



City of Hamilton
HAMILTON MUNICIPAL HERITAGE COMMITTEE
AGENDA

Meeting #: 24-008
Date: September 27, 2024
Time: 12:00 p.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Matt Gauthier, Legislative Coordinator (905) 546-2424 ext. 6437

1. **CEREMONIAL ACTIVITIES**
2. **APPROVAL OF AGENDA**
(Added Items, if applicable, will be noted with *)
3. **DECLARATIONS OF INTEREST**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 4.1 August 19, 2024
5. **COMMUNICATIONS**
6. **DELEGATION REQUESTS**
7. **DELEGATIONS**
8. **STAFF PRESENTATIONS**
 - 8.1 Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the Ontario Heritage Act (PED24169) (Ward 15)
 - 8.2 Recommendation to Designate 24 Blake Street, Hamilton, (Eastcourt Carriage House) under Part IV of the Ontario Heritage Act (PED24171) (Ward 3)

- 8.3 Recommendation to Designate 311 Wilson Street East, Ancaster, (Orton House) under Part IV of the Ontario Heritage Act (PED24170) (Ward 12)
- 8.4 Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the Ontario Heritage Act (PED24136) (Ward 2)

9. CONSENT ITEMS

9.1 Delegated Authority - Heritage Permit Applications

- a. Heritage Permit Application HP2024-019: Removal and Replacement of Roof Shingles at 107 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)
- b. Heritage Permit Application HP2024-020: Replacement of Roof at 250 James Street South, Hamilton (Ward 2) (Balfour House, By-law No. 85-174)
- c. Heritage Permit Application HP2024-021: Removal and Replacement of Windows at 99 Mountsberg Road, Flamborough (Ward 15) (Kerr-Woolsey House, By-law No. 2000-95-H)
- d. Heritage Permit Application HP2024-022: Removal of Dead Trees at 600 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239)

9.2 Policy and Design Working Group Meeting Notes - July 8, 2024

9.3 Heritage Permit Review Sub-Committee Minutes - August 20, 2024

10. DISCUSSION ITEMS

- 10.1 Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies (PED23113(a)) (City Wide)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Buildings and Landscapes

This list is determined by members of the Hamilton Municipal Heritage Committee. Members provide informal updates to the properties on this list, based on their visual assessments of the properties, or information they have gleaned from other sources, such as new articles and updates from other heritage groups.

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated, (NHS) National Historic Site

a. Endangered Buildings and Landscapes (RED)

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

Ancaster

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
- (2) 1021 Garner Road East, Lampman House (D) – S. Spolnik
- (3) 398 Wilson Street East, Marr House (D) – S. Spolnik

Dundas

- (4) 2 Hatt Street (R) – K. Burke
- (5) 216 Hatt Street (I) – K. Burke
- (6) 215 King Street West (R) – K. Burke
- (7) 219 King Street West (R) – K. Burke

Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik
- (10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson
- (11) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (14) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch
- (15) 163 Jackson Street West, Pinehurst / Television City (D) – C.

Kroetsch

- (16) 108 James Street North, Tivoli (D) – C. Kroetsch

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- (17) 98 James Street South, Former James Street Baptist Church (D) – C. Kroetsch
- (18) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
- (19) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
- (20) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (21) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (22) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (23) 120 Park Street North (R) – C. Kroetsch
- (24) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (25) 100 West 5th Street, Century Manor (D) – G. Carroll

b. Buildings and Landscapes of Interest (YELLOW)

(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

Dundas

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (9) 134 Cannon Street East, Cannon Knitting Mill (R) – C. Kroetsch
- (10) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (11) 2 Dartnall Road, Rymal Road Station Silos (D) – G. Carroll
- (12) 54-56 Hess Street South (D) – C. Kroetsch
- (13) 1284 Main Street East, Delta High School (D) – G. Carroll
- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (16) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (R) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch

Stoney Creek

- (29) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

Dundas

- (1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas
- (4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch
- (5) 206 Main Street West, Arlo House (R) – C. Kroetsch
- (6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

d. Heritage Properties Update (BLACK)

(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.



HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES 24-007

12:00 p.m.

Monday August 19, 2024

Room 264, City Hall, 2nd Floor

71 Main Street West, Hamilton, Ontario

Present: A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), K. Burke, L. Lunsted, A. MacLaren (Virtually) and S. Spolnik (Virtually)

Absent

With Regrets: Councillor C. Kroetsch – City Business
A. Douglas

THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:

1. **Melville Street Heritage Conservation District Study (PED24140) (Ward 13) (Item 8.1)**

(Carroll/Lunsted)

- (a) That the Melville Street Heritage Conservation District Study report, attached as Appendix “A” to Report PED24140, be received;
- (b) That the proposed Melville Street Heritage Conservation District boundary, shown in Appendix “B” attached to Report PED24140, be approved;
- (c) That staff be directed to prepare a Heritage Conservation District Plan for the proposed Melville Street Heritage Conservation District, the boundary of which is shown in Appendix “B” attached to Report PED24140, and report back to Planning Committee for their consideration on a recommendation for designation under Part V of the *Ontario Heritage Act*;
- (d) That staff be directed to consult with the affected property owners and the Hamilton Municipal Heritage Committee, in accordance with the *Ontario Heritage Act*, in the preparation of the Melville Street Heritage Conservation District Plan;
- (e) That the properties located within the proposed Melville Street Heritage Conservation District boundary, shown in Appendix “B” attached to Report PED24140, that have been determined to have cultural heritage interest

contributing to the value of the proposed Melville Street Heritage Conservation District, as identified in Appendix "C" attached to Report PED24140, be listed on the Municipal Heritage Register in accordance with Section 27 of the *Ontario Heritage Act*;

- (f) That the Cross-Melville Heritage Conservation District Advisory Committee be disbanded and that the review of heritage permit applications in the Cross-Melville Heritage Conservation District continue to be addressed by the Heritage Permit Review Sub-Committee;
- (g) That the membership composition in the Terms of Reference for the Heritage Permit Review Subcommittee be amended to include "One (1) representative from Cross-Melville, Dundas";
- (h) That the citizen member currently appointed to Cross-Melville Heritage Conservation District Advisory Committee be appointed to the Heritage Permit Review Sub-Committee; and,
- (i) That the funds required to prepare the Melville Heritage Conservation District Plan, as per Recommendation (c) of Report PED24140, be reallocated from Account 8121455500.

CARRIED

2. Recommendation to Designate 634 Rymal Road West, Hamilton (Former Union School Section No. 3), under Part IV of the *Ontario Heritage Act* (PED24123) (Ward 14) (Item 8.2)

(Burke/Lunsted)

- (a) That the City Clerk be directed to give notice of Council's intention to designate 634 Rymal Road West (Union School Section No. 3), shown in Appendix "A" attached to Report PED24123, 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 PED24123, 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.

CARRIED

3. Demolition of 318 Hess Street South, Hamilton, Being a Non-Designated Property listed on the Municipal Heritage Register (PED24156) (Ward 2) (Added Item 10.1)

(MacLaren/Burke)

That the non-designated property located at 318 Hess Street South, Hamilton, be removed from the Municipal Heritage Register.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised the Committee of the following changes to the agenda:

8. STAFF PRESENTATIONS

8.1 Melville Street Heritage Conservation District Study –
PRESENTATION

8.3 Recommendation to Designate 21-25 Jones Street, Stoney Creek (the Powerhouse), under Part IV of the *Ontario Heritage Act* (PED24137) (Ward 5) - WITHDRAWN

10. DISCUSSION ITEMS

10.1 Demolition of 318 Hess Street South, Hamilton, Being a Non-Designated Property Listed on the Municipal Heritage Register (PED24156) (Ward 2)

(Burke/Graham)

That the agenda for the August 19, 2024, Hamilton Municipal Heritage Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) July 22, 2024 (Item 4.1)

(Lunsted/Carroll)

That the Minutes of the July 22, 2024, meeting of the Hamilton Municipal Heritage Committee, be approved, as presented.

CARRIED

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Ray Varey respecting the Melville Street Heritage Conservation District Study (Item 5.1)

(Spolnik/Burke)

That the Correspondence from Ray Varey respecting the Melville Street Heritage Conservation District Study, be received, and referred to the consideration of Item 8.1

For further disposition of this Item, refer to Item 1.

(e) STAFF PRESENTATIONS (Item 8)

(i) Melville Street Heritage Conservation District Study (PED24140) (Ward 13) (Item 8.1)

Alissa Golden, Cultural Heritage Planning Lead, addressed Committee respecting Report PED24140, Melville Street Heritage Conservation District Study, with the aid of a PowerPoint presentation.

(Carroll/Burke)

That the presentation from Alissa Golden, Cultural Heritage Planning Lead, respecting Report PED24140, Melville Street Heritage Conservation District Study, be received.

CARRIED

For further disposition of this matter, refer to Item 1.

(ii) Recommendation to Designate 634 Rymal Road West, Hamilton under Part IV of the Ontario Heritage Act (PED24123) (Ward 14) (Item 8.2)

Scott Dickinson, Cultural Heritage Planning Technician, addressed Committee respecting Report PED24123, Recommendation to Designate 634 Rymal Road West, Hamilton under Part IV of the Ontario Heritage Act, with the aid of a PowerPoint presentation.

(Carroll/Burke)

That the presentation from Scott Dickinson, Cultural Heritage Planning Technician, respecting Report PED24123, Recommendation to Designate 634 Rymal Road West, Hamilton under Part IV of the *Ontario Heritage Act*, be received.

CARRIED

For further disposition of this matter, refer to Item 2.

(f) CONSENT ITEMS (Item 9)

(i) (Carroll/Stefan)

That the following Consent Items, be received:

(a) Delegated Approval: Heritage Permit Applications (Item 9.1)

(i) Heritage Permit Application HP2024-018: Handrail Installation at St Clair Avenue, Hamilton (Ward 03) (St. Clair Avenue HCD, By-law No. 86-125) (Item 9.1(a))

(ii) Heritage Permit Application HP2024-024: Exhaust Relocation at 71 Main Street West, Hamilton (Ward 2) (Hamilton City Hall, By-law No. 06-011) – Extension of Previously Approved Heritage Permit HP2022-021 (Item 9.1(b))

CARRIED

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Buildings and Landscapes (Item 13.1)

Committee members provided brief updates on properties of interest.

(Burke/Carroll)

That the property located at 340 Dundas Street East, Eager House (R), be removed from the Building and Landscapes property listing.

CARRIED

(Carroll/Burke)

That the following updates, be received:

(a) Endangered Buildings and Landscapes (RED):
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

Ancaster

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
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Stoney Creek

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- (c) Heritage Properties Update (GREEN):
(Green = Properties whose status is stable)

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Hamilton

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Flamborough

- (7) 340 Dundas Street East, Eager House (R) – L. Lunsted

- (d) Heritage Properties Update (BLACK):
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated,
(NHS) National Historic Site

CARRIED

Chair A. Denham-Robinson relinquished the Chair to Vice-Chair G. Carroll in order to introduce the following items.

(i) HMHC Heritage Recognition Awards – Call for Nominations (Item 13.1)

A. Denham-Robinson provided Committee with a verbal update respecting the HMHC Heritage Recognition Awards – Call for Nominations.

(Burke/Lunsted)

That the verbal update from A. Denham-Robinson respecting HMHC Heritage Recognition Awards – Call for Nominations, be received.

CARRIED

A. Denham-Robinson assumed the Chair.

(i) ADJOURNMENT (Item 15)

(Carroll/MacLaren)

That, there being no further business, the Hamilton Municipal Heritage Committee, be adjourned, at 12:57 p.m.

CARRIED


Respectfully submitted,

Alissa Denham-Robinson
Chair, Hamilton Municipal
Heritage Committee

Matt Gauthier
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 27, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the <i>Ontario Heritage Act</i> (PED24169) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Scott Dickinson (905) 546-2424 Ext. 7167 Meg Oldfield (905) 546-2424 Ext. 7163
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council's intention to designate 265 Mill Street South, Flamborough (Braebourne), shown in Appendix "A" attached to Report PED24169, 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 PED24169, subject to the following:

- (a) 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;
- (b) 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.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resources located at 265 Mill Street South, Flamborough, known historically as Braebourne, under Part IV of the *Ontario Heritage Act*. The subject property, originally constructed circa 1846, 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 "B" to Report PED24169.

Alternatives for Consideration – See Page 8

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

HISTORICAL BACKGROUND

The subject property located at 265 Mill Street South, Flamborough, shown in Appendix “A” attached to Report PED24169, is comprised of a two-storey stone dwelling constructed circa 1846 for John Cummer, designed in a Neoclassical architectural style. The subject property was listed on the Municipal Heritage Register in November 2019 and was reviewed as part of the Waterdown Village Built Heritage Inventory project. In a letter dated August 26, 2020, Cultural Heritage Planning staff notified the property owner of the Register listing and indicated that the property was considered a candidate for designation. Staff deferred their heritage assessment of the property due to the ongoing discussions as part of a *Planning Act* application for redevelopment of the site.

