



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Hamilton Municipal Heritage Committee

**Date:** February 28, 2025

**Report No:** PED25043

**Subject/Title:** Monthly Report on Proactive Listings for the  
Municipal Heritage Register, February 2025

**Ward(s) Affected:** Ward 2

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### Recommendation

- 1) That staff **BE DIRECTED** to list 231 Bay Street North, Hamilton, on the Municipal Heritage Register as a non-designated property, as outlined in Report PED25043, in accordance with Section 27 of the *Ontario Heritage Act*.

### Key Facts

- This Report recommends that Council list 231 Bay Street North, Hamilton, known as the former Hamilton Bridge Company Office, as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register under Section 27 of the *Ontario Heritage Act*.
- Listing on the Register recognizes value of a property to the community, provides interim protection from demolition, and can help facilitate informed decision-making and priority-based planning from staff and Council.
- By Council deciding to proactively list this property on the Register, staff will be able to take appropriate action, including designation, should a Prescribed Event be triggered under the *Planning Act*, or if demolition or significant alteration is proposed as part of a Building Permit application in the next two years before the listing expires.
- Should Council decide to list this property on the Register, staff will provide notice of the listing to the owner and outline the legislated process for objecting to the listing, as per the requirements of the *Ontario Heritage Act*.

## Financial Considerations

Not applicable.

## Background

As outlined in Report PED22211(a), staff will be bringing forward proactive recommendations to list properties of heritage interest on the Municipal Heritage Register that are flagged as part of the Formal Consultation process, when they are anticipated to trigger a Prescribed Event under the *Planning Act*, or if they are under a perceived immediate threat of potential demolition or removal and require interim protection until such time as further review and evaluation for designation can be conducted. This strategic and proactive approach to listing is required due to cumulative changes to provincial legislation over the past few years.

In March 2024, Cultural Heritage Staff were notified that the subject property located at 231 Bay Street North was listed for sale and being advertised for potential infill development. Staff identified the property as being under a perceived threat of redevelopment or demolition due to it being listed for sale as a property for redevelopment and conducted a preliminary evaluation of the subject property. Staff determined that the subject property meets multiple criteria for determining cultural heritage value or interest, as outlined in Ontario Regulation 9/06.

In November 2024, Formal Consultation application FC-24-088 was submitted for the subject property proposing adaptive reuse of the existing heritage building. Cultural Heritage Planning staff commented on the application and indicated that a preliminary cultural heritage evaluation had been prepared 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 be a candidate for listing on the Municipal Heritage Register and for designation under Part IV of the *Ontario Heritage Act*.

Staff reached out to the owner of the property via a letter sent by registered mail on January 29, 2025, notifying them of the staff recommendation to list the property on the Register in advance of this Report being considered by the Hamilton Municipal Heritage Committee.

## Analysis

The *Ontario Heritage Act* enables Council to list non-designated properties that it believes to be of cultural heritage value or interest on the Municipal Heritage Register if it is demonstrated that they meet at least one criterion outlined in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22. The Municipal Heritage Committee must be consulted prior to Council deciding to list a non-designated property on the Register. The recently amended *Ontario Heritage Act* now limits how the City can list a property, including a two-year expiry from the time of listing and a five-year restriction on re-listing after expiry.

## **231 Bay Street North, Hamilton**

The property located at 231 Bay Street North, Hamilton, known as the former Hamilton Bridge Company Office, is comprised of a three-storey brick building constructed in 1911, which is currently listed on the City's Inventory of Heritage Properties. Staff conducted a preliminary cultural heritage evaluation of the property and determined that it meets multiple criteria for determining cultural heritage value or interest, as outlined in Ontario Regulation 9/06, sufficient to warrant listing on the Municipal Heritage Register, and to identify the property as a candidate for designation under Part IV of the *Ontario Heritage Act*.

231 Bay Street North has design value as a representative example of an industrial office building influenced by the Edwardian Classicism style of architecture that displays a high degree of craftsmanship. The property also has historical value for its association with the Hamilton Bridge Works and the prominent architectural team of Mills and Hutton. The property has contextual value in defining the historic character of the area, is historically, visually, functionally, and physically linked to its surroundings, and is considered to be a local landmark.

The full summary of the preliminary evaluation of cultural heritage value or interest for the property is attached as Appendix A to Report PED25043.

### **Conclusion**

The property located at 231 Bay Street North, Hamilton, has been determined to have sufficient cultural heritage value or interest to warrant listing on the Municipal Heritage Register as a non-designated property under Section 27 of the *Ontario Heritage Act*, as per the recommendation of Report PED25043.

The recommendation of this Report is consistent with Provincial and Municipal legislation, policy, and direction, including:

- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b));
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3);
- Encouraging the rehabilitation, renovation, and restoration of built heritage resources so that they remain in active use (Urban Hamilton Official Plan, Section B.3.4.1.5); and,
- Using all relevant provincial legislation and all related plans and strategies to appropriately manage, conserve and protect Hamilton's cultural heritage resources (Urban Hamilton Official Plan, Section B.3.4.2.1(i)).

Planning staff have emailed the Ward Councillor (Councillor C. Kroetsch) for Ward 2 and provided an overview of the recommendation of this Report.

The *Ontario Heritage Act* requires municipalities to notify owners within 30 days of a Council's decision to list a property on the Register. Under Section 27(7) of the *Ontario Heritage Act*, an owner can object to a property being included on the Register after receiving notice of it being listed. The owner's objection should be served on the Clerk of the municipality and identify the reasons for the objection and all relevant facts. Council must consider the objection and decide whether to keep the property listed on the Register or to remove it. The owner must be given notice of a Council's decision on the consideration of their objection within 90-days of the decision.

## **Alternatives**

Not Applicable.

## **Relationship to Council Strategic Priorities**

- Priority 1: Sustainable Economic & Ecological Development
  - 1.2: Facilitate the growth of key sectors.
- Priority 3: Responsiveness & Transparency
  - 3.2: Get more people involved in decision making and problem solving.

## **Previous Reports Submitted**

Not Applicable.

## **Consultation**

- Property Owner;
- Applicant / Prospective Purchaser; and,
- Ward 2 Councillor C. Kroetsch.

## **Appendices and Schedules Attached**

- Appendix A: Preliminary Heritage Evaluation of 231 Bay Street North, Hamilton

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