



## City of Hamilton Report for Consideration

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

**Date:** March 28, 2025

**Report No:** PED25112

**Subject/Title:** Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register

**Ward(s) Affected:** Ward 13

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### Recommendations

- 1) That the Notice of Intention to Demolish the dwelling and detached garage structures located at 191 Melville Street, Dundas, attached as Appendix A to Report PED25112, **BE RECEIVED**.
- 2) That the non-designated property located at 191 Melville Street, Dundas, **BE REMOVED** from the Municipal Heritage Register following its demolition.

### Key Facts

- This Report recommends no action be taken in response to the Notice of Intention to Demolish for the listed property located at 191 Melville Street, Dundas, under Section 27(9) of the *Ontario Heritage Act*, received on February 6, 2025.
- The property was listed on the Municipal Heritage Register in September 2024, while a new Heritage Conservation District for the surrounding area, known as Melville Street, is prepared.
- Although the existing worker's cottage on the property is of heritage interest, it has been modified and retains few heritage features and materials. As such, staff

do not recommend designation under Part IV of the *Ontario Heritage Act* to prevent its demolition at this time.

- Staff have reviewed the proposed plans for the new house and find it to have features sympathetic to the character of the area, although there are no provisions under the *Ontario Heritage Act* that would allow the City to impose conditions on the proposed new construction to require a specific design or materials at this time.

## **Financial Considerations**

Not applicable.

## **Background**

The subject property, municipally addressed as 191 Melville Street, Dundas, is comprised of a one-storey late-nineteenth century worker's cottage. The property was listed on the Municipal Heritage Register in September 2024 as part of the Melville Street Heritage Conservation District Study. The preliminary evaluation of the property identified it as a "Contributing Property", having historical and contextual cultural heritage value or interest contributing to the character of the area and therefore being worthy of listing on the Municipal Heritage Register.

Staff anticipate bringing forward a proposed District Plan for the Melville Street area for consideration by the Hamilton Municipal Heritage Committee and Council by the end of 2025. In the meantime, there are no provisions under the *Ontario Heritage Act* that would allow the City to impose conditions on the proposed new construction to require a specific design or materials.

On December 19, 2024, staff met with representatives for the owner of the subject property to discuss their proposal to demolish the existing dwelling and detached garage on the subject property to facilitate the construction of a new home. Staff advised them of the ongoing Melville Street Heritage Conservation District Plan project, that the property was listed on the Municipal Heritage Register and the legislative process for the owners to give their required Notice of Intention to Demolish under the *Ontario Heritage Act*. Staff also strongly encouraged that the owners consider retention of the existing heritage structure instead of demolition and new construction.

On February 6, 2025, staff received a Notice of Intention to Demolish for the subject property by email (attached as Appendix A to Report PED25112). Submitted with the Notice was a Conditions and Alterations Report prepared by Park Eight Inc. dated February 5, 2025 (attached as Appendix B), which also includes the preliminary plans for the proposed replacement dwelling.

## Analysis

Listing a property on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest provides 60 days interim protection from demolition. The 60-day interim period is intended to allow staff time to discuss alternatives for conservation of a property with the owner, including opportunities for retention, adaptive re-use and financial incentives, and photo-documentation of the property prior to demolition. In the case of significant heritage properties, like those identified as candidates for designation, the 60-day delay could allow Council time to consider issuing a notice of intention to designate the property to prevent demolition.

The preliminary research and evaluation of 191 Melville Street conducted as part of the Melville Heritage Conservation District Study identified the property as a “Contributing Property”, having historical and contextual cultural heritage value or interest contributing to the character of the area and therefore being worthy of listing on the Municipal Heritage Register. The preliminary evaluation indicated that the property met the following criteria of Ontario Regulation 9/06:

- Criteria 5 (Historical / Associative Value) – The property contributes to the understanding of the early development of the area.
- Criteria 7 (Contextual Value) – The property helps support the character of the area and remaining nearby mid-nineteenth to early-twentieth century structures.

The subject property has not been identified as a candidate for individual designation under Part IV of the *Ontario Heritage Act*.

Further, since its construction circa 1873, the property has undergone a number of changes. Originally built as one-storey frame house with a stone foundation and partial basement, the building was reclad with roughcast stucco in 1879, and again with Insulbrick in the mid-twentieth century. Limited historical fabric remains, as the windows, shutters, interior and exterior doors, exterior cladding, rooflines, and shingles are not original to the house. Existing historical fabric, including the stone foundation and chimneys, are in poor condition. Due to the proximity of the existing structure to the eastern boundary of the property and the detached garage to the west, limited space exists to create another addition to the home. The applicants have provided photo documentation of the interior and exterior of the property, and staff do not recommend any elements be salvaged to be incorporated into the new structure.

Staff have reviewed the proposed plans for the new house (see preliminary plans provided as part of Appendix B of Report PED25112) and find it to have features sympathetic to the character of the area, although there are no provisions under the *Ontario Heritage Act* that would allow the City to impose conditions on the proposed new construction to require a specific design or materials at this time.

Staff do not recommend taking any action in response to the Notice of Intention to Demolish the structures at 191 Melville Street, Dundas. Although the property is of

heritage interest and contributes to the character of the area, staff do not recommend designation of the property under Part IV of the *Ontario Heritage Act* to prevent its demolition in response to this Notice. Staff recommend that the subject property be removed from the Municipal Heritage Register following its demolition.

The recommendations of this Report are consistent with Provincial and Municipal legislation, policy, and direction, including the following relevant policies from the Urban Hamilton Official Plan, Volume 1:

- Identifying cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources (B.3.4.2.1 b));
- Maintaining the Municipal Heritage Register, pursuant to the *Ontario Heritage Act*, and seeking advice from the Municipal Heritage Committee when considering additions and removals of non-designated properties from the Register (B.3.4.2.4); and,
- Requiring a cultural heritage resource to be thoroughly documented for archival purposes in the event that rehabilitation and reuse of the resource is not viable as part of a *Planning Act* application process (B.3.4.2.13).

## **Alternatives**

Hamilton Municipal Heritage Committee may recommend that Council direct staff to designate the subject property under Part IV of the *Ontario Heritage Act* in response to the Notice of Intention to Demolish. While the subject property satisfies criteria under Ontario Regulation 9/06, staff do not recommend this alternative. While conserving cultural heritage resources is a priority in municipal and provincial policies, staff note that the extant property has limited historical fabric remaining and the applicant has worked with staff to create a design that is sympathetic to the surrounding historical neighbourhood.

## **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**

- [Melville Street Heritage Conservation District Study \(PED24140\) \(Ward 13\)](#)

## **Consultation**

Staff confirmed receipt of the Notice of Intention to Demolish in an email to the agent for the owner on February 20, 2025, and advised of the process for bringing forward the

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notice to the Hamilton Municipal Heritage Committee for their advice, before consideration by Planning Committee and final decision of Council.

Staff have emailed the Ward Councillor (Councillor A. Wilson) for Ward 13 and provided an overview of the recommendations of this Report.

## **Appendices and Schedules Attached**

Appendix A: Notice of Intention to Demolish, sent via email on February 6, 2025

Appendix B: Conditions and Alterations Report, prepared by Park Eight Inc., dated February 5, 2025

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