In March 2021, the property owner applied for a Zoning By-law Amendment application to permit the adaptive re-use of the existing single-detached dwelling and accessory structure and to relocate the existing Waterdown Montessori School to the subject lands. A Cultural Heritage Impact Assessment for the subject lands was submitted with the Zoning By-law Amendment application, completed by KSA Architectural Solutions Inc. dated December 2020 and was subsequently revised February 2022. The initial and updated Cultural Heritage Impact Assessment were reviewed by staff and the Policy and Design Working Group of the Hamilton Municipal Heritage Committee. The Policy and Design Working Group and Inventory and Research Working Group recommended to the Hamilton Municipal Heritage Committee that the property be added to the City’s workplan for designation under Part IV the *Ontario Heritage Act* as a low priority. At the Council meeting held on April 27, 2022, Council passed the following:

- “(i) That 265 Mill Street South, Flamborough (Waterdown), be added to the staff work plan for heritage designation under the Ontario Heritage Act as a low priority;
- (ii) That the staff be directed to implement the conservation of internal and external heritage features of the building identified in the CHIA through a conservation plan and employing appropriate zoning and site plan policies, procedures, and processes; and
- (iii) That the property be designated when construction is completed.”

The Zoning By-law Amendment application was approved and went into effect August 12, 2022. A Holding Provision was included in the amending by-law, to be lifted once cultural heritage resources and transportation impacts have been addressed. The Holding Provision includes the following conditions:

- A Conservation Plan and Construction Monitoring Plan has been submitted and approved with any recommendations made in the Conservation Plan and

SUBJECT: Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act* (PED24169) (Ward 15) - Page 4 of 9

- Construction Monitoring Plan being implemented to the satisfaction of the Manager of Heritage and Urban Design; and,
- An updated Cultural Heritage Impact Assessment has been submitted and approved with any recommendations made in the Cultural Heritage Impact Assessment being implemented, to the satisfaction of the Director of Planning and Chief Planner.

As a result of the recent Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 265 Mill Street South was reprioritized for review for designation by January 1, 2025. In a letter dated July 10, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City's heritage designation process and the reprioritization of staff's review of the property for designation.

To date, staff have received no indication that the proposed redevelopment of the subject property is still ongoing, and, as such, are moving forward with designation at this time. The scope of the heritage attributes recommended by staff to be designated takes into account the scope of impacts for the proposed adaptive reuse and development of the property. In an email dated August 8, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter, dated August 9, 2024, sent by registered mail and email, staff 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 meeting date that the recommendation would be considered. At the time of preparing this report, staff had not received a formal response to the proposed designation from the property owner.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

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);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); 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).

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RELEVANT CONSULTATION

External

- Property Owner;

The Ward Councillor (Councillor T. McMeekin) for Ward 15 has been advised that this matter was to be considered by the Hamilton Municipal Heritage Committee and has been provided an overview of the reasons for designation and the process for designating a property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

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.

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 July 26, 2019 (see photographs attached as Appendix "C" to Report PED24169) and available secondary and primary research sources (attached as Appendix "D" to Report PED24169), including the Cultural Heritage Impact Assessment completed by KSA Architectural Solutions Inc. in support of the Zoning By-law Amendment application for the property. Staff also considered the feedback provided by the Inventory and Research Working Group on the consultants Cultural Heritage Impact Assessment.

As outlined below, based on staff's cultural heritage evaluation, it was determined that the subject property meets six of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design or Physical Value

1. The property is comprised of a two-storey stone dwelling constructed circa 1846, with additions made in the 1860s and in the early- and mid-twentieth century. Though modified, the original portion of the stone structure has design and

physical value as a representative example of the Neoclassical style of architecture as applied to a private dwelling. The features typical of this style include the: symmetrical, three-bay front elevation; hip roof with wooden cornice under projecting eaves; the Venetian window in the second storey with wooden surround with pilasters and brackets supporting moulded cornice; window openings with stone voussoirs, six-over-six hung wooden windows and tooled stone lug sills; and, the central entrance with panelled door flanked by sidelights and wooden surround with pilasters and brackets supporting moulded cornice.

2. The property displays a high degree of craftsmanship, as demonstrated by the wooden surround on second-storey Venetian window with pilasters and carved brackets supporting moulded cornice, and the paneled wooden front door with sidelights and moulded cornice supported by pilasters and carved brackets.
3. The property does not demonstrate a high degree of technical or scientific achievement.

Historical or Associative Value

4. The property has historical value for its association with several prominent Waterdownians who were former owners. This stone dwelling was originally built in 1846 for John Cummer (1797-1868). John was the son of Loyalist and miller Jacob Cummer (1767-1841), who settled in what is now the Toronto neighbourhood of Willowdale. John became both a miller and a millwright, constructing a variety of mills in York County including a grist mill and a woolen mill to compliment his father's sawmill. This mill complex, known as the Reading Mills, attracted settlement to what became the village of Willowdale.

John, looking to expand his business operations, purchased land along with a grist mill and sawmill in Smokey Hollow in 1845. His son, Abram Lockman Cummer (1827-1907), then just nineteen, was sent in to supervise the construction of the subject property, a house which would overlook the family's new mills in Smokey Hollow. John, looking to retire from business, placed his older son Jacob (1823-1904) in charge of the mills at Willowdale and Abram (who seems to have gone by his middle name) in charge of the newly purchased enterprises in Waterdown.

In addition to operating his own mills, Lockman also had interests in several other local grist and sawmills and was responsible for constructing the millworker's cottages at 40-42 Mill Street South, now known as the Cummer Stone Row. In partnership with William Gill, he established Cummer, Gill and Co., to operate a new flour mill and an iron foundry where they produced steam engines and a wide range of milling machinery.

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Following the death of John Cummer in 1868 and his wife, Sarah (1806-1870), in 1870, the subject property was purchased by William Pearce Howland (1811-1907), one of the wealthiest millers in Canada. Howland was already well-known to the Cummer family, having taken a mortgage on the property when Cummer, Gill and Co., failed in the wake of the financial crisis known as the Panic of 1857. Howland would also purchase Lockman's grist mill in Smokey Hollow and the Stone Row in 1871.

William Pearce Howland engaged in a wide range of business ventures, owning multiple mills and general stores in the Toronto area, along with interests in wholesaling, lumbering, insurance and banking. His large resources allowed him to expand the Cummer's small mill operation until it became one of the largest and most important at the Head of the Lake. The Waterdown Flouring Mill, also known as the Torrid Zone Mill, was built with four runs of millstones capable of producing 150 barrels of flour a day. Next to the mill building, Howland constructed a barrel factory to produce the barrels he needed to ship his flour. The mill proved to be a success and was in operation until it was destroyed by fire in 1910.

Howland, who was American born, became a naturalized Canadian in 1841 and was first elected to the legislative assembly of Canada in 1857. A powerful and influential politician, Howland was appointed on several occasions to England as a delegate to speak to Canadian interests. As one of the 16 delegates to the London Conference of 1866, William Pearce Howland is considered today to be the only American-born Father of Confederation. Howland would serve as Lieutenant-Governor of Ontario between 1868 and 1873. The subject property was used as a summer home before being sold in 1900.

Robert Livingston Innes (1872-1935) owned the property from the early 1900s to 1938. Livingston, a prominent Hamilton industrialist, had been heavily involved in Canada's canning industry, at one point being president of the massive Dominion Canners Limited conglomerate which produced 80% of Canada's canned foods and vegetables, as well as being the president of "Zimmerknit", a well-known Hamilton textile company.

Frances Farwell (1894-1966), who gave the name "Braebourne" to the subject property, was its owner from 1939 to 1966. He was one of the founders of Canada Coach Lines and was the first chairperson of Hamilton's original transit commission. Mr. and Mrs. Farwell commissioned famed Canadian landscape architects Lorrie and Howard Dunington-Grubb to redesign the grounds of the property. Dunington-Grubb's plan called for multiple stone terraces, hedge walls, a large perennial garden and separate service and entrance courtyards for arriving vehicles. Little of this design is visible today.

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5. The property has the potential to contribute to an understanding of Waterdown as a nineteenth-century industrial community. The owners of the subject property were heavily involved in the development of Waterdown's mills and factories which were central to Waterdown's historic growth as a community.
6. This property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.

Contextual Value

7. The property is important in defining the historic former industrial character of the surrounding area. Though the long-vanished mills and workshops of Smokey Hollow have left few traces, the subject property, a mill-owner's house a short walk from those former mill sites, now the site of Smokey Hollow Park, is a physical reminder of Waterdown's industrial past.
8. The property is historically, visually, and physically linked to the surrounding area. Still on its original location close to the former mill sites of Smokey Hollow, this house allowed the millowners to keep a close eye on their business while still enjoying some separation from the noise and smoke of industry.
9. The property is not considered to be a local landmark.

Staff have determined that 265 Mill Street South, Flamborough, is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Heritage attributes of value include contextual attributes and the exterior facades of the two connected structures, and the key interior heritage attributes of the original dwelling, as outlined in Appendix "B" to Report PED24169. Staff recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24169.

ALTERNATIVES FOR CONSIDERATION

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.

SUBJECT: Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act* (PED24169) (Ward 15) - Page 9 of 9

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 directly 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 any of the properties to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24169 – Location Map

Appendix "B" to Report PED24169 – Statement of Cultural Heritage Value or Interest
and Description of Heritage Attributes

Appendix "C" to Report PED24169 – Photographs

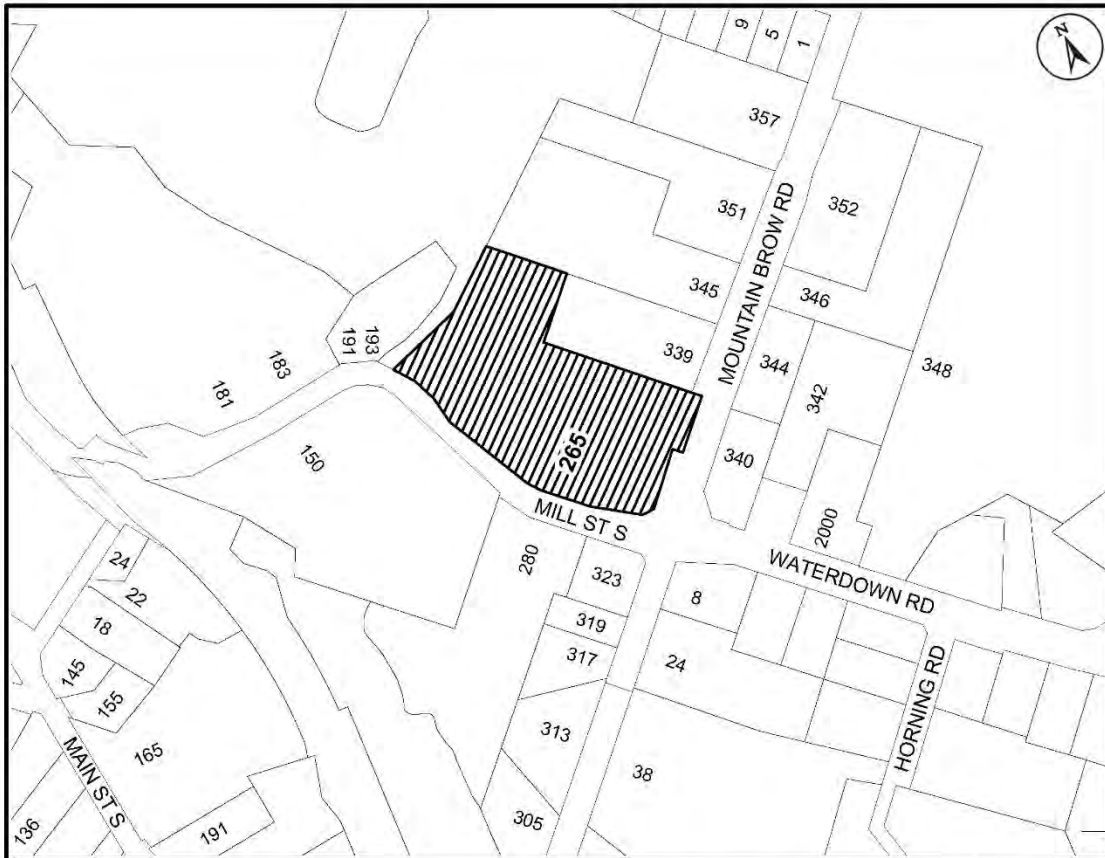
Appendix "D" to Report PED24169 – Research Sources

SD/mb

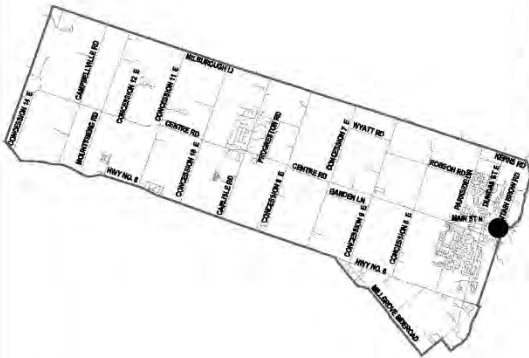
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● Site Location



Key Map - Ward 15

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
265 Mill St S

Date:
January 9, 2024

Appendix "A"

Scale:
N.T.S

Planner/Technician:
SD/AL

Subject Property

 265 Mill Street South

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The 2.0-hectare property municipally addressed as 265 Mill Street South is comprised of a two-storey stone dwelling constructed in 1846, historically known as Braebourne and the Cummer House. It is located on the northeast corner of the intersection of Mill Street South and Mountain Brow Road, in the former Township of East Flamborough, in the Village of Waterdown in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the property lies in its design value as a representative example of the residential Neoclassical architectural style, as demonstrated by the symmetrical front elevation, hip roof with projecting eaves, second storey Venetian window and central entrance with sidelights and wooden surround. The property also displays a high degree of artistry through the wooden surrounds with pilasters, paneling and carved brackets on the Venetian window and central entrance, and the interior staircase.

