



City of Hamilton

Report for Consideration

To: Chair and Members
Hamilton Municipal Heritage Committee

Date: April 17, 2026

Report No: PED26075

Subject/Title: Recommendation to Designate 33 Bowen Street, Hamilton
(Former Courthouse Hotel Stable), under Part IV of the
Ontario Heritage Act

Ward(s) Affected: Ward 2

Recommendations

- a) That the City Clerk BE DIRECTED to give notice of Council's intention to designate 33 Bowen Street, Hamilton, shown in Appendix "A" attached to Report PED26075, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED26075, subject to the following:
 - i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;

- ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

Key Facts

- This Report recommends designation of the significant built heritage resource located at 33 Bowen Street, Hamilton, known as the former Courthouse Hotel Stable, under Part IV of the *Ontario Heritage Act*.
- The subject property is currently listed on the City's Municipal Heritage Register.
- Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix "C" to Report PED26075.
- The owner of the subject property was consulted in the preparation of this Report and recommendation to designate the subject property.

Financial Considerations

N/A

Background

The subject property located at 33 Bowen Street, Hamilton, shown in Appendix "A" attached to Report PED26075, is comprised of a one-and-a-half-storey stone and brick commercial structure built circa 1834 as a stable for the Courthouse Hotel.

In August 2014, staff prepared Report PED14191, which, as part of the Downtown Hamilton Built Heritage Inventory Project, recommended that 33 Bowen Street be listed on the Municipal Heritage Register. The recommendations were approved by City Council as part of Planning Committee Report 14-014 in September 2014.

In November of 2025, staff were made aware that the property was listed for sale and under potential threat of demolition and redevelopment. Staff conducted an evaluation of 33 Bowen Street in accordance with Ontario Regulation 9/06 and determined that the property was of sufficient criteria to be worthy of designation as a property of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*.

In 2024, Formal Consultation application FCSP-24-008 for the neighbouring property at 96 Main Street East was submitted to the City of Hamilton. This application proposed the demolition of the existing one-storey commercial building and the construction of a twenty-nine storey mixed use building. In support of a future Site Plan Control application, a Cultural Heritage Impact Assessment (CHIA) was completed for the property at 96 Main Street East, which indicated that the proposed scope of work had the potential to impact 33 Bowen Street, and recommended mitigation measures that would include a Vibration Monitoring Plan. On July 7, 2025, this CHIA was reviewed by the members of the Policy and Design Working Group of the Hamilton Municipal Heritage Committee, and their comments were forwarded to the applicant. To date, a Site Plan Control application has not been received by City staff.

Analysis

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained. Designated properties are also considered to be “protected

heritage property” under the Provincial Planning Statement (2024), which shall be conserved through the *Planning Act* development application process.

Section 29(1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and Contextual Value. The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on a site visit of the exterior of the property conducted on February 11, 2026, (see photographs attached as Appendix “D” to Report PED26075) and available primary and secondary research sources (attached as Appendix “E” to Report PED26075).

Staff’s cultural heritage evaluation (attached as Appendix “C” to Report PED26075) determined that the subject property meets five of the nine criteria contained in Ontario Regulation 9/06 in all three categories, summarized as follows:

- The circa 1834 one-and-a-half-storey stone and brick commercial structure located at 33 Bowen Street has design and physical value as a representative example of a vernacular nineteenth-century commercial building.
- The historical value of this former stable lies in its association with the theme of the City of Hamilton’s early growth as a commercial centre and with its associations to the historic Court House Hotel, for which it was built, and to the Hotel’s first owner, influential businessman, politician, and innkeeper John Bradley (1805-1864). Contextually, this property is important in defining the character of Bowen Street as a secondary street supporting the businesses facing the former courthouse square.
- It is historically, visually, and functionally linked to its surroundings, being on its original location behind the John Street commercial buildings it was built to serve.

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

- Determining the cultural heritage value or interest of a property based on design/physical value, historical/associative value, and contextual value criteria (*Ontario Heritage Act*, Ontario Regulation 9/06);
- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b)); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

Staff have determined that 33 Bowen Street, Hamilton, is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act* and recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED26075.

Alternatives

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property, or decline to designate property.

Decline to Designate

By declining to designate, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City's financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property, prohibit alterations and additions, nor does it restrict the sale of a property, or been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

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

- [Implementation of the Recommendations of the Downtown Built Heritage Inventory Project \(PED14191\) \(as amended in Revised Hamilton Municipal Heritage Committee Report 14-009\(a\)\)](#)

Consultation

Planning staff have emailed the Ward Councillor (Councillor C. Kroetsch) for Ward 2 and provided an overview of the reasons for designation and the process for designating a property.

In a letter dated March 2, 2026, sent by registered mail, staff advised the owner of the recommendation to designate the property, provided the owner with a copy of the

proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee date that the recommendation would be considered.

Appendices and Schedules Attached

Appendix A: Location Map

Appendix B: Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix C: Evaluation under Ontario Regulation 9/06.

Appendix D: Photographs

Appendix E: Research Sources

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