




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

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 25, 2024
<b>SUBJECT/REPORT NO:</b>	Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the <i>Ontario Heritage Act</i> (PED24136) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the City Clerk be directed to give notice of Council's intention to designate 134 Cannon Street East, Hamilton (former Cannon Knitting Mills), shown in Appendix "A" attached to Report PED24136, 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 PED24136, 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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

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## **EXECUTIVE SUMMARY**

This Report recommends designation of the significant built heritage resources located at 134 Cannon Street East, Hamilton, a former industrial complex known as the Cannon Knitting Mills, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register and is a high priority on the City's list of candidates for designation. This recommendation to designate is being prepared in response to a Formal Consultation application (FC-23-101) proposing redevelopment of the property, which includes the demolition of sections of the complex that have been identified as being of cultural heritage value or interest.

Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "B" to Report PED24136. Should the property be designated under the *Ontario Heritage Act*, staff would have long-term, legal protection in place against inappropriate alterations and demolition. Designation would encourage the adaptive reuse of the subject property as the structure would be eligible for development charge exemption as well as the grant and loan programs offered by the City of Hamilton to assist in the conservation, rehabilitation, and restoration of designated heritage properties.

### **Alternatives for Consideration – See Page 10**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

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Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that “is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes” (Sub-section 33(1) of the *Act*).

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

## **HISTORICAL BACKGROUND**

The subject property located at 134 Cannon Street East, Hamilton, shown in Appendix “A” attached to Report PED24136, is comprised of a complex of two-and-one-half-storey to four-storey brick industrial buildings constructed between 1866 and 1927, fronting onto Cannon, Mary, and Kelly Streets. The subject property was first surveyed for potential heritage interest in the 1970s.

In August 2014, staff prepared Report PED14191, which, as part of the Downtown Hamilton Built Heritage Inventory Project, recommended that 134 Cannon Street East be listed on the Municipal Heritage Register and added to staff’s designation workplan for further research and assessment of the property at a later date. The recommendations were approved by City Council as part of Planning Committee Report 14-014 in September 2014.

In 2018 and 2021, Formal Consultation applications (FC-18-058 and FC-21-123) were submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a mix of commercial and residential uses. Cultural Heritage Planning staff commented on the applications and advised that a Cultural Heritage Impact Assessment would be required to review the impacts of the proposal on the heritage resource and recommend measures to mitigate any impacts.

As a result of the recent Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 134 Cannon Street East was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation.

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In August 2023, Formal Consultation application FC-23-101 was submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a small hotel, commercial space, office space and residential towers. Cultural Heritage Planning staff commented on the application and indicated that they had prepared a preliminary cultural heritage evaluation for the subject property using the nine criteria outlined in Ontario Regulation 9/06 and had determined that the property is of sufficient cultural heritage value or interest to warrant designation under Part IV of the *Ontario Heritage Act*.

In a letter dated June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated August 9, 2024, sent via registered mail, staff provided the owner with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting date that the recommendation would be considered.

On October 7, 2024, Staff met with the owner to discuss the staff recommendation to designate the property. The owner expressed some concern with the brick chimneys being included in the Description of Heritage Attributes, as the current development proposal for the site would require them to be removed to facilitate new construction above the existing complex of buildings. As a result of this discussion, staff removed the brick chimneys from the proposed list of heritage attributes. Staff determined that the removal of these chimneys would not compromise the cultural heritage value or interest of the subject property, and that any potential impact of the removal of these chimneys would be studied as part of the Cultural Heritage Impact Assessment which would be required as part of the proposed development of the site.

The owner did not express any other concerns with the staff recommendation to designate. Staff also advised the owner of the financial incentives that would be available to them once the property is designated, to help facilitate the retention and adaptive reuse of the existing heritage structures on site.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendations of this Report are consistent with Provincial and Municipal legislation, policy, and direction, 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);
- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b)); and,

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- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

## **RELEVANT CONSULTATION**

### **External**

- Property Owner.

In addition, Planning staff have emailed the Ward Councillor (Councillor C. Kroetsch) for Ward 2 and provided an overview of the reasons for designation and the process for designating a property.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained. Designated properties are also considered to be “protected heritage property” under the Provincial Policy Statement (2024), which shall be conserved through the *Planning Act* development application process.