The historical value of the property lies in its association with several prominent industrialists and businesspeople, including mill-owner John Cummer (1797-1868) and his son Lockman (1827-1907); wealthy banker and politician Lieutenant-Governor Sir William Pearce Howland (1811-1907); Hamilton industrialist Robert Livingston Innes (1872-1935); and bus-line owner Francis Farwell (1894-1966).

Contextually, this property is important in defining the historic former industrial character of the surrounding area, known as Smokey Hollow. This mill-owner’s house acts as a physical reminder of the many mills and industries which once lined Grindstone Creek and Smokey Hollow. It is visually, historically, and physically linked to its surroundings, being on its original location overlooking Smokey Hollow and close to the location of the Waterdown Flouring Mill.

Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative example of residential Neoclassical architecture and in demonstrating a high degree of artisanship, and the historical value for its association with John Cummer and other prominent former owners, include the:

- Front (south) and side (west) elevations and roofline of the two-storey 1846 stone building, including its:
 - Brick chimney;
 - Hip roof with projecting eaves and moulded cornice and brick chimney to the west;

- Symmetrical three-bay front elevation;
 - Rough cut, rubble-stone walls;
 - Venetian window with wooden surround with pilasters and brackets supporting moulded cornice;
 - Six-over-six hung windows with working shutters;
 - Stone voussoirs and tooled stone lug sills on window and door openings;
 - Paneled wooden front door flanked by sidelights and wooden surround with wooden paneling, pilasters and brackets supporting moulded cornice; and,
 - Stone foundation.
- One-storey sunroom side wing to the west, including its:
 - Flat roof;
 - Six-over-nine hung wood windows; and,
 - Wooden shingle siding.
 - Front (south) elevation of the stone first storey side wing to the east, including its six-over-six hung wood windows with stone voussoirs and lug sills.
 - Interior features of the centre hallways to the first and second floor, including:
 - Wooden baseboards; and,
 - Central Quarter-sawn American white oak staircase.

The detached accessory structures and the modern covered driveway and glass-in addition are not considered to be heritage attributes.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Waterdown and the nearby Smokey Hollow include its:

- Location on raised topography at the top of Mill Street South overlooking Smokey Hollow; and,
- Deep setback from Mountain Brow Road with lawns sweeping down to public right-of-way.

Photographs

All images taken by City of Hamilton staff in July 2019 unless otherwise noted.



Figure 1: Front (south) elevation showing the central three-bay circa 1846 stone Neoclassical dwelling (middle), eastern stone addition (right) and one-storey western sunroom addition (left).



Figure 2: View of south (front) elevation of the building, showing the original circa 1846 Neoclassical residential building to the left, side additions with covered drive and detached accessory building.



Figure 3: View of southeastern corner of property.



Figure 4: View of northeastern corner of property.



Figure 5: View of northern (rear) elevation.



Figure 6: View of northern (rear) elevation looking southwest.



Figure 7: View of southwestern elevation showing side additions.



Figure 8: View of western (side) elevation.



Figure 9: Detail view of eaves showing cornice.



Figure 10: Detail view of the first storey of the circa 1860 eastern side addition.



Figure 11: Detail view of window on south elevation showing wooden storms and shutters and stone sill.



Figure 12: Detail view of Venetian window in the second storey of the south (front) elevation.



Figure 13: Detail view of Venetian window on south (front) elevation.



Figures 14 and 15: Detail view of the front entrance on south elevation, including sidelights and decorative wood detailing (left); Detail view of door surround on south elevation entrance (right).



Figure 16: Interior view of property, showing central quarter-sawn American white oak staircase.



Figure 17: View of detached accessory structure.



Figure 18: View looking south across grounds from main entrance of circa 1846 stone Neoclassical dwelling.

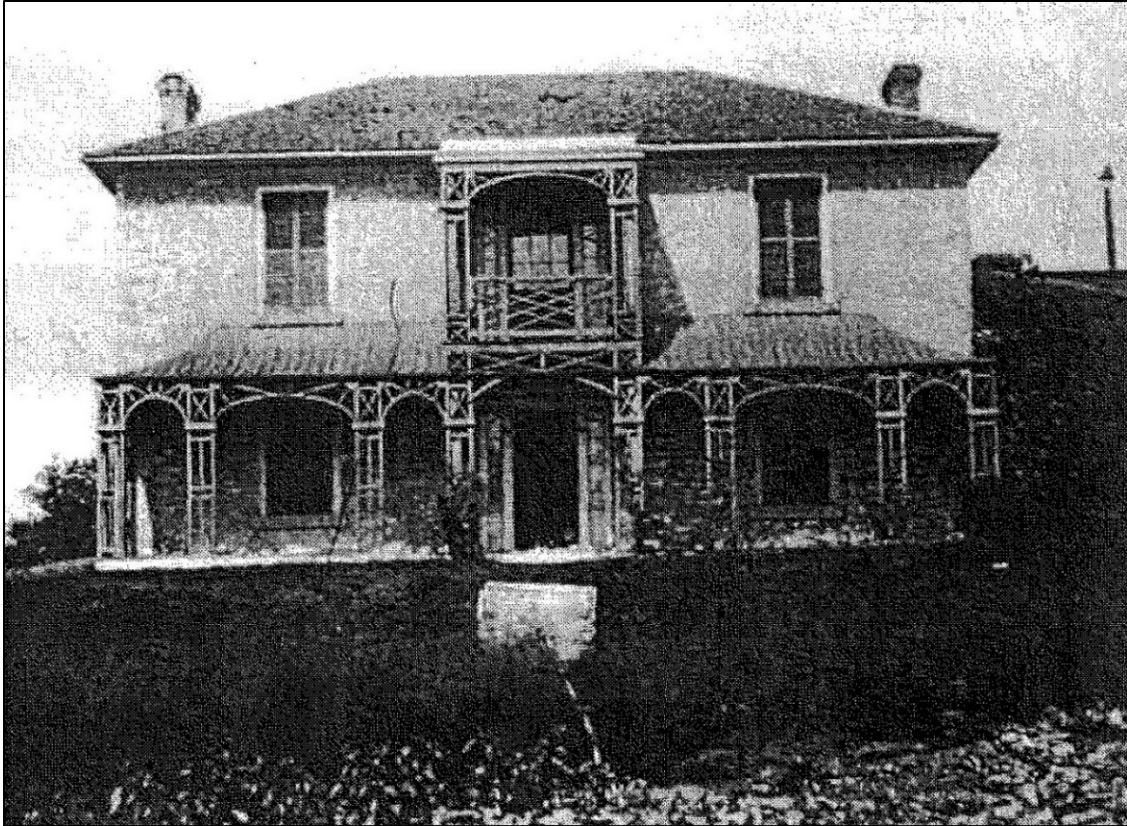


Figure 19: Cummer House, circa 1860-1870. (Flamborough Archive)



Figure 20: Waterdown Flouring Mills before destruction by fire in 1910. (Flamborough Archives).



Figure 21: View of Smokey Hollow in the late-nineteenth century, showing subject property in centre background. (Flamborough Archives)



Figure 22: View of Smokey Hollow in the late nineteenth century, showing subject property in upper lefthand corner. (Flamborough Archives)

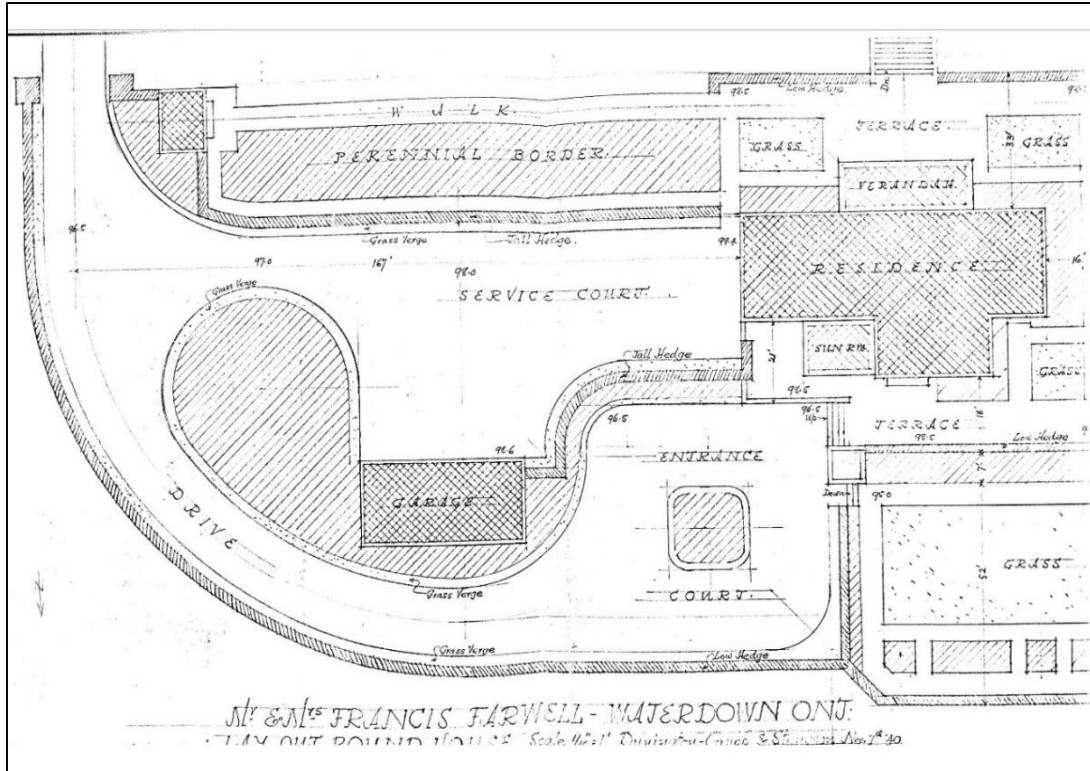


Figure 23: Plan of Dunington-Grubb landscape project for subject property, 1940 (Dunington-Grubb and Stensson Collection, University of Guelph).

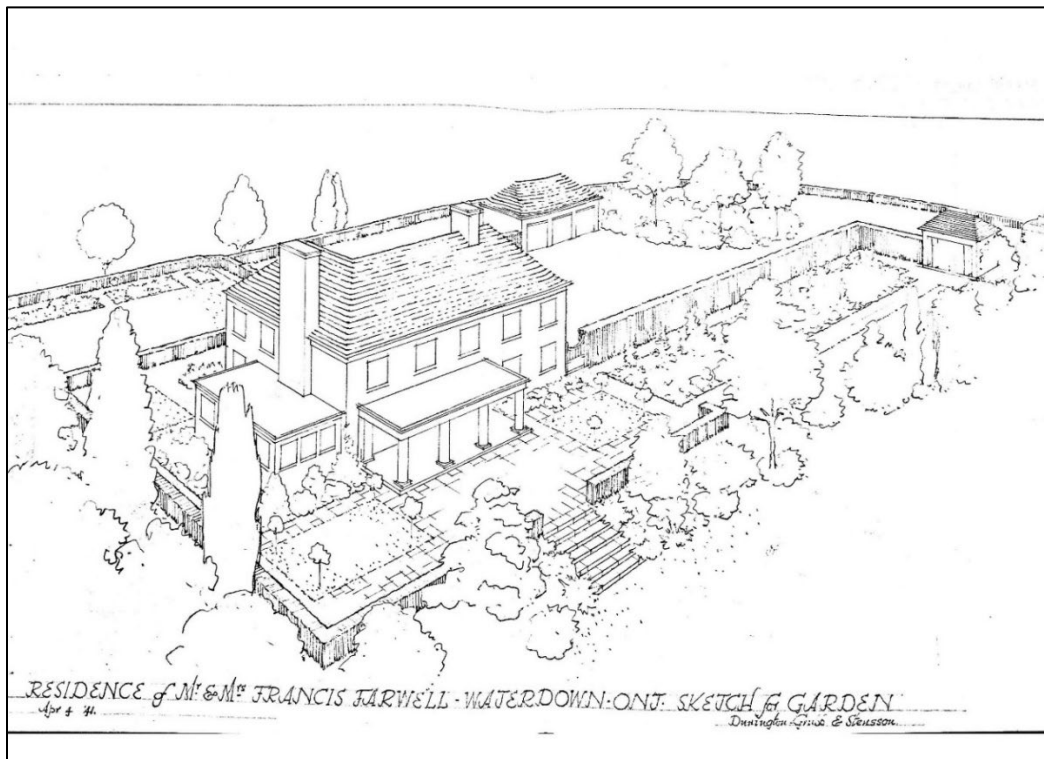


Figure 24: View of Dunington-Grubb landscape, 1941 (Dunington-Grubb and Stensson Collection, University of Guelph).

