



## City of Hamilton

# Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** May 5, 2026

**Report No:** PED24140(c)

**Subject/Title:** Recommendation to Designate the Melville-Park West  
Heritage Conservation District under Part V of the *Ontario  
Heritage Act*

**Ward(s) Affected:** 13

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### Recommendations

- a) That the Melville-Park West Heritage Conservation District Plan, attached as Appendix “A” to Report PED24140(c), **BE ADOPTED**;
- b) That the draft by-law to designate the Melville-Park West Heritage Conservation District area under Part V of the *Ontario Heritage Act*, prepared in a form satisfactory to the City Solicitor and attached as Appendix “B” to Report PED24140(c), **BE ENACTED**; and,
- c) That the membership composition in the Terms of Reference for the Heritage Permit Review Sub-committee **BE AMENDED** to include “One (1) representative from Melville-Park West, Dundas”.

## Key Facts

- This Report summarizes the final Melville-Park West Heritage Conservation District Plan and recommends that Council adopt the proposed District Plan and pass a by-law designating the proposed district under Part V of the *Ontario Heritage Act*.
- Property owners and the community were consulted and engaged throughout the Heritage Conservation District process, including the initial Study phase, and this final Plan phase (see the Public Consultation and Engagement Summary attached as Appendix “C” to Report PED24140(c)).
- Feedback from owners and residents was addressed and incorporated into the final Heritage Conservation District Plan (see the Comment Response Matrix attached as Appendix “D” to Report PED24140(c)).
- One formal objection letter was received, submitted on behalf of four separate property owners in the proposed District (attached as Appendix “E” to Report PED24140(c)).
- The Hamilton Municipal Heritage Committee was consulted and has advised Council that the District be designated.
- This Report also recommends that the membership composition of the Heritage Permit Review Sub-committee be amended to include a representative from the new Melville-Park West District.

## Financial Considerations

There are no budgetary impacts from the recommendations of this Report.

## Background

On September 11, 2024, Hamilton City Council approved the recommendations contained in Hamilton Municipal Heritage Committee Report 24-007 and Report

PED24140, resulting from the final Melville Street Heritage Conservation District Study, and directed staff to proceed with preparing a Plan for the proposed District, renamed the Melville-Park West Heritage Conservation District. The Melville-Park West District is comprised of 331 properties in the historic residential area of Dundas generally bounded by Sydenham Street to the east, Park Street West to the south, Brock Street South to the west, and Victoria Street and Melville Streets to the north.

The City retained MHBC Planning to complete the Heritage Conservation District Plan in January 2025. Two public open houses and online surveys gathered feedback from property owners and interested stakeholders to inform the contents of the Plan. A summary of the public consultation and engagement efforts for this project are attached as Appendix “C” to Report PED24140(c). One objection letter was received in response to the draft Plan, submitted by four property owners in the District (attached as Appendix “E” to Report PED24140(c). On March 27, 2026, Hamilton Municipal Heritage Committee received the Melville-Park West Heritage Conservation District Plan and advised Council to designate the District under Part V of the *Ontario Heritage Act* (see Report PED24140(b)).

## **Analysis**

Designation under Part V of the *Ontario Heritage Act* allows municipalities to recognize the cultural heritage value or interest of an area, known as a heritage conservation district, and to conserve and manage the properties and public realm within the district through the Heritage Permit process enabled under Sections 42(1) (erection, demolition, or removal) and 42(2.1) (alterations) of the Act. Municipalities can also define classes of alterations within a district that do not require a Heritage Permit, as per Section 41(2) of the Act. The area known as Melville-Park West meets the provincial criteria for designation as a heritage conservation district under Part V of the *Ontario Heritage Act* (see previous Report PED24140).

The Melville-Park West Heritage Conservation District Plan, attached as Appendix “A” to Report PED24140(c), was prepared in accordance with the requirements of the *Ontario Heritage Act*. An overview and key questions about the Plan are summarized below:

***What is the purpose of the Heritage Conservation District Plan?***

The Plan for the Melville-Park West Heritage Conservation District provides policies and guidelines for the wise management of cultural heritage resources located within the District boundary. The Plan is not intended to prohibit development within the District, but rather to manage change to ensure that the unique character and sense of place is conserved and enhanced.

***What are the contents of the Plan?***

- A statement of the objectives to be achieved in designating the area as a District;
- A statement explaining the cultural heritage value or interest of the District;
- A description of the heritage attributes of the District and of properties within the District;
- Policies for both contributing and non-contributing resources to provide a balance between the conservation of the heritage character of the area, while guiding compatible new development;
- Design guidelines for alterations and additions to contributing buildings and structures;
- Design guidelines for alterations and additions to non-contributing buildings and structures;
- Policies regarding the demolition and removal of buildings and structures;
- Landscape conservation guidelines for both public and private property;
- Funding initiatives;

- Recommended changes to municipal planning and administrative procedures; and,
- Descriptions of alterations or classes of alterations that can be carried out without obtaining a heritage permit under the *Ontario Heritage Act*.

***How does the Plan affect private and public property?***

The Plan includes policies and guidelines to guide future changes in the Melville-Park West District so that the area’s cultural heritage value is conserved. A policy is a rule that must be adhered to. A guideline constitutes best practice that will be encouraged. Changes within the District (e.g. changes to exteriors of properties, demolition, new construction, public works, etc.) are guided by, and must be consistent with, the Plan. Heritage Permits are required for these identified changes, except for certain types of alterations exempted from requiring a Heritage Permit, as identified in Part III of the Plan. Designation alone does not restrict the legal use of a property and has not been demonstrated to negatively affect its resale value. However, district designation does allow the municipality to manage change to the heritage attributes of the district through the Heritage Permit process. It also provides eligibility for the City’s financial incentives for heritage properties, including development charge exemption and grant and loan programs.