Section 29(1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and Contextual Value. The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on August 1, 2024 (see photographs attached as Appendix “C” to Report PED24136) and available secondary and primary research sources (attached as Appendix “D” to Report PED24136). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets eight of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

### **Design / Physical Value**

1. The one-and-a-half-storey to four-storey complex municipally addressed as 134 Cannon Street East, Hamilton, known as the Cannon Knitting Mills, is an industrial complex constructed in stages between circa 1866 and 1927. This complex of connected buildings has design or physical value as it is a rare surviving example in Hamilton of an industrial complex whose evolution over time

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is visible in the distinct styles and periods of its constituent buildings. The property consists of five distinct structures and associated addresses constructed between circa 1866 and 1927:

- **Structure 1 - 130 Mary Street** is a four-storey brick building constructed circa 1866 with a side gable roof. An addition to the original circa 1855 Turnbull foundry, this is now the oldest part of the complex.
- **Structure 2 - 122 Mary Street** is a three-and-a-half-storey brick building constructed circa 1880 with a rounded southwest corner, hip roof and three wooden dormers. It was built to replace the original stone Turnbull foundry constructed circa 1855.
- **Structure 3 - 11 Kelly Street** is a three-storey brick building constructed circa 1910, which occupies the southeastern corner of the property. It connects 122 Mary Street to 134 Cannon Street.
- **Structure 4 - 140 and 146 Mary Street** are two units of a three-storey brick building extending along Mary Street to the corner with Cannon Street East. The southern portion of this building was constructed in 1911 and the northern third completed in 1927. The eastern side of both units is one-and-a-half storeys with a louvred roof.
- **Structure 5 - 134 Cannon Street East** is the northeastern corner of the property, a three-storey brick building constructed in 1920.

2. The property demonstrates a high degree of craftsmanship through the various decorative flourishes that enliven an otherwise utilitarian complex of structures, including:

- 11 Kelly Street has brick pilasters with pointed tops and stone accents, as well as brick relief work between pilasters.
- 122 Mary Street has a rounded southwest corner, decorative wooden brackets under projecting eaves, wide windows with segmental arches that have stone skewbacks, curved wooden cornice with wooden dentils and decorative end brackets, and Corinthian capitals supporting a wooden cornice.
- 130 Mary Street has wide windows with segmental arches that have stone skewbacks and keystones facing onto Cannon Street.
- 146 Mary Street has a shaped parapet to accommodate a louver for ventilation. The central window of the parapet has a semicircular transom under a brick arch with stone keystone and end stones. The central window is flanked on either side by a smaller version of the same design. The windows are recessed to give the impression of pilasters.

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- 134 Cannon Street East has a projecting bay on the first storey, featuring a wooden cornice, brick frieze with stone accents and paired brick pilasters as well as a wooden cornice over the entryway.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

**Historical / Associative Value**

4. The property has historical value due to its long-standing association with two of Hamilton's historic industries - textiles and metalworking, its association with the 1892 Moulders' Union Strike, as well as its association with several prominent Hamilton firms including the: Turnbull's Mary Street Foundry, Hamilton Pottery Company, Brown Boggs Company, Laidlaw Manufacturing Company, and Chipman-Holton Knitting Company.

The Turnbull brothers, William (1815 - 1894) and James (1826 – c.1870) established the Mary Street Foundry on this site circa 1856. This foundry was known for its stoves, wagon boxes, kettles, and farm implements. By the late 1860s, a brick addition to the original stone foundry allowed several other firms to occupy space at the Mary Street property. R. Campbell and Company, which produced enamelware pottery, established themselves on site circa 1866, and would later grow into the leading Hamilton Pottery Company, the largest in Canada, after moving to new premises in 1873. S. J. Moore, a tinsmith, occupied part of the site between 1870 and 1873. This craftsman's workshop would grow into a large toolmaking manufacturer, which is still in business today as the Brown Boggs Company.

By the mid-1870s, the expanding Mary Street Foundry was using the brick addition themselves. In 1874, William Turnbull retired, leaving control of the foundry to his business partner, Adam Laidlaw (1833-1901), who had joined the firm in 1869. Renamed A. Laidlaw and Co., and later the Laidlaw Manufacturing Company, the foundry continued to produce a range of stoves, hot air furnaces, hollow ware, and castings, later expanding to a wide range of heating systems and industrial equipment.

In January of 1892, the owners of Hamilton's foundries announced to the Moulders' Union that they would reduce wages by ten percent, and that any resistance to this decision would result in non-union replacement workers being brought in. As the Moulders' Union was determined to resist any wage cutbacks, 350 union moulders went on strike. The moulders were skilled craftsmen who created the moulds needed to form castings. Without them, the foundries could not produce. Both sides understood what was at stake: for the owners, further

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control over their shops; for the moulders, the preservation of their independence as craftsmen. The Moulders' Strike dragged on for months. The foundries imported strike-breakers from Quebec, the United States, and other part of Ontario. Responses from strikers ranged from financial incentives to leave Hamilton, to jeers and insults and finally to intimidation and violence.