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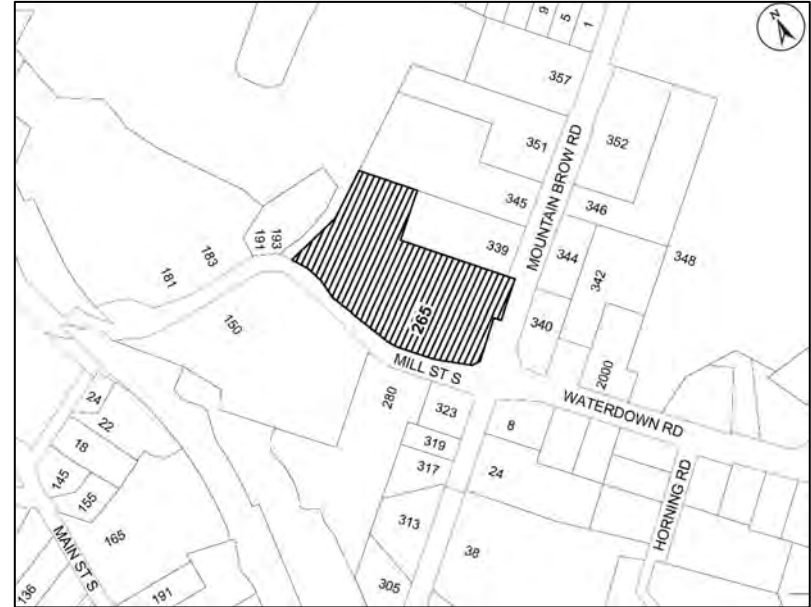


Recommendation To Designate 265 Mill Street South, Flamborough (Braebourne)

September 27, 2024

Hamilton Municipal Heritage Committee

265 Mill Street South, Flamborough



November 2019 - Property listed on Municipal Heritage Register.

March 2021 – Owner applies for Zoning By-law Amendment

April 2022 – Added to Staff's designation workplan as a low priority

March 2023 - Prioritized for Designation by January 1st, 2025



Recommendation for Designation Under Part IV of the OHA

265 Mill Street South, Flamborough
Ontario Regulation 9/06 Criteria (6 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4, 5)
- Contextual (Criteria #7, 8)



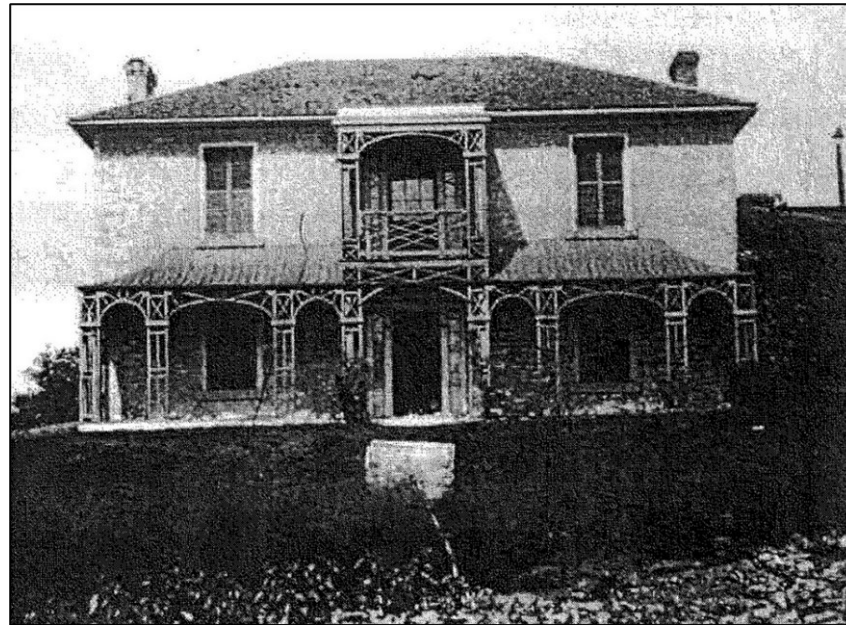
Design / Physical Value

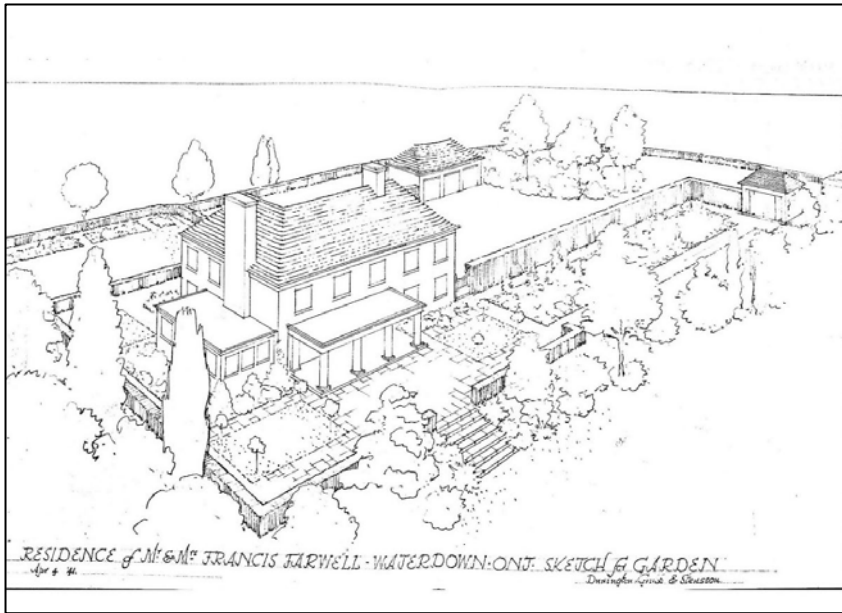
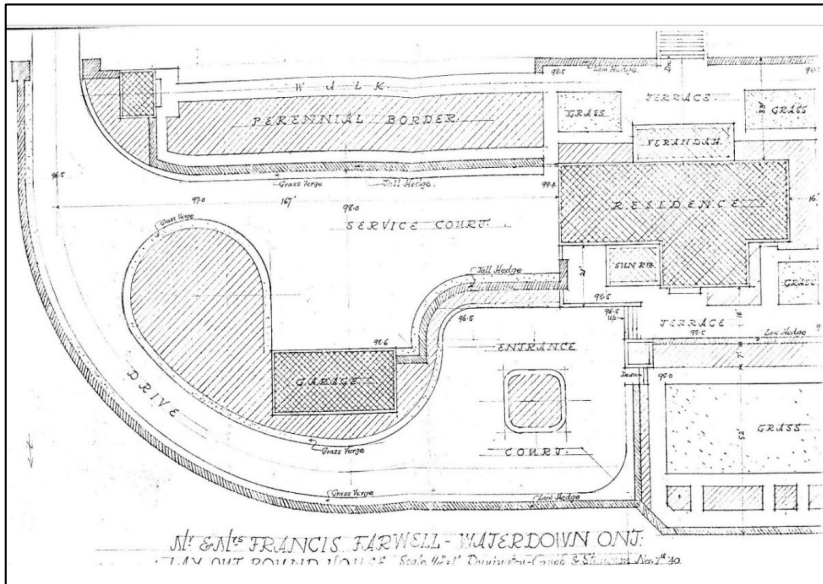
1. The property is a **representative example** of the **Neoclassical style** applied to a dwelling.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



Historical / Associative Value

4. The property is associated with several **prominent Waterdownians**.
5. The property has the **potential** to yield information that **contributes** to an understanding of Waterdown as a **nineteenth-century industrial community**.
6. The property is not considered to demonstrate the work or ideas of an architect, artist, builder, designer or theorist significant to the community





Contextual Value

7. The property defines the **historic former industrial character** of the surrounding area.
8. The property is **visually, historically and physically linked to its surroundings.**
9. The property is not considered to be a local landmark.



Statement of Cultural Heritage Value or Interest (Summary)

The two-storey stone structure at **265 Mill Street South** was built in 1846. It has design value as a **representative example** of a **dwelling** in the **Neoclassical** style of architecture which displays a **high degree of craftsmanship**.

The historical value of the property lies in its association with several prominent industrialists and businesspeople, including mill-owner **John Cummer** (1797-1868) and his son **Lockman** (1827-1907); wealthy banker and politician **Lieutenant-Governor Sir William Pearce Howland** (1811-1907); Hamilton industrialist **Robert Livingston Innes** (1872-1935); and bus-line owner **Francis Farwell** (1894-1966).

Contextually, this property is **important in defining** the **historic former industrial character** of the area and is **visually, historically and physically linked** to its surroundings.

Description of Heritage Attributes (Summary)

- All elevations and roofline of the two-storey stone structure, including its:
 - Brick chimney;
 - Hip roof with projecting eaves and moulded cornice and brick chimney to the west;
 - Symmetrical three-bay front elevation;
 - Rough cut, rubble-stone walls;
 - Venetian window with wooden surround with pilasters and brackets supporting moulded cornice;
 - Six-over-six hung windows with working shutters;
 - Stone voussoirs and tooled stone lug sills on window and door openings;
 - Paneled wooden front door flanked by sidelights and wooden surround with wooden paneling, pilasters and brackets supporting moulded cornice; and,
 - Stone foundation.
- One-storey sunroom side wing to the west, including its:
 - Flat roof;
 - Six-over-nine hung wood windows; and,
 - Wooden shingle siding.



Description of Heritage Attributes (Continued)

- Front (South) elevation of the stone first-storey side wing to the east, including its six-over-six hung wood windows with stone voussoirs and lug sills.
- Interior features of the centre hallways to the first and second floor, including:
 - Wooden baseboards; and,
 - Central Quarter-sawn American white oak staircase.

The key contextual attributes include its:

- Location on raised topography at the top of Mill Street South overlooking Smokey Hollow; and,
- Deep setback from Mountain Brow Road with lawns sweeping down to public right-of-way.



Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 265 Mill Street South, Flamborough (Braebourne)**, shown in Appendix "A" attached to Report PED24169, 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 PED24169, subject to the following:

- (a) 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;
- (a) 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.



Hamilton

QUESTIONS?

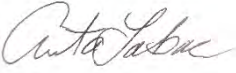


Hamilton

THANK YOU



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 27, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 24 Blake Street, Hamilton, (Eastcourt Carriage House) under Part IV of the <i>Ontario Heritage Act</i> (PED24171) (Ward 3)
WARD(S) AFFECTED:	Ward 3
PREPARED BY:	Maryssa Barras (905) 546-2424, ext.6126 Meg Oldfield (905) 546-2424, ext. 7163
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council’s intention to designate 24 Blake Street, Hamilton (Eastcourt Carriage House), shown in Appendix “A” attached to Report PED24171, 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 PED24171, subject to the following:

- (a) 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;
- (b) 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.

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EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resource located at 24 Blake Street, Hamilton, known as the Eastcourt Carriage House, 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 "B" to Report PED24171. While the one-and-one-half-storey circa 1875 carriage house located at the rear of the property has been identified as having heritage value and is recommended to be designated, the property is also comprised of a circa 1910 two-and-one-half-storey dwelling which is not intended to be identified or protected by designation. The owner of the property is supportive of the staff recommendation to designate.

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

HISTORICAL BACKGROUND

The subject property located at 24 Blake Street, Hamilton, shown in Appendix “A” attached to Report PED24171, is comprised of a circa 1910 two-and-a-half-storey dwelling and a one-and one-half-storey detached brick accessory building constructed circa 1875. The subject property was first surveyed for potential heritage interest in 2019 by the Inventory and Research Working Group of the Hamilton Municipal Heritage Committee, which focused their review on the heritage value of the former Eastcourt Carriage House located at the rear of the property. In 2020, the property was listed on the Municipal Heritage Register and the Carriage House was added to staff’s designation workplan for further research and assessment of the property.

On May 8, 2024, staff received an inquiry from the property owner looking for more information on their property’s heritage status. In subsequent phone and email conversations with the owner, they expressed interest in having their property designated and the financial incentives available for designated heritage properties that would assist them in restoring the building. Staff conducted a site visit of the property on June 3, 2024, at which time the owner expressed their continued interest in the designation of the property. On August 9, 2024, staff advised the owner of the recommendation to designate the property, provided them with a copy of the proposed Statement of Cultural Heritage Value or Interest and advised them of the Hamilton Municipal Heritage Committee meeting that the recommendation would be considered.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Recommendation of this Report is 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);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); 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).

RELEVANT CONSULTATION

External

- Property Owner

In addition, on August 9, 2024, Cultural Heritage Planning staff emailed the Ward Councillor (Councillor N. Nann) for Ward 3 to advise of the staff recommendation to designate the property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

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.

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 the 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 to the property conducted on May 29 and June 3, 2024 (see photographs attached as Appendix "C" to Report PED24171) and available secondary and primary research sources (attached as Appendix "D" to PED24171). As outlined below, based on staff's cultural heritage evaluation, it was determined that the subject property meets five of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design / Physical Value

1. The property at 24 Blake Street has physical value as a representative and unique example of a nineteenth-century brick carriage house influenced by the Second Empire style of architecture. The one-and-one-half-storey brick carriage house located at the rear (west) of the property was constructed circa 1875 as part of the now demolished Eastcourt residence. The outbuilding was designed to match the Second Empire style and ornate detailing of Eastcourt, including its Mansard roof with half-round dormers and segmentally arched window and door openings with brick voussoirs and cast-iron ornaments.

The use of cast-iron ornamentation over window and door opening keystones and at the proximal ends of their decorative arches is also considered to be rare. By the late 1880s, cast iron had been largely replaced by galvanized iron, a form of sheet metal, which became very popular for fabricating ornate cornices and window surrounds, with cast iron being relegated to storefronts for both structural and ornamental function.

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Although historic images of the carriage house have not yet been found, historic mapping (Fire Insurance Plans) and differences in the brickwork suggest that the building has undergone modifications from its original design, with garage doors installed on the south and east elevations, and an additional large opening added to the west elevation which has truncated two of the original window and door openings. The property also features a circa 1910 two-and-one-half-storey brick dwelling located at the front (eastern) part of the property, which is not considered to be of significant heritage value worthy of protection at this time.

