminary concept and does not necessarily represent the final design; it is intended to provide a thoughtful example of how the site can be redeveloped to include retail spaces at York Boulevard and Park Street North. It is intended that final design will be reviewed and approved by City Staff through the Site Plan application process.

Downtown. The addition of hundreds of residential units to the site will also contribute to the vibrancy of the emerging Entertainment District.

“Approximately 30% of the City-wide residential intensification over the time period of this Plan, will be accommodated within the Downton Urban Growth Centre” (Hamilton Official Plan Policy 2.3.1.10). A redevelopment of the site will assist the City in meeting this goal. Broadly, the redevelopment will help the City in meeting a number of its policy goals by providing a range and mix of housing types at an appropriate density, in proximity to rapid transit, while animating an important downtown streetscape, and remaining within the height limits established under the Downtown Hamilton Secondary Plan.

With respect to cultural heritage resources, the Downtown Hamilton Secondary Plan (Policy 6.1.11.1 (e)) provides that:

“The City may require that as part of development proposals that cultural heritage resources be retained on-site and incorporated, used or adaptively re-used, as appropriate with the proposed development. Retention and protection of cultural heritage resources on lands subject to development may be a requirement as a condition of development approval. Specifically, heritage easements under subsection 37(1) of the Ontario Heritage Act may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.”

Cultural heritage attributes including the existing columns and stained-glass windows are proposed to be integrated in the future redevelopment. Other attributes, as recommended by the CHIA, will also be integrated as the design of the redevelopment advances. HC EC 89 Park LP is committed to the salvage and re-integration of heritage features and is open to securing these resources through a Heritage Conservation Easement as provided under Policy 6.1.11.1 of the Downtown Hamilton Secondary Plan.

Heritage Conservation Easement

A letter addressed to our office, prepared by Sullivan Mahoney LLP, has been provided to demonstrate how a heritage conservation easement can be used to ensure heritage attributes are protected and integrated in a new development. A recent example from Niagara on the Lake is appended to this letter.

Given the existing condition of the building, we believe a heritage conservation easement is the best option moving forward. It ensures key heritage attributes are protected and preserved for the redevelopment of the subject lands as desired by the city while supporting the efficient use of land and infrastructure, the creation of new homes and improvements to the public realm.

Conclusion

The Downtown Hamilton Secondary Plan (Policy 6.1.1) identifies the vision for Downtown Hamilton as:

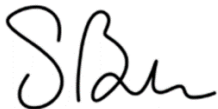
"... a vibrant focus of attraction where all ages, abilities, and incomes can live, work, learn, shop, and play. The future Downtown shall be a healthy, safe, comfortable, accessible, and prosperous community that promotes a high quality of life. It will combine the best of our heritage with new concepts and designs while seamlessly linking together the Downtown, surrounding neighbourhoods, the Waterfront, and the Escarpment."

As identified, HC EC 89 Park LP explored several options for the existing building. Although partial or full retention of the building is not possible, integrating key heritage features into a new development balances the need to protect heritage resources with the City's goals to intensify and rejuvenate the Downtown. These heritage attributes can be protected with a heritage conservation easement. Redevelopment of 84 York Boulevard would incorporate the best of the site's heritage with a new concept and design that contributes to a healthy, safe, comfortable, accessible and prosperous Downtown.

On November 30, 2022, the City of Hamilton and the Hamilton Urban Precinct Entertainment Group (HUPEG) signed a Master Agreement that will result in a multi-million dollar investment in the FirstOntario Centre, The FirstOntario Concert Hall and the Hamilton Convention Centre as well as the development of several underutilized parcels in the Downtown core. One of the intended consequences of the Agreement is to stimulate downtown development. Given the proximity of 84 York Boulevard to the FirstOntario Centre, the site's redevelopment will significantly contribute to the emerging entertainment district while paying respect to the site's past.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Regards,



Scott Borden, RPP

Senior Planner, Project Manager