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July 7, 2025

VIA EMAIL AND REGULAR MAIL

City of Hamilton
Planning Committee & Cultural Heritage Planning Staff
Attention: Ken Coit, Director, Heritage and Urban Design

Dear Mr. Koit,

Re: Philpott Memorial Church – 84 York Blvd, Hamilton – Potential Heritage Designation and Proposed Heritage Easement

I write as a director of HC EC 89 Park GP Inc., the general partner of HC EC 89 Park LP (“**89 Park LP**”), a party that had previously contracted to purchase from the Trustees of Philpott Memorial Church (the “**Church**”) the property municipally known as 84 York Boulevard (also known as 89 Park Street), Hamilton, Ontario (the “**Property**”). As you know, there exists an ongoing dispute between 89 Park LP and the Church, but irrespective of this dispute, 89 Park LP maintains an interest in ensuring that, for the reasons that follow, the Property is not designated under Part IV of the *Ontario Heritage Act*.

89 Park LP has reviewed the letter issued to the City of Hamilton by the Church dated June 29, 2025 in which the Church requests either: (i) that City Council discontinue the Heritage process in respect of the Property; or (ii) the proposed Heritage Easement related to the Property be narrowed to include only matters related to the preservation of the Heritage Elements of the Property.

89 Park LP agrees with the position put forward by the Church in its correspondence to the City with respect to the current condition of the building situated on the Property being such that preservation of the existing structure or the incorporation of the existing structure into a new development is not feasible. 89 Park LP therefore believes that the most appropriate approach is to allow the Property to be removed from the Heritage Register. In the alternative, any items deemed to be of cultural heritage located at the Property could be preserved through the use of a Heritage Easement which would provide for the preservation, and reincorporation into a future development on the Property, of certain identified elements of the existing building, but which would allow for substantial demolition of the remaining structure.



With respect to this alternative approach, we appreciate that the proposed Heritage Easement between the City and the Church has not progressed substantially since the Fall of 2024. The dispute noted above unfortunately created a situation where both 89 Park LP and the Church were proceeding cautiously with respect to all matters related to the Property out of concern for how taking active steps could affect the respective positions being taken in connection with the ongoing dispute. However, both 89 Park LP and the Church understand the City's need to progress the Heritage Easement and, for its part, 89 Park LP is willing to commit to working with the City and the Church to finalize the Heritage Easement. 89 Park LP believes that, with the cooperation of all parties, the Heritage Easement could be finalized within six (6) months from today's date. 89 Park LP therefore suggests that, if the City is unwilling or unable to remove the Property from the Heritage Register, the City and the Church instead agree to a six (6) month extension for the timeline to settle the Heritage Easement.

A designation under the *Heritage Act* will significantly impact the future developability of the Property, and will in all likelihood result in the Property remaining an unsafe and vacant eyesore directly in the middle of the City's new downtown district. It is 89 Park LP's sincere belief that designation should not be pursued. To the extent that the City believes that there are Heritage elements at the Property worth protecting, it should employ a thoughtful approach to identifying those elements of the existing church which have Heritage value and protecting only such elements. Doing so would strike the appropriate balance between the City's desire to protect the cultural heritage value of the long-standing ministry at 84 York Boulevard while not allowing such protection to unduly constrain the future viability of the Property as a valuable and contributing element in the City's new downtown core. A Heritage Easement can be settled within a reasonable timeline and, in the absence of a full delisting of the Property from the Heritage Register, should be City Council's preferred approach.

All of which is respectfully submitted for the Committee and City staff's consideration.

Sincerely,

Daniel Guizzetti