2. The property displays a high degree of craftsmanship as demonstrated by the remaining cast-iron ornamentation in the window and door openings.
3. The property does not demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property has historical value for its association with prominent Hamiltonians and late-nineteenth-to-early-twentieth century women's organizations and advocacy. The Eastcourt Carriage House is believed to have been originally built circa 1875, at the same time as the Eastcourt Estate for Edward Mitchell (circa 1840-1892), a local businessman who worked with the Bank of Commerce. In 1893, the property was purchased by Joseph Hoodless (1824-1895) and his son John Hoodless (1854-1923) of J. Hoodless & Son, a Hamilton-based furniture manufacturing business. Joseph moved into the property immediately, while John and his family, including his wife, Adelaide Hoodless, nee Hunter (1857-1910), and their children moved onto the property in 1894.

Adelaide Hoodless was an important and high-profile political player and champion for Canadian women's education in the late-nineteenth and early-twentieth centuries, eventually gaining national recognition. Locally, Adelaide participated in the founding of Hamilton's Young Women's Christian Association (YWCA) chapter in 1889, becoming its second president in 1890. With the YWCA, Adelaide promoted training for women in homemaking skills and opened the School of Domestic Science, the very first of its kind, in 1894 at the Hamilton YWCA. Drawing on this success, in 1900 she played a central role in establishing the Ontario Normal School of Domestic Science and Art in Hamilton.

Beyond Hamilton, Adelaide was also an important political influencer at National and Provincial levels, participating in international and national women's conferences, and playing an instrumental role in forming the YWCA Canada in 1895, the Women's Institute in 1897, and presiding over the creation of the Macdonald Institute of Home Economics in Guelph in 1903. In these roles

Adelaide influenced the Ontario government to adopt domestic science into its public education in 1897, subsequently writing the very first domestic science textbook in Canada in 1898. As an important and high-profile figure in women's organizing, Eastcourt became a frequented gathering place for important discussions and formal meetings for the organizations and individuals affiliated with Adelaide. Despite her advocacy for women's education and contribution to women's organizing, it is worth noting that in her life Adelaide was opposed to radical movements like women's suffrage (the right to vote and hold political office), and instead supported conservative movements to integrate women into Canadian politics through her connections with organizations like the National Council of Women of Canada.

In 1910, the plot of land on which the Eastcourt residence stood was surveyed and subdivided into smaller lots, including a public laneway. The Carriage House was subdivided at this time into a separate lot, and the laneway was plotted to circumvent the building, before being added to the property at 24 Blake Street by 1911. Following Adelaide's death, the Hoodless family vacated Eastcourt, and the building was converted into apartments which were occupied by 1914. These apartments, known as the Eastcourt Apartments, remained occupied until at least 1969, but the building had fallen into disrepair and was demolished after the property was purchased for redevelopment into a school building which opened in 1972. The carriage house, which had been part of 24 Blake Street for over half a century at that point, was spared demolition.

5. The property has the potential to yield information that contributes to an understanding of Adelaide Hoodless, late-nineteenth and early-twentieth century women's movements and organising, and the early urban development of the Blakeley Neighbourhood. As the last remaining building connected to the Eastcourt Estate, the Eastcourt Carriage House stands as a testament to the design and detail of the historically significant property.
6. The property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant in the community.

Contextual Value

7. The Eastcourt Carriage House's well-hidden location behind the early-twentieth century dwelling at 24 Blake Street means that the property is important in supporting, but not defining the character of the area. The Carriage House serves as a tangible reminder of the Eastcourt Estate, which would have been one of a series of substantial estates, including mansion and outbuildings surrounded by attractively landscaped grounds, owned by the nineteenth-century local elite on Main Street East. Its presence is also a tangible reminder of the

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historic evolution of the Blakeley Neighbourhood, including the evolution of the Eastcourt Estate into apartments.

8. The property is historically and physically linked to its surroundings as the last remaining building from the original landmark estate which historically defined the upper-class residential character of the area now known as Blakeley Neighbourhood. The Carriage House has also played an important role in shaping local urban development, with the 1910 plan for the area showing plans for the present-day public laneway to accommodate and wrap around the building. It is further linked to nearby properties including: 770 Main Street East (the lot on which the Eastcourt Estate was historically located), 7 Blake Street, historically known as Linden Place and now known as Adelaide Residence after Adelaide Hoodless, which was also constructed in the Second Empire style in the same year as the Eastcourt; and, the Adelaide Hoodless Elementary School at 71 Maplewood Avenue, which was constructed and named in honour of Adelaide Hoodless shortly following her death.
9. The property is not considered to be a local landmark.

Based on the foregoing, staff have determined that the historic carriage house building located at the rear of 24 Blake Street, Hamilton, is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act*. Heritage attributes of value include the exterior of the building, as outlined in Appendix “B” to Report PED24171. Staff recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24171.

ALTERNATIVES FOR CONSIDERATION

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

SUBJECT: Recommendation to Designate 24 Blake Street, Hamilton, (Eastcourt Carriage House) under Part IV of the *Ontario Heritage Act* (PED24171) (Ward 3) - Page 8 of 8

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.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24171 – Location Map

Appendix "B" to Report PED24171 – Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

Appendix "C" to Report PED24171 – Photographs

Appendix "D" to Report PED24171 – Research Sources

MB/MO: mb

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● Site Location



Key Map - Ward 3

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
24 Blake St


Date:
August 1, 2024


Appendix "A"

Scale:
N.T.S

Planner/Technician:
MB/AL

Subject Property

 24 Blake Street

 Carriage House

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The 0.1-hectare property municipally addressed as 24 Blake Street, Hamilton, is comprised of a one-and-one-half-storey detached brick carriage house built circa 1875 located the rear of the property and is also comprised of a circa 1910 century two-and-a-half-storey brick dwelling. The property is located on the west side of Blake Street between Main Street East and Maplewood Avenue, in the Blakeley Neighborhood, in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The one-and-one-half-storey brick accessory building located at 24 Blake Street was originally constructed circa 1875 to match the intricate design of the historic Eastcourt residence (now demolished). The property has physical value as a representative and unique example of a nineteenth-century brick carriage house influenced by the Second Empire style of architecture and displays a high degree of craftsmanship in the form of its cast iron detailing, the use of which is also considered to be rare.

The property has historical value for its associations with the prominent Hoodless family. In 1893, Joseph Hoodless (1824-1895) and son John Hoodless (1854-1923), the owners of the prosperous furniture making business J. Hoodless & Son, purchased the Eastcourt Estate. By 1894, John and his family, including Adelaide Hoodless (nee Hunter) (1857-1910) were living on the property. Adelaide Hoodless was an important political player and champion for Canadian women’s education in the late-nineteenth and early-twentieth centuries on a national scale. Locally, Adelaide participated in the founding of Hamilton’s Young Women’s Christian Association and opened the Young Women’s Christian Association School of Domestic Science before establishing the Ontario Normal School of Domestic Science and Art in 1900. Beyond Hamilton, Adelaide also played an instrumental role in Ontario’s adoption of domestic science into its public education, in the forming of the Young Women’s Christian Association of Canada in 1895, the Women’s Institute in 1897, and presiding over the creation of the Macdonald Institute of Home Economics in Guelph in 1903. Through its affiliations with Adelaide, Eastcourt became a frequented gathering place for women’s organizing in the nineteenth century.

The property is historically and physically linked to its surroundings, as the last remaining building connected to the Eastcourt Estate; the Eastcourt Carriage House stands as a testament to the design and detail of the historically significant property. Its presence is also a tangible reminder of the historic evolution of the Blakeley Neighbourhood, including the evolution of the Eastcourt Estate into apartments. The Carriage House has also played an important role in shaping local urban development, with the 1910 plan for the area showing plans for the present-day public laneway to accommodate and wrap around the building. It is further linked to nearby properties

including: 770 Main Street East (the lot on which the Eastcourt Estate was historically located), 7 Blake Street, formerly Linden Place and now known as Adelaide Residence, which was also constructed in the Second Empire style in 1875, and the Adelaide Hoodless Elementary School at 71 Maplewood Avenue which was constructed and named in honour of Adelaide Hoodless.

Description of Heritage Attributes

Key attributes that embody the physical value of the property as being a representative and unique example of a nineteenth-century Second Empire brick carriage house, displaying a high degree of craftsmanship and a rare example of cast-iron ornamentation and its long-standing association with prominent Hamiltonians, including Adelaide Hoodless, include:

- All four elevations and the east and south rooflines of the circa 1875 brick carriage house, including its:
 - Square plan;
 - One-and-one-half storey massing;
 - Mansard roof with projecting eaves with half-round dormers to the east;
 - Common-bond coursed brick walls;
 - Projecting gable-roofed frontispiece in the south elevation with returning eaves and half-round window opening below the gable;
 - Segmentally-arched window and door openings in the first storey elevations with brick voussoirs and stone lug sills with drips;
 - Cast-iron ornaments over keystones and at either end of the brick voussoirs on the south, east and west elevations;
 - Carriage door opening with brick voussoir on the eastern elevation; and
 - Stone foundation.

Key attributes that embody the contextual value of the property as a supporting feature of the historical character of the Blakeley Neighborhood include its:

- Location fronting onto, and bound by, the public alley surveyed in 1910 which borders the rear proximity of the lot;
- Location on what was originally part of the Eastcourt Estate’s property; and
- Proximity to the Adelaide House at 7 Blake Street and Adelaide Hoodless Elementary School at 71 Maplewood Avenue.

Photographs

All images taken by City of Hamilton Staff on June 3, 2023, unless otherwise stated.



Image 1: Eastern elevation of the Eastcourt Carriage House looking west.



Image 2: Close-up of the eastern elevation, showing the openings and brick in greater detail.



Image 3: Close-up of the eastern elevation door.



Image 4: Southern elevation looking north from the public alley. Note the varying brick colours.



Image 5: Close-up of the southern elevation's central second-storey window opening with gable roof.



Image 6: Western elevation, take note of the truncated door and window openings on the left-hand side of the image.



Image 7: Close-up of a window opening on the western elevation. Note the different colour bricks and missing cast-iron elements, indicating that the opening was repaired in the past.



Image 8: Close-up of the cast-iron ornaments over keystones.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 9: Close-up of the cast-iron ornaments at the extremities of opening arch details.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 10: Close-up of the truncated original openings on the western elevation.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 11: Image of the western elevation.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 12: Image of the eastern and northern elevations.
Image by Graham Carrol and Ann Gillespie, 2019



Image 13: Image of the eastern elevation.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 14: Image of the second storey window opening on the southern elevation. Note the rust on the cast iron ornaments.
Image by Graham Carrol and Ann Gillespie, 2019.



Image 15: Historic image of the original Eastcourt Estate residence. Note the cast iron ornaments around the first storey window openings which match those of the surviving Carriage House.

Image by C.S. Cochran; published by William H. Carre, Art Work on Hamilton, Canada, 1899.

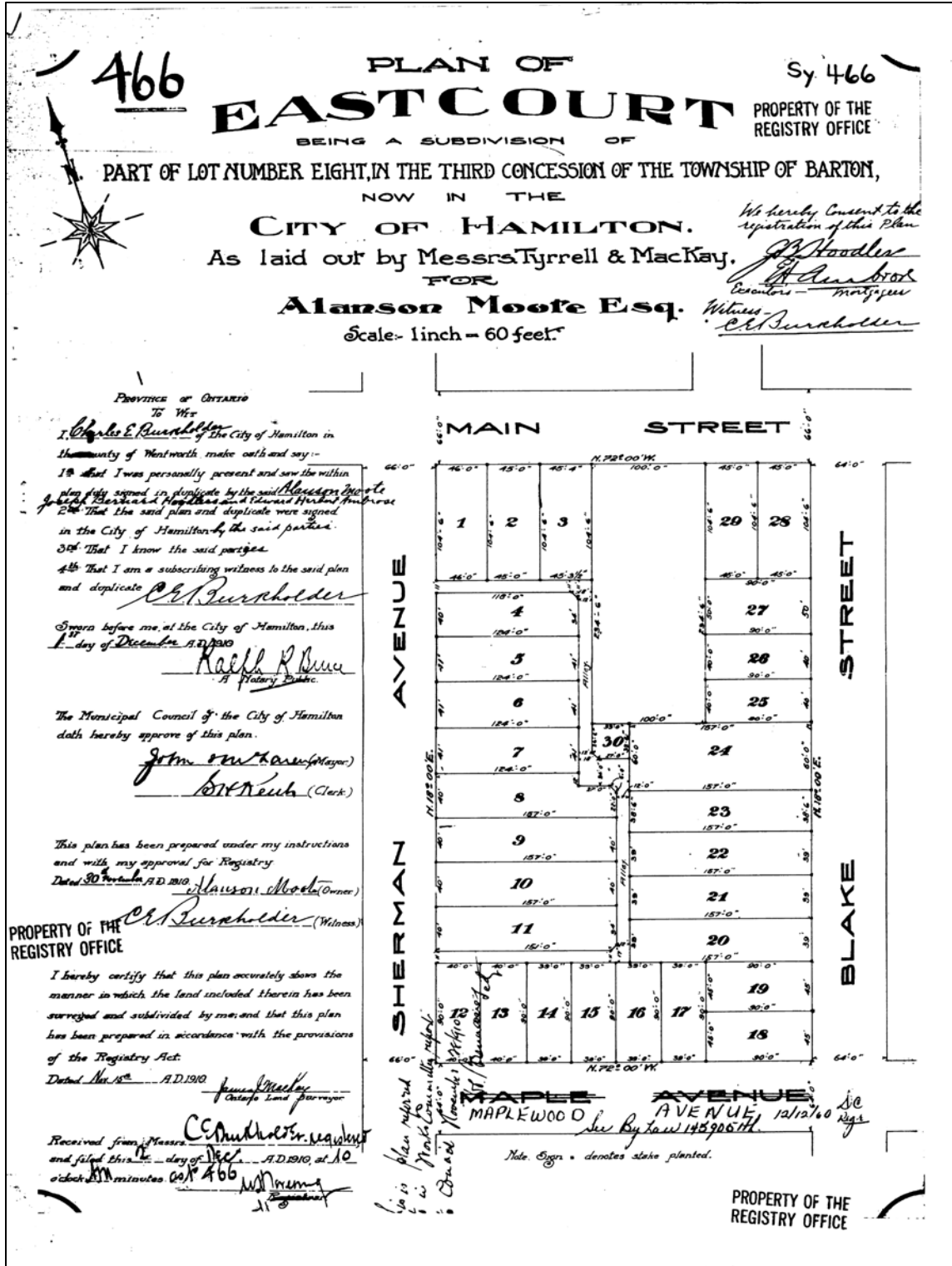


Image 16: Registered Plan 446, produced in 1910, showing the Eastcourt Carriage House on a severed lot (Lot 30), and the public laneway circumventing the lot. Image by Tyrrell & MacKay, 1910, sourced from City of Hamilton Registry Office.

