



Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, ext. 1288
Fax: 905-540-5611

December 21, 2023

File: HP2023-057

Michael Clarke
35 Duke Street
Hamilton, ON
L8P 1X2

**Re: Heritage Permit Application HP2023-057:
Reconstruction of the Rear Contemporary Balcony at 35-43 Duke Street,
Hamilton, Sandyford Place (Ward 2) (By-law No. 75-237)**

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 HP2023-057 is approved for the designated property at 35-43 Duke Street, Hamilton, in accordance with the submitted Heritage Permit application for the following alterations:

- Removal and replacement of the existing contemporary egress balcony and stairs on the rear (south) elevation with a new steel structure with pressure treated timber decking.

Subject to the following conditions:

- a) That the masonry repairs be conducted in accordance with the City's Masonry Restoration Guidelines, to the satisfaction and approval of the Director of Planning and Chief Planner;
- b) 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; and,
- c) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than December 31, 2025. If the alteration(s) are not completed by December 31, 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.

Re: Heritage Permit Application HP2023-057: Reconstruction of the Rear Contemporary Balcony at 35-43 Duke Street, Hamilton, Sandyford Place (Ward 2) (By-law No. 75-237) - Page 2 of 2

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions, please feel free to contact Emily Bent, Cultural Heritage Planner, at 905-546-2424 ext. 6663 or via email at Emily.Bent@hamilton.ca.

Yours truly,



Shannon McKie, MCIP RPP
Acting Director of Planning and Chief Planner

cc: Emily Bent, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Aleah Whalen, Legislative Coordinator
Councillor Kroetsch, Ward 2
Graham Forster, Ontario Heritage Trust