



## City of Hamilton Report for Consideration

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

**Date:** July 25, 2025

**Report No:** PED25209

**Subject/Title:** Heritage Permit Application HP2025-021, Under Part IV of the *Ontario Heritage Act*, for the Demolition of the Powerhouse and Trades Buildings at 290 Fennell Avenue West, Hamilton

**Ward(s) Affected:** Ward 8

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### Recommendations

- 1) That Heritage Permit Application HP2025-021, for the demolition of two detached non-heritage structures (the Powerhouse and Trades Buildings) on the designated property located at 290 Fennell Avenue West, Hamilton, as shown in Appendix A attached to Report PED25209, **BE APPROVED**, subject to the approval of any required *Planning Act* applications and the following Heritage Permit conditions:
  - a) That the applicant submit the final details for the proposed demolitions and implementation of a temporary protection plan in advance of any demolition and site alteration activities, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any demolition on the property;
  - b) That the applicant shall provide copies of any vibration monitoring reports of Century Manor that may be required until the time of project completion, and that the scope of any remedial actions required to be taken shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to implementation;
  - c) That the applicant makes reasonable effort to facilitate removal and salvage of heritage materials and any material which can be reused as to avoid

additional waste as part of the demolition process and submit documentation of the salvage efforts, to the satisfaction and approval of the Director of Planning and Chief Planner;

- d) 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,
- e) That demolition, construction, and site alterations, in accordance with this approval, shall be completed no later than August 31, 2027. If the construction and site alterations are not completed by August 31, 2027, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

## Key Facts

- This Report addresses a Heritage Permit application for the property located at 290 Fennell Avenue West, Hamilton, which is designated under Part IV of the *Ontario Heritage Act*, known as Century Manor.
- A Heritage Permit is required for the construction or demolition of any structures or buildings on a designated heritage property regardless of whether the structure has heritage value under the *Ontario Heritage Act*.
- The application proposes demolition of two structures, the Powerhouse and Trades Building, which are not identified as having heritage value in the existing the designation by-law for the property.
- Staff recommend approval of Heritage Permit Application HP2025-021, subject to the final details for the interim protection plans and vibration monitoring studies submitted to staff's satisfaction, documentation of any efforts to salvage material prior to demolition, and to the City's standard Heritage Permit conditions, as discussed with the applicant and advised by the Heritage Permit Review Subcommittee.

## Financial Considerations

N/A

## Background

The subject property located at 290 Fennell Avenue West, Hamilton (see location map attached as Appendix A to this Report PED25209) is designated by the City of Hamilton under By-law No. 97-198. The property is comprised of a three-storey brick building known as Century Manor, constructed between 1884-1895 in the High Victorian Style. The property also features a number of landscape elements not presently protected by

the designation by-law and several buildings which are not considered to have significant heritage value and are not identified in the Reasons for Designation in the by-law.

Heritage Staff met with the applicant on Thursday, March 13, 2025, to review the process for a heritage permit and discuss the proposed changes to the property. On May 26, 2025, a Heritage Permit Application was received requesting approval for the demolition of the Powerhouse and Trades Buildings located on the property (see photographs attached as Appendix B to Report PED25209). The supporting materials provided with the Heritage Permit Application are attached as Appendix C to Report PED25209.

The Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee reviewed this application at their meeting on June 17, 2025, along with the supporting materials submitted with their application (attached as Appendix C to Report PED25209) and recommended approval of the application subject to the standard Heritage Permit conditions regarding minor changes and expiry, and for interim protection plans and vibration monitoring reports to be submitted to staff's satisfaction.

## **Analysis**

Section 34 of the *Ontario Heritage Act* requires an owner of a Part IV designated property to obtain Council approved prior to the demolition or removal of any building or structure on the property, regardless of whether the demolition would affect the property's heritage attributes. The power to consent to alterations to property designated under the *Ontario Heritage Act* was delegated by Council to the Director of Planning under City of Hamilton By-law No. 05-364. However, the *Ontario Heritage Act* provisions exclude the delegation of Council's authority to consent to an application for the demolition of existing structures or erection of new structures. 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 Complete Application. If no decision is reached within the 90-day timeframe, Council shall be deemed to consent to the application.

In response to a Heritage Permit application, Council may: consent to the permit applied for; provide notice that Council is refusing the application for the permit; or consent to the permit applied for, with terms and conditions attached. As per Section 34(4.2), the notice of Council's decision will be required to be served on the owner of the property, the Ontario Heritage Trust and shall be published in a newspaper having general circulation in the municipality. If Council consents to the application subject to terms or conditions, or refuses the application, owner of the property may appeal Council's decision to the Ontario Land Tribunal within 30 days of receiving notice of Council's decision.