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Recommendation To Designate 24 Blake Street, Hamilton (Eastcourt Carriage House)

September 27, 2024

Hamilton Municipal Heritage Committee

2019

Identified by Inventory and Research Working Group

2020

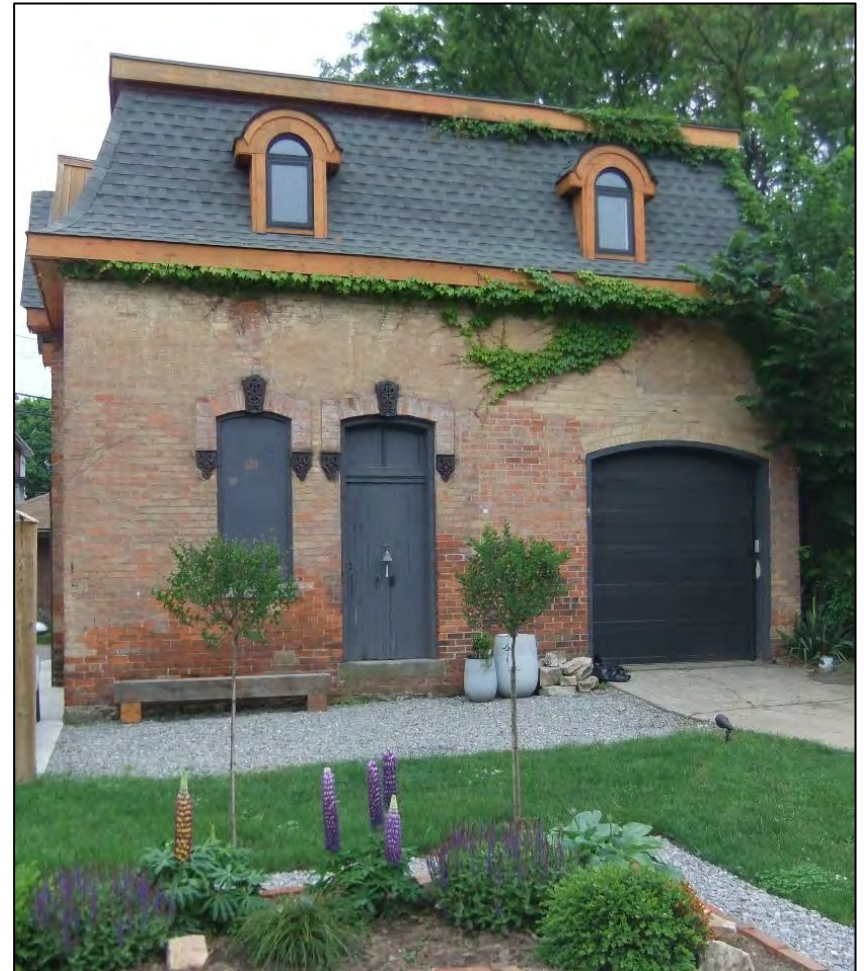
Added to heritage register and workplan

2022

Identified as a high priority for review for designation by January 1, 2025

2024

Owner inquiry into property status



Recommendation for Designation Under Part IV of the OHA

24 Blake Street

Ontario Regulation 9/06 Criteria (5 of 9)

- Design / Physical (Criteria #1, #2)
- Historical / Associative (Criteria #4, #5)
- Contextual (Criteria #7, #8)



Design / Physical Value

1. The property is a **representative and unique example** of a nineteenth-century carriage house.
2. The property displays a **high degree of craftsmanship**.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



Heritage Evaluation

Ontario Regulation 9/06 Criteria



Carriage house in 2019 – image by Graham Carrol and Ann Gillespie



Heritage Evaluation

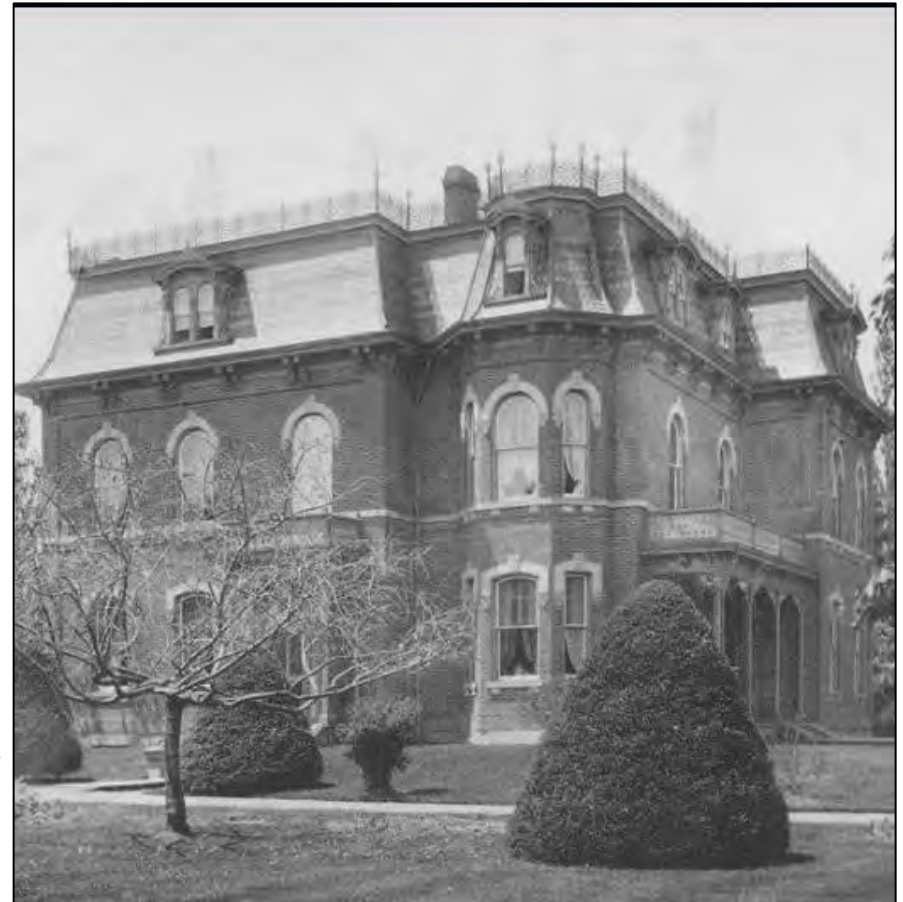
Ontario Regulation 9/06 Criteria



Carriage house in 2019 – image by Graham Carrol and Ann Gillespie

Historical / Associative Value

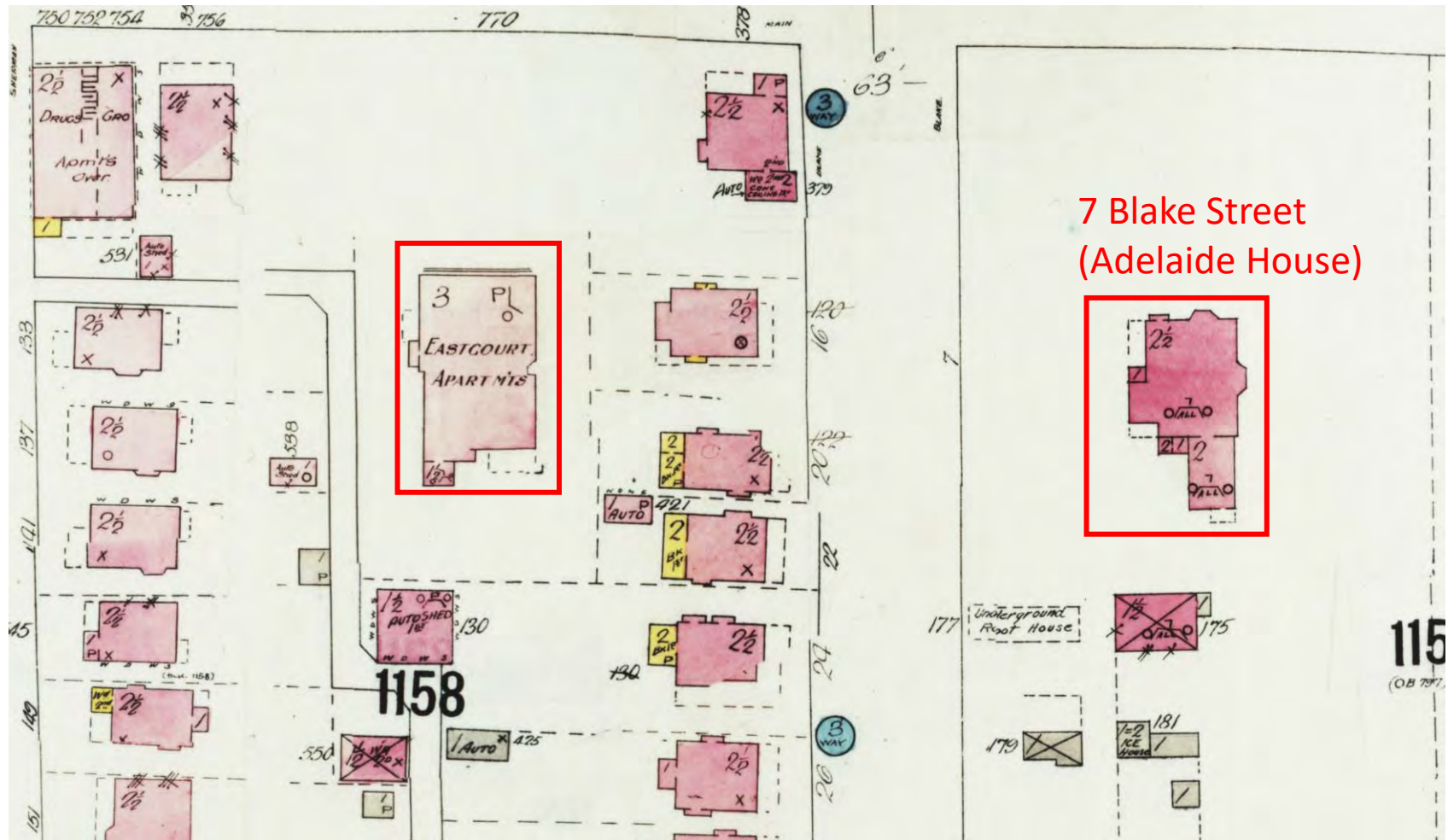
4. The property has historical value for its direct associations with notable **Hamiltonians and women's organisations/advocacy.**
5. The property has the potential to **yield information that contributes to an understanding of Adelaide Hoodless, late-nineteenth and early-twentieth century women's movements and organising, and the early urban development of the Blakeley Neighbourhood.**
6. The property does not demonstrate the work or ideas of an architect builder, designer or theorist significant to the community.



Heritage Evaluation

Ontario Regulation 9/06 Criteria

1911 Fire Insurance Plan



7 Blake Street
(Adelaide House)

Heritage Evaluation

Ontario Regulation 9/06 Criteria

Mrs. Adelaide Hoodless
OF HAMILTON,

Will give a talk on . . . **“DOMESTIC SCIENCE,”**

In the Hall of the COLLEGIATE INSTITUTE
on

Tuesday Eve., Nov. 22

This “Talk” will be under the auspices of the Public School Board, and it is hoped that parents and others interested in educational matters will endeavor to attend.

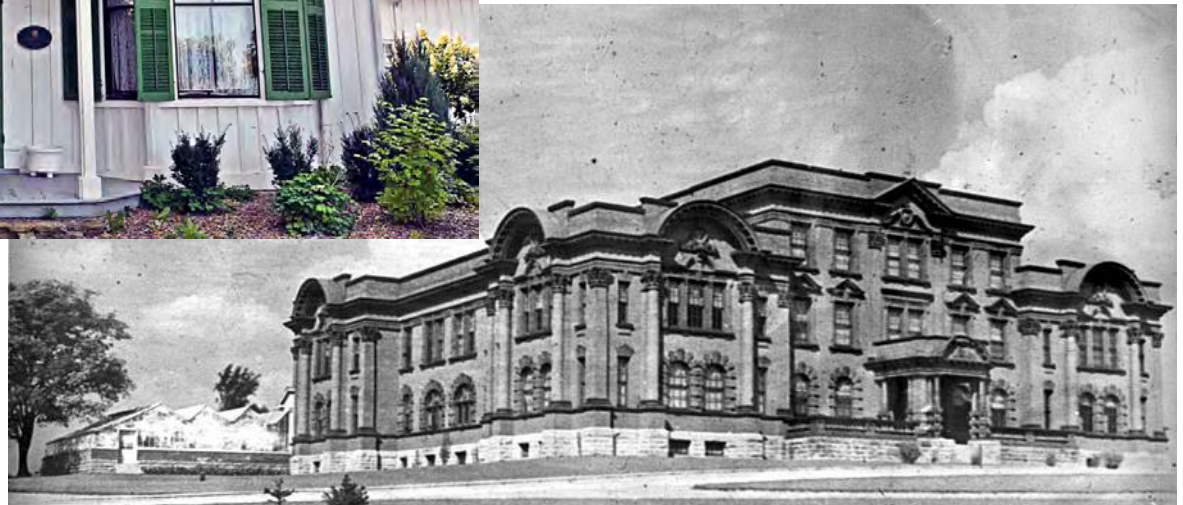
ADMISSION FREE. Arthur K. Bunnell,
Secretary.



Adelaide Hoodless, circa 1905. University of Guelph Library, Archives and Special Collections

Heritage Evaluation

Ontario Regulation 9/06 Criteria



Building which contains home economics laboratories at Macdonald Institute, Guelph, Ontario, Canada, around 1910-20. Collection #23-2-749, item M-OS-29 Div. Rare & Manuscript Collections, Cornell University Library

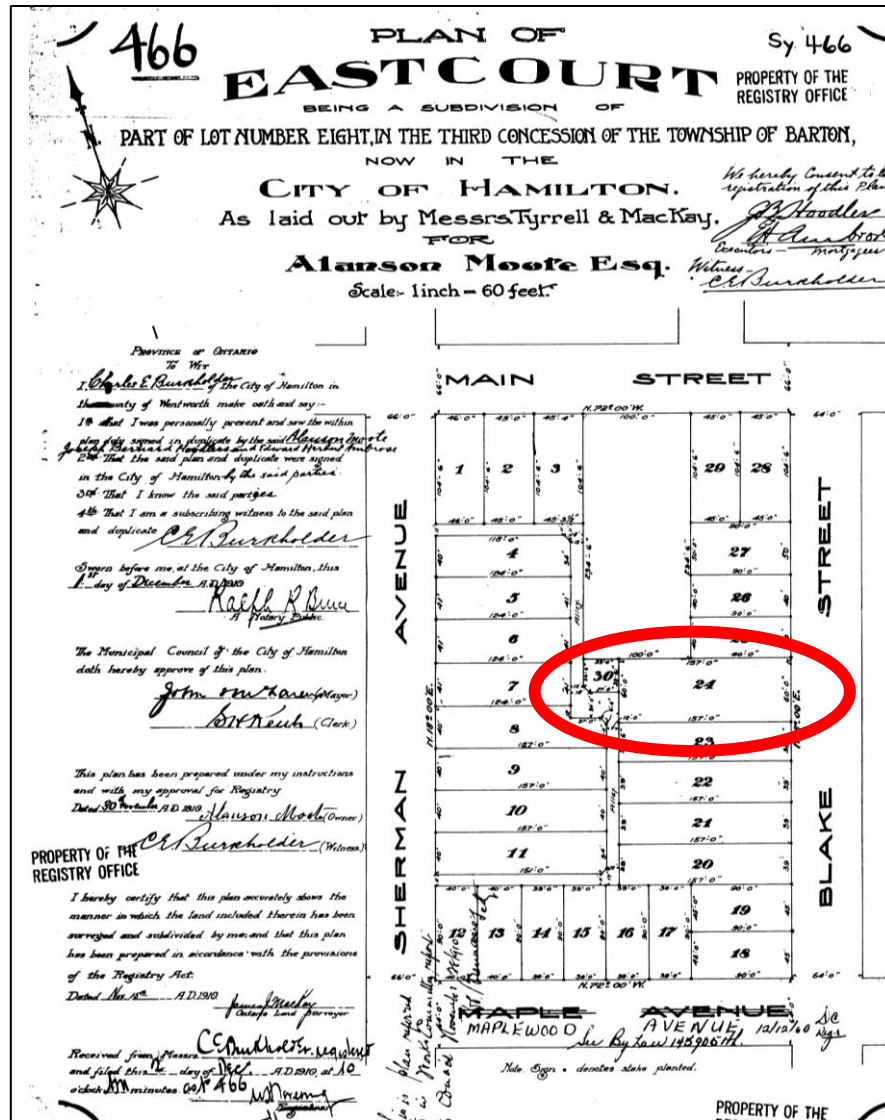
Heritage Evaluation

Ontario Regulation 9/06 Criteria



Heritage Evaluation

Ontario Regulation 9/06 Criteria



Heritage Evaluation

Ontario Regulation 9/06 Criteria



Carriage house in 2019 – image by Graham Carrol and Ann Gillespie

Contextual Value

7. The property is important in **supporting** the character of the area.
8. The property is **historically and physically linked to its surroundings.**
9. The property is not considered to be a local landmark.



Carriage house in 2019 – image by Graham Carrol and Ann Gillespie 15

Heritage Evaluation

Ontario Regulation 9/06 Criteria



https://www.thespec.com/news/hamilton-region/adelaide-hoodless-school-continues-to-defy-expectations-on-eqao-test/article_a54c16cb-4f93-5f72-b7d2-81c6f18d0254.html



7 Blake Street, now Adelaide's House. Hamilton: The Birmingham of Canada, 1892, p. 96

Statement of Cultural Heritage Value or Interest (Summary)

The property at 24 Blake Street includes a circa 1875 second empire carriage house (Eastcourt Carriage House) which is a **representative and unique example of a nineteenth century carriage house that displays a high degree of craftsmanship and technical achievement**, and a 1910 residential building which is not considered to be of heritage value.

The property has is associated with **Hamiltonians and women's organizations/advocacy**, and has the potential to **yield information that contributes to an understanding of Adelaide Hoodless, late-nineteenth and early-twentieth century women's movements and organizing, and the development of the Blakeley Neighbourhood.**

The property is important in **supporting** the character of the area, and is **historically and physically linked to its surroundings.**

Description of Heritage Attributes (Summary)

All four elevations and the east and south rooflines of the brick carriage house, including its:

- Square plan;
- One-and-one-half storey massing;
- Mansard roof with projecting eaves with half-round dormers to the east;
- Common-bond coursed brick walls;
- Projecting gable-roofed frontispiece in the south elevation with returning eaves and half-round window opening below the gable;
- Segmentally-arched window and door openings in the first storey elevations with brick voussoirs and stone lug sills with drips;
- Cast-iron ornaments over keystones and at either end of the brick voussoirs on the south, east and west elevations;
- Carriage door opening with brick voussoir on the eastern elevation; and
- Stone foundation.

Key attributes that embody the contextual value of the include its:

- Location fronting onto the public alley which borders the rear proximity of the lot;
- Location on what was originally part of the Eastcourt Estate's property; and
- Proximity to the Adelaide House at 7 Blake Street and Adelaide Hoodless Elementary School at 71 Maplewood Avenue.

Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 24 Blake Street, Hamilton (Eastcourt Carriage House)**, shown in Appendix "A" attached to Report PED24171, 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 PED24171, subject to the following:

- (a) 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;
- (a) 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.



Hamilton

QUESTIONS?




Hamilton

THANK YOU



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 27, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 311 Wilson Street East, Ancaster, (Orton House) under Part IV of the Ontario Heritage Act (PED24170) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council's intention to designate 311 Wilson Street East, Ancaster, (Orton House) shown in Appendix "A" attached to Report PED24170, 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 PED24170, subject to the following:

- (a) 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;
- (b) 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.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resource located at 311 Wilson Street East, Ancaster, historically known as the Orton House, 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 "B" to Report PED24170.

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)).

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

HISTORICAL BACKGROUND

The subject property located at 311 Wilson Street East, Ancaster, shown in Appendix “A” attached to Report PED24170, is comprised of a two-storey brick building constructed circa 1860, known historically as the Orton House. The subject property was first surveyed for potential heritage interest in the 1970s.

Between 1976 and 1985, the Ancaster Local Architectural Conservation Advisory Committee (former Heritage Committee) conducted an inventory of properties of potential heritage interest in the community. In 1977, as part of this inventory, a heritage research report was prepared for the subject property. A copy of this report “Orton House: 311 Wilson Street East, Ancaster” was utilized in the writing of this Report (see the Research Sources attached as Appendix “D” to Report PED24170).

In 2020, the property was listed on the Municipal Heritage Register and was added to staff’s designation workplan for further research and assessment of the property. As a result of the recent Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 311 Wilson Street East was reprioritized for review for designation by January 1, 2025.

In a letter dated July 10, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation. In a letter dated July 19, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated August 9, 2024, sent by registered mail, staff 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 meeting date that the recommendation would be considered. At the time of preparing this Report, staff had not received a response from the property owner.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

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);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); and,

SUBJECT: Recommendation to Designate 311 Wilson Street East, Ancaster, (Orton House) under Part IV of the *Ontario Heritage Act* (PED24170) (Ward 12) - Page 4 of 7

- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

RELEVANT CONSULTATION

External

- Property Owner.

The Ward Councillor (Councillor C. Cassar) for Ward 12 has been advised that this matter was to be considered by the Hamilton Municipal Heritage Committee and has been provided an overview of the reasons for designation and the process for designating a property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

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.

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 August 28, 2023 (see photographs attached as Appendix “C” to Report PED24170) and available secondary and primary research sources (attached as Appendix “D” to Report PED24170). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets six of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design / Physical Value

1. The two-storey brick building at 311 Wilson Street East, Ancaster is believed to have been constructed as a one-storey building circa 1850 and was heavily modified and expanded sometime before 1882. This property has design or physical value as the brick building is a unique example of a former vernacular dwelling influenced by the Italianate style of architecture. The features that define this building as an example of the Italianate style include its: truncated hip roof

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with a hip-roofed central belvedere; projecting eaves with ornate paired brackets; and round-headed window with stone hood.

The unique features of this property are the modifications undertaken to the original single-storey structure to convert it to a two-storey Italianate dwelling. The evidence of these modifications include: the differing brick bonding between the main storey (Flemish bond) and the upper storey (Stretcher bond) and from the front of the building and the sides (Common bond) and rear; the contrast in placement and sizing of windows between the main and upper storey and the one-and-a-half-storey 'office entrance' projecting from the northern exterior.

A detached three-car garage was built on this property in 1997 but is not considered to be of cultural heritage value or interest.

2. The property displays a high degree of craftsmanship, as demonstrated through the turned and carved wooden brackets on the main body of the house and on the belvedere on the truncated hip roof. The Flemish bond brickwork and Stretcher bond brickwork on the frontage of the property, as well as the decorative belvedere help to assert the prominence of the owners of this property.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property has historical value due to its direct association with several prominent Ancasterians. It is unclear when the original single-storey portion of the building was constructed, though it is noted as the home of George Byrns (1802-1856) a shoemaker, in the 1851 census. It is believed that the Italianate additions were constructed between 1869 and 1882, when the property was owned by Thomas McMurray (1835-1875), a lawyer, and Doctor Henry Orton (1832-1882), who had a large medical practice in Ancaster. A fire insurance map of 1885 shows the property as it appears now. As it was still owned by Anne (1837-1908), Doctor Orton's widow it seems the alterations were completed before Doctor Orton's death. Tradition holds that McMurray had his law office in the house before selling to Doctor Orton, who had been living at Fairview, located at 267 Sulphur Springs Road since 1859.

Doctor Orton occupied the modified house, designed to accommodate a country doctor, and he was very well-known throughout the community. His sudden death by accident in 1882 brought an outpouring of grief; many locals named their children in remembrance of him, and he is commemorated in a stain glass

window in St. John's Anglican Church located to the south on Wilson Street. After Doctor Orton's death, the property was rented to a succession of other local doctors, including Doctor George Devey Farmer (1866-1928) who was a member of the prominent Farmer family and remembered as the owner of the first automobile in Ancaster and as the commander of the 5th Canadian Field Ambulance during the First World War. The property was later owned by other prominent Ancaster residents, including Charles Stuart (1868-1937), president of the local bank branch and principal of the local school, and Charles Reinke (1871-1929), long serving township clerk.

5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.

Contextual Value

7. The property is important for defining the character of the immediate area. It reinforces the immediate streetscape as being part of a nineteenth-century village, while providing a contrast to the small cottages nearby. As a large two-storey building set back from the road across the street from the Township Hall, the property is in a prominent location and attracted important local figures and occupants to what was perceived as the administrative centre of Ancaster.
8. The property is functionally, visually, and historically linked to its surroundings. Its corner lot location ties into its historical function as a professional's dwelling, with a formal entrance facing Wilson Street and a side 'office entrance' facing Sulphur Springs Road. It occupies a prominent location near the centre of the Ancaster Village core, surrounded by other nineteenth-century buildings on the historic transportation corridor of Wilson Street East.
9. The property is a considered a local landmark. Located on a prominent corner in the centre of the village core, this building, well-known enough to be referred to by a name instead of an address, has been featured on various historical walking tours over the years.