In August 1892, the first crack appeared in the owner's united front. The Laidlaw Manufacturing Company agreed to employ union moulders in their shops - if they agreed to work alongside non-union moulders. Within a week the Moulders' Union was in control, with only union men employed. Unfortunately, this did not translate into a wider victory for the moulders. The strike would last a total of thirteen months before failing in February of 1893. Laidlaw was the only foundry to accept the union's demands. Laidlaw itself would go out of business only a year later in 1894.

For several years the various parts of the building complex were vacant, occasionally being home to short-lived businesses. In 1902, successful nurseryman William Arthur Holton (1863-1941) partnered with brothers Frank (1866-1930) and William (1871- 1922) Chipman, American hosiery investors, to form the Chipman-Holton Knitting Company, which purchased the former Laidlaw foundry and proceeded to convert it into a factory to produce hosiery. Chipman-Holton rapidly expanded their premises through construction between 1902 and 1927. The firm was famous for its line of "Buster Brown" boys' stockings and was reputed as one of the largest hosiery manufacturers in North America.

By the 1950s, changing economic conditions convinced the Chipman-Holton Knitting Company to merge with fellow Hamilton knitting firm Mercury Mills Ltd. The merged company went bankrupt in 1956. The former knitting mill complex was used for a variety of light industry between the 1960s and the early twenty-first century and has been unoccupied since the mid-2000s.

5. The property has the potential to yield information that contributes to the understanding of a community or culture. This property was an industrial site for 150 years, providing employment to generations of nearby residents. As a scene of unrest during Hamilton's labour disputes through the late-nineteenth to the early-twentieth centuries, the property could reveal insights into work culture at foundries and textile mills. A major part of life in the Beasley Neighbourhood, the property is a physical reminder of the neighbourhood's working-class roots, and the property could reveal insights into the lives and struggles of working-class Hamiltonians.
6. The property reflects the work and ideas of the prominent Hamilton architectural firm, Stewart & Witton, who were commissioned by William Arthur Holton (1863-

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1941) to design alterations and expansions to the complex between 1902 and 1914. These included the construction of 11 Kelly Street and 140 and 146 Mary Street. Walter Stewart (1871-1917) was the son of prominent Hamilton architect William Stewart. Walter Stewart partnered with his father in 1893, forming W. & W. Stewart. Upon his father's retirement in 1904, Walter Stewart formed a partnership with William Witton (1871-1947), who had trained at the prominent Chicago architectural firm of Adler & Sullivan. Stewart and Witton practiced together until Stewart's death in 1917. The pair designed several residential, commercial, and industrial buildings in Hamilton and beyond, surviving examples of their industrial designs include the former Thornton and Douglas Ltd. Factory across the street at 147 Mary Street, now Welkom House; the former Tallman Brass Foundry at 70 Sanford Avenue North, now Park's Furniture; and the former American Can Company at 356 Emerald Street North, now Karma Candy.

### **Contextual Value**

7. The property is important in defining the character of the Beasley Neighbourhood. A surviving example of the industrial complexes that have mostly vanished from the neighbourhood, the property comprises a complex of buildings constructed over the course of most of a century. The earliest extant buildings point to Beasley's status as Hamilton's first industrial area, while the eclectic massing and style of the various additions speaks to the growth and continued presence of industry in Beasley over most of the nineteenth and twentieth centuries. Being surrounded by residential and commercial areas, the property defines the cheek-by-jowl nature of nineteenth-century Hamilton.
8. The property is historically, visually, and functionally linked to its surroundings. In its original location, the Victorian (1837-1901) and Edwardian (1901-1910) era factory complex is in the midst of a Victorian and Edwardian-era working class neighbourhood. It is linked: visually, to the workers' housing that symbiotically surrounds it; functionally, to its location, being in Hamilton's first industrial area and across the street from 147 Mary Street, another surviving garment factory; and, historically, being very close to the now defunct Grand Trunk Railroad freight yard at Ferguson Avenue and Cannon Street, a vital location for receiving raw materials and shipping out finished hosiery.
9. The property is considered a local landmark. Encompassing an entire half block, the complex of buildings on the property dominates the local area. Being far larger, and moderately taller than the housing stock that surrounds it, the property is a solid masonry block which rises over the local rooftops. It has a visual prominence in keeping with the importance the industry once held in the Beasley neighbourhood. Located on the historic Cannon Street transportation corridor, and

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near to the historic Wilson Street corridor, this is a distinctive and extremely visible property that is seen by large numbers of Hamiltonians each day.

Staff have determined that 134 Cannon Street East, Hamilton is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act* and recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24136.

### **ALTERNATIVES FOR CONSIDERATION**

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property, or decline to designate property.

#### **Decline to Designate**

By declining to designate, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City’s financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate any of the properties to be an appropriate conservation alternative.

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED24136 – Location Map

Appendix “B” to Report PED24136 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix “C” to Report PED24136 – Photographs

Appendix “D” to Report PED24136 – Research Sources

SD/AG/sd