This Heritage Permit Application has been processed and considered within the context of the applicable legislation.

### **Heritage Permit HP2025-021**

Heritage Permit application HP2025-021 has been submitted to request permission for the following scope of work at 290 Fennell Avenue West, Hamilton, in accordance with the supporting materials submitted with the application:

- Demolition of the existing Powerhouse and Trades Buildings.

The property is comprised of a three-storey brick building, known as Century Manor, constructed between 1884-1895 in the High Victorian Style. The property also features a number of landscape elements not presently protected by the designation by-law and several buildings which are not considered to have heritage value. The application proposes demolition of two non-heritage structures to facilitate soil remediation necessary for future development on the site.

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 analysis of the effects related to HP2025-021 are outlined below.

#### **Displacement Effects**

*Displacement effects are those adverse actions that result in the damage, loss, or removal of valued heritage features.*

The Powerhouse and Trades Buildings are located southwest of Century Manor, as shown in the site plan drawing found in Appendix C to Report PED25209. The demolition of the Powerhouse and Trades Buildings will not result in the displacement of any of the heritage features on the property as they were extant at the time of the designation of Century Manor, however they were not listed in the reasons for designation of the property or identified as having cultural heritage value or interest.

#### **Disruption Effects**

*Disruption effects are those actions that result in detrimental changes to the setting or character of the heritage feature.*

Staff are of the opinion that the proposed demolition of the Powerhouse and Trades buildings will not detrimentally change the setting of the property. The structures were extant at the time of the designation of the property, however they were not mentioned in the by-law or identified as having cultural heritage value or interest. Therefore, no disruption effects are anticipated from their demolition.

This heritage permit supports the continued use of the property and allows for remediation of the site as required for future development. Remediation for block four is expected to occur this fall following the demolition of the Powerhouse and Trades Buildings. Submitted alongside the heritage permit application staff received a heritage permit memorandum outlining the background of the structures to be removed, their existing conditions and proposed mitigation measures to ensure there is no damage to Century Manor during the proposed demolitions and subsequent site remediation (see Appendix C to this Report).

## Conclusion

Staff recommend approval of Heritage Permit Application HP2025-021 for the demolition of the Powerhouse and Trades Buildings at 290 Fennell Avenue West, Hamilton, subject to approval of any required *Planning Act* applications, the City's standard conditions for minor changes and expiry, and additional conditions for:

- Submission of final demolition details and the implementation of temporary protection plan for the Century Manor building;
- Submission of any vibration monitoring reports that may be required and review of any remedial work that may be required as a result of vibration impacts; and,
- Documentation related to any salvage efforts as part of the demolitions.

The Recommendations of this Report are consistent with municipal and provincial legislation, including:

- Ensuring that protected heritage property is conserved (*Provincial Planning Statement*, 2024, Sub-section 4.6.1);
- Protecting and conserving the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes (*Urban Hamilton Official Plan*, Section B.3.4.2.1(a)); and,
- Ensuring that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources (*Urban Hamilton Official Plan*, Section B.3.4.1.3)

## Alternatives

### 1. Deny the Heritage Permit Application.

The Hamilton Municipal Heritage Committee may advise Council to deny this application in its entirety. This is not being recommended as the structures proposed to be demolish are not listed as heritage attributes and there are no impacts proposed to the Century Manor building.

2. **Approve the Heritage Permit Application with Additional or Amended Conditions.**

The 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 five Heritage Permit conditions are sufficient.

3. **Approve the Application with No Conditions.**

The Hamilton Municipal Heritage Committee may advise Council to approve this application with no conditions. This alternative is not recommended, as it would prevent staff from ensuring that protection measures are in place during the demolition and new construction to protect the remaining heritage building on site.

## **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**

The Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee reviewed this application at their meeting on June 17, 2025, along with the supporting materials submitted with their application (attached as Appendix C to Report PED25209) and recommended approval of the application subject to the standard Heritage Permit conditions regarding minor changes and expiry.

The applicant was advised of the staff recommendations and timing of the report in an email sent on June 19, 2025.

In addition, Planning Staff emailed the Ward 8 Office on June 26, 2025, and provided them with information about the proposed changes on a Part IV designated property. Staff also indicated that the applicant received support from the Heritage Permit Review Subcommittee and that a subsequent staff report was forthcoming to the July 25, 2025, HMHC meeting.

## **Appendices and Schedules Attached**

Appendix A: Location Map

Appendix B: Photographs of Existing Structures

Appendix C: Application Submission Materials

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