***Public Comments and Notification***

Staff received feedback from residents and affected property owners on the draft District Plan circulated for comment in the fall of 2025. A summary of the comments and staff’s responses including how the final Plan addresses the comments, where applicable, is attached as Appendix “D” to Report PED24140(c). Staff note that one objection letter was received in response to the draft Plan, submitted on behalf of four separate property owners in the District, attached as Appendix “E” to Report PED24140(c).

Staff's response to the main points made in the objection letter are also included in the comment response matrix attached as Appendix "D" to Report PED24140(c).

Staff provided the required notice of the timing of this Report being considered by Planning Committee, a formal public meeting under Section 41.1(6)(b) of the *Ontario Heritage Act*, to the affected property owners in the District in accordance with the Act. The notices were sent by regular mail on March 6, 2026.

### *Planning Context*

Recent changes to the *Planning Act*, implemented as part of Bill 23, *More Homes Built Faster Act, 2022*, have limited the City's ability to control design features of development. This, in addition to as-of-right zoning that permits much needed intensification in existing neighbourhoods, may result in an increase in demolitions and new unsympathetic development in historic neighbourhoods. The designation of a heritage conservation district for this historic Dundas neighbourhood allows the City to guide compatible new development and facilitate intensification that is sympathetic to, and enhances, the heritage character of the area.

### *Conclusion*

City Council, as advised by the Hamilton Municipal Heritage Committee, previously confirmed that the Melville-Park West area is worthy of designation under Part V of the *Ontario Heritage Act* and directed staff to prepare a Plan for the District (see Report PED24140). Staff recommend that the Melville-Park West Heritage Conservation District Plan, attached as Appendix "A" to Report PED24140(c), be adopted and that the draft by-law to designate the District, attached as Appendix "B" to Report PED24140(c), be enacted, as per Recommendations (a) and (b) of this Report.

Should Council approve the Recommendations of this Report, staff will provide notice of passing of the designation by-law in accordance with Section 41 of the *Ontario Heritage Act*. Any person who objects to the by-law may appeal to the Ontario Land Tribunal by giving notice of appeal to the Tribunal and the City Clerk within 30 days of the notice, in accordance with Section 41(4) of the *Ontario Heritage Act*.

Staff also recommend that the Terms of Reference for the Heritage Permit Review Subcommittee be amended to include representation from the new Melville-Park West District, as per Recommendation (c) of this Report.

Finally, staff note that references to the protection of trees on designated heritage property will be addressed as part of the City's ongoing harmonized private tree by-law project.

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);
- Designation of a defined area as a heritage conservation district where the area meets the prescribed provincial criteria (*Ontario Heritage Act*, Section 41(1)(b); Ontario Regulation 9/06);
- Designating groups of properties of cultural heritage value under Part V of the *Ontario Heritage Act* (*Ontario Heritage Act*, Section 41(1)(a); Urban Hamilton Official Plan, Section B.3.4.2.3); and,
- 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)).

## **Alternatives**

Under Part V of the *Ontario Heritage Act*, the designation of a heritage district is a discretionary activity on the part of Council. Council, as advised by the Municipal Heritage Committee, may direct staff to designate a district, in accordance with the provisions of the *Ontario Heritage Act*.

### *Not Advise the District to be Designated*

By not adopting the district plan and designating the area, the municipality would be unable to provide long-term, legal protection to this significant cultural heritage landscape and the contributing properties located within the district boundary (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies. Without district designation, there is a risk of unsympathetic change and development in the area that could erode the historic character and sense of place of the neighbourhood. Without designation, the contributing properties in the District would not be eligible for the City's financial incentives for heritage properties.

## **Relationship to Council Strategic Priorities**

### Safe & Thriving Neighbourhoods

- Provide vibrant parks, recreation, and public space.

### Responsiveness & Transparency

- Prioritize customer service and proactive communication.
- Get more people involved in decision making and problem solving.

## Previous Reports Submitted

- [PED24140\(b\) – Melville-Park West Heritage Conservation District Plan in Dundas](#)
- [PED24140\(a\) – Update on the Melville-Park West Heritage Conservation District Plan](#)
- [PED25220 – Update on the Melville Street Heritage Conservation District Plan](#)
- [PED24140 – Melville Street Heritage Conservation District Study](#)

## Consultation

A detailed summary of all public consultation and engagement initiatives as part of this project is attached as Appendix “C” to Report PED24140(c).

Staff consulted with affected City sections in the preparation of the District Study and Plan, including circulating the draft Plan through the internal Technical Advisory Committee, and follow-up meetings and emails with staff from the Climate Change Initiatives, Environmental Services, Forestry, Hamilton Fire, Legal Services, and Natural Heritage Planning.

The Ward 13 Councillor was notified and engaged at key milestones throughout this project and was advised of the Recommendations of this Report.

## Appendices and Schedules Attached

Appendix A: Melville Park West Heritage Conservation District Plan

Appendix B: Draft By-law to Designate the Melville-Park West Heritage Conservation District

Appendix C: Public Consultation and Engagement Summary

Appendix D: Comment Response Matrix

Appendix E: Objection Letter

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