Staff have determined that 311 Wilson Street East, Ancaster 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 PED24170.

ALTERNATIVES FOR CONSIDERATION

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 any of the properties to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24170 – Location Map

Appendix "B" to Report PED24170 – Statement of Cultural Heritage Value or Interest
and Description of Heritage Attributes

Appendix "C" to Report PED24170 – Photographs

Appendix "D" to Report PED24170 – Research Sources

SD/AG/mb

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The 0.16 hectare property municipally addressed as 311 Wilson Street East is comprised of a single-detached brick building, known as the Orton House, originally constructed as a one-storey dwelling circa 1850 and significantly modified into a two-storey building by the late-nineteenth century. The property is also comprised of a modern three car garage constructed in 1997. The property is located on the southwest corner of Wilson Street East and Sulphur Springs Road in Ancaster Village, in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The two-storey brick building located at 311 Wilson Street East has physical value as a unique example of a former dwelling influenced by the Italianate style of architecture. The unique features of this property are the modifications undertaken to the original single-storey vernacular structure to convert it to a two-storey Italianate dwelling, as evidenced by the contrasting brick bonds and uneven placement and size of windows. The property also displays a high degree of craftsmanship as demonstrated by the turned and carved wooden brackets supporting the projecting eaves and the decorative belvedere which tops the truncated hip roof.

The property has historical value due to its direct association with several prominent Ancasterians. It is believed that the Italianate-influenced additions were constructed between 1869 and 1882, when the property was owned by either Thomas McMurray (1835-1875), a lawyer, or Doctor Henry Orton (1832-1882), who had a large medical practice in Ancaster and who is commemorated in a stain glass window in St. John’s Anglican Church. McMurray had his law office in the house before selling to Doctor Orton. Other prominent Ancaster residents to occupy the building included: Doctor George Devy Farmer (1866-1928); Charles Stuart (1868-1937), school principal and bank manager; and Charles Reinke (1871-1929), long-serving clerk of Ancaster Township.

The property at 311 Wilson Street East helps define the historic character of Ancaster Village. Located on the southwest corner of Wilson Street East and Sulphur Springs Road in the core of the nineteenth-century village, the property holds a prominent location in proximity to the Township Hall. It is visually, historically and functionally linked to its surroundings with its principal entrance fronting onto Wilson Street and the historic “office” entrance fronting onto Sulphur Springs Road. The size of the building and its unique style and setback at the corner help make it a local landmark, known by name as the Orton House.

Description of Heritage Attributes:

Key attributes that embody the physical value of the property as being a unique example of the Italianate style of architecture, in demonstrating a high degree of craftsmanship and its association with prominent Ancasterians, such as Doctor Henry Orton, include:

- All elevations and the roofline of the two-storey brick building including its:
 - Truncated hip roof with its central belvedere, wide projecting eaves with ornate paired wooden brackets and flanking brick chimneys;
 - Front gable dormer and oculus window that may remain intact behind contemporary front covered portico;
 - Three-bay front (east) elevation including its:
 - Brick laid in Flemish bond in the first storey;
 - Round-headed window with stone hood in the second storey;
 - Flat-headed openings throughout the first storey with alternating brick voussoirs;
 - Segmentally-arched window openings in the second storey with brick voussoirs and stone lug sills;
 - Contrasting brickwork between the first and second storeys;
 - Two-storey rear brick wing with its:
 - Gable roof with projecting eaves and paired wood brackets;
 - Segmentally-arched window openings with brick voussoirs and stone lug sills;
 - Projecting one-storey ‘office entrance’ on the north side elevation with gable roof and round window in gable; and,
 - Stone foundation.

The contemporary two-storey covered portico, constructed in 2014, and the detached three-car garage, constructed in 1997, are not considered to be heritage attributes.

Key attributes that embody the contextual value of the property as a defining feature of the historical character Ancaster Village and as a local landmark include its:

- Location at the corner of Wilson Street East and Sulphur Springs Road, with a moderate setbacks from the public rights-of-way; and,
- Distinctive features, including its belvedere and projecting side entrance.

Photographs

All photographs taken by City of Hamilton staff on August 28, 2023, unless otherwise noted.



Image 1: Front (east) elevation of property.



Image 2: Orton House, looking southwest from the intersection of Wilson Street East and Sulphur Springs Road.



Image 3: South elevation, looking north up Wilson Street East.



Image 4: Side (north) elevation fronting onto Sulphur Springs Road.



Image 5: Side (north) and rear (west) elevations and detached three-car garage looking south from Sulphur Springs Road.



Image 6: Detail of roofline on side (north) elevation, showing brackets and belvedere.



Image 7: Detail of belvedere looking south.



Image 8: Detail of belvedere windows and brackets.



Image 9: Detail of brackets on the north elevation at the intersection of the main building and the rear wing.



Image 10: Detail of brackets on western end of the north elevation of the rear wing.



Image 11: Detail of brackets on the eastern end of the north elevation.



Image 12: Detail of contrasting brick masonry on front (east) elevation.



Image 13: Detail of contrasting brick masonry on side (south) elevation.



Image 14: Detail of the projecting gable-roofed side entrance on the north elevation.



Image 15: Detail of side entrance on the north elevation.



Image 16: Detail of stone foundation on the rear wing northwest corner.



Image 17: Detail of stone foundation on south elevation.



Image 18: East Elevation, c.2014 (Historical Hamilton, Retrieved September 6, 2023.
<https://historicalhamilton.com/area/ancaster/dr-henry-orton-house/>)



Image 19: North elevation looking from Sulphur Springs Road, circa 1977 (Ancaster LACAC).



Image 20: Front (east) elevation, circa 1977, showing the former projecting front gable and covered front porch (Ancaster LACAC).



Image 21: West elevation, circa 1977 (Ancaster LACAC).



Image 22: South elevation, circa 1977 (Ancaster LACAC).



Image 23: Detail of side entrance, circa 1977, showing former bargeboard detail in the projecting gable (Ancaster LACAC).



Image 24: Detail of balcony, front (east) elevation circa 1977 (Ancaster LACAC).



Image 25: Detail of barge boarding and brackets, circa 1977 (Ancaster LACAC).



Image 26: Detail of brackets, circa 1977 (Ancaster LACAC).



Image 27: Detail of belvedere and chimney, circa 1977 (Ancaster LACAC).



Image 28: Detail of front balcony and entrance, circa 1977 (Ancaster LACAC).

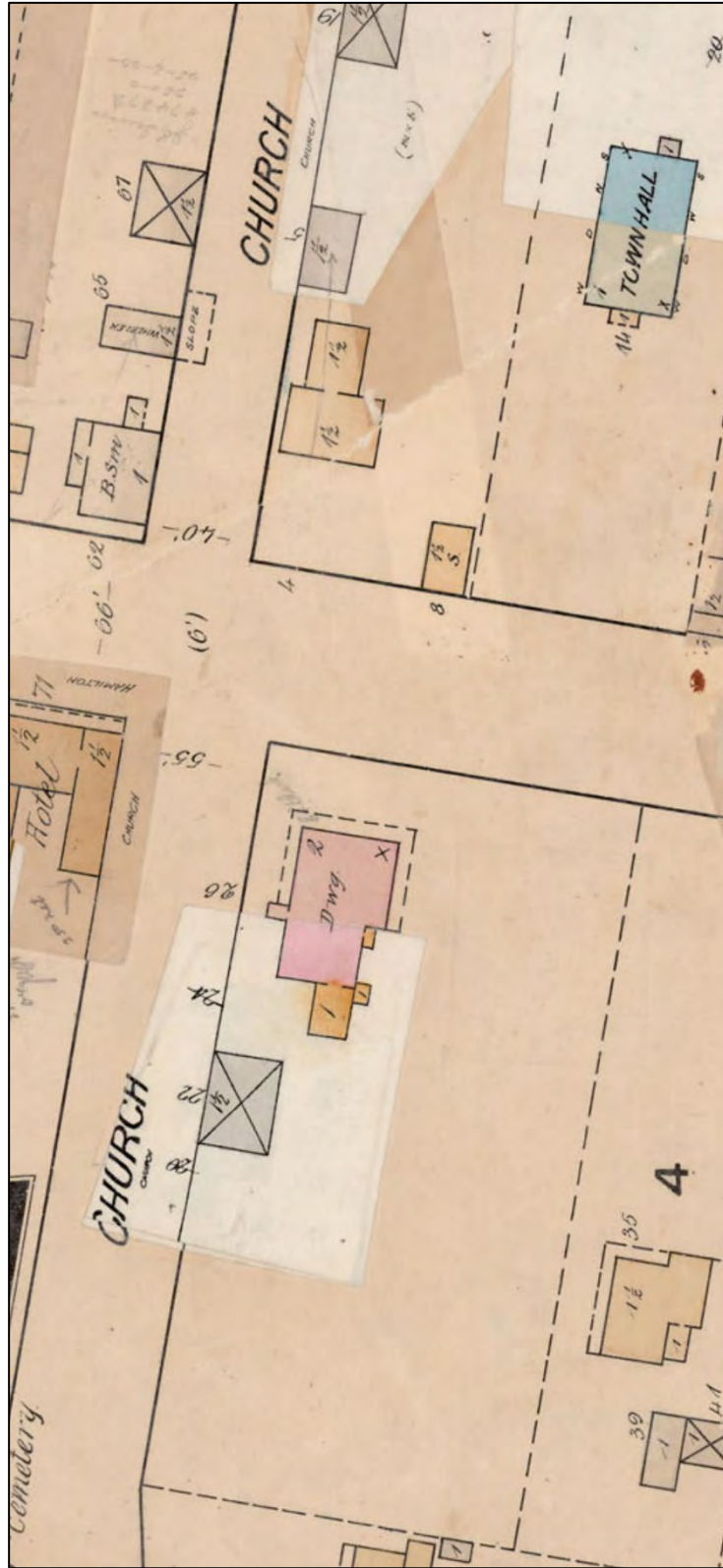


Image 29: Ancaster Fire Insurance Map 1886, revised 1897. North is to the left. (Library and Archives Canada. Retrieved September 6, 2023. <http://central.bac-lac.gc.ca/.redirect?app=fonandcol&id=3810246&lang=eng>)



Image 30: Wilson Street looking southbound, late-nineteenth century. Subject property in center. (Hamilton Public Library, Local History and Archives).

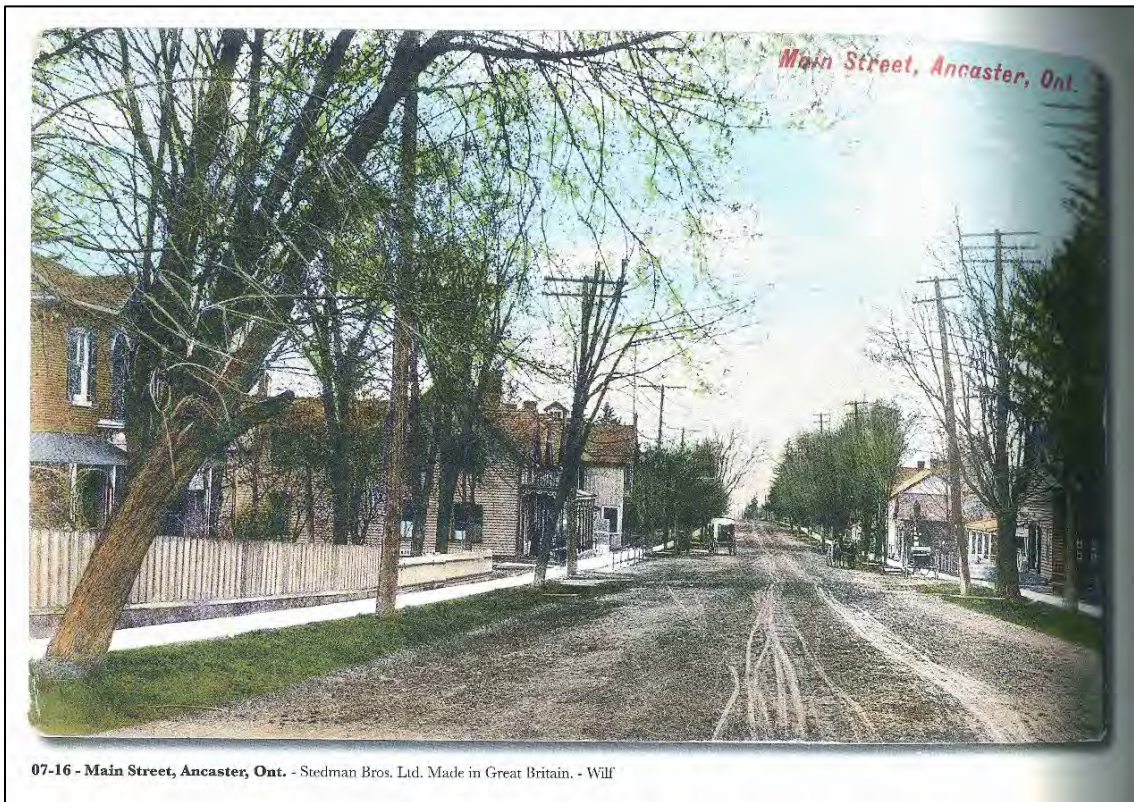


Image 31: Wilson Street looping northbound, late-nineteenth century. Subject property on left side (Hamilton and Wentworth County postcards).

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