




**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>	November 22, 2024
<b>SUBJECT/REPORT NO:</b>	Heritage Permit Application HP2024-032, Under Part V of the <i>Ontario Heritage Act</i> , to Permit the Demolition of a Detached Contemporary Rear Shed located at 2 Griffin Street, Flamborough (PED24225) (Ward 15)
<b>WARD AFFECTED:</b>	Ward 15
<b>PREPARED BY:</b>	Dawn Cordeiro (905) 546-2424 Ext. 6145
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That Heritage Permit Application HP2024-032, for the demolition of a detached contemporary rear shed located at 2 Griffin Street, Flamborough, under Section 42 of the *Ontario Heritage Act*, be approved with the following conditions:
- i) 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
  - ii) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than December 31, 2026. If the alteration(s) are not completed by December 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

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**SUBJECT: Heritage Permit Application HP2024-032, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of the Existing Rear Contemporary Shed at 2 Griffin Street, Flamborough (PED24225) (Ward 15) – Page 2 of 5**

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- (b) That appropriate notice of the Council decision on Heritage Permit Application HP2024-032 be served on the owner of 2 Griffin Street, Flamborough, and the Ontario Heritage Trust, as required under Section 42 of the *Ontario Heritage Act*.

**EXECUTIVE SUMMARY**

The subject property, located at 2 Griffin Street, Flamborough, is designated as part of the Mill Street Heritage Conservation District under Part V of the *Ontario Heritage Act* (see the location map attached as Appendix “A” to Report PED24225). A Council decision is required for a Heritage Permit application to demolish any building or structure on a property designated as part of a District. The applicant is proposing to demolish the circa 2000 rear detached accessory structure (shed) on the property, which staff have determined does not have any cultural heritage value or interest and does not contribute to the character of the Mill Street Heritage Conservation District. Staff recommend approval of Heritage Permit Application HP2024-032, subject to the City’s standard Heritage Permit conditions, as discussed with the applicant and advised by the Heritage Permit Review Sub-committee.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: This Heritage Permit Application has been processed and considered in accordance with Section 42 of the *Ontario Heritage Act* for demolition of a Part V designated property within the Heritage Conservation District. Section 42 (1) of the *Ontario Heritage Act* requires that an owner obtain a permit from the municipality to demolish or remove any building or structure on the property. Council may decide to approve the permit, approve with conditions, or refuse it.

The *Ontario Heritage Act* requires that Council make a decision on a Heritage Permit Application within 90 days of the issuance of a Notice of Receipt. If no decision is reached within the 90-day timeframe, Council shall be deemed to consent to the application.

## **HISTORICAL BACKGROUND**

The subject property located at 2 Griffin Street, Flamborough (see Appendix “A” to Report PED24225) is located in the Mill Street Heritage Conservation District, designated by former Town of Flamborough By-law No. 96-34-H. The property consists of a vernacular frame one-and-one-half storey residential building believed to have been constructed circa 2000. The rear contemporary shed was constructed in the early 2000’s. The Mill Street Heritage Conservation District contains a mix of vernacular homes that have historical associations with the development of Waterdown.

On July 31, 2024, the owner and their agent reached out to staff for a preliminary discussion regarding potential work to the subject property. Staff met with the owner and their agent on site on August 7, 2024. On September 25, 2024, a Heritage Permit Application was received requesting approval to demolish the existing contemporary shed at the rear of the property. Photographs of the existing structure provided by the applicant with their submission, as well as photographs compiled by staff, are attached as Appendix “B” to Report PED24225.

The Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee reviewed this application at their meeting on October 15, 2024, along with the supporting materials submitted with the application and recommended approval of the application subject to the City’s standard conditions for any minor changes to the proposed works going back through staff, and a two-year expiry.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

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

- Ensuring that protected heritage property, including built heritage resources and cultural heritage landscapes, are conserved (Provincial Planning Statement, 2024, Sub-section 2.6.1);
- Conserving the character of areas of cultural heritage significance, including designated heritage conservation districts (Urban Hamilton Official Plan, Volume 1, Chapter B.3.4.2.1(h)); and,
- Managing change in the Mill Street Heritage Conservation District in accordance with the District Plan (By-law No.96-34-H).

## **RELEVANT CONSULTATION**

- Property owner and their agent; and,
- Heritage Permit Review Sub-committee.

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The Ward Councillor (Councillor McMeekin) for Ward 15 has been advised that this matter was to be considered by the Hamilton Municipal Heritage Committee and has been provided an overview of the Heritage Permit application and recommendation for approval.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Heritage Permit Application HP2024-032 has been submitted to request approval to demolish the contemporary detached rear shed located at 2 Griffin Street, Flamborough (location map attached as Appendix “A” attached to Report PED24225), in accordance with the supporting materials submitted with the application (photographs included in Appendix “B” attached to Report PED24225).

Two key factors that are considered in the evaluation of any change affecting a heritage building, or its setting, are displacement and disruption effects. The detached accessory structure proposed to be demolished was constructed in the early 2000s and does not have any identified cultural heritage value or interest. Staff do not anticipate any displacement or disruption effects resulting from the proposed demolition of the detached contemporary rear shed. The removal of the contemporary shed will not alter the setting or character of the heritage features on the property. In addition, although the property is located on a corner lot, the shed has limited visibility from the street and the removal will not impact views and vistas of the surrounding homes. The work is minimal in scope and will not impact any valued heritage features on the property.

Therefore, staff are supportive of the application as proposed and recommend approval of Heritage Permit Application HP2024-032, subject to the City’s standard conditions.

## **ALTERNATIVES FOR CONSIDERATION**

### **1. Deny the Heritage Permit Application**

Hamilton Municipal Heritage Committee may advise Council to deny this application in its entirety. This is not being recommended by staff as the proposed structure to be demolished does not have any identified heritage value contributing to the Mill Street Heritage Conservation District.

### **2. Approve the Heritage Permit Application with additional or amended conditions.**

Hamilton Municipal Heritage Committee may advise Council to approve this application with additional or amended conditions of approval, as appropriate. This is not being recommended as staff feel that the Heritage Permit standard

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condition for expiry is sufficient and in line with the previous advice provided by the Heritage Permit Review Subcommittee.

**3. Approve the Heritage Permit Application with no conditions.**

Hamilton Municipal Heritage Committee may advise Council to approve this application with no conditions. This alternative is not recommended, as a standard permit expiry condition ensures that, if the permit is not acted on in a reasonable amount of time, the approval expires and new approval is required prior to implementation of the proposed scope of work.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED24225- Location Map

Appendix “B” to Report PED24225 - Photographs

DC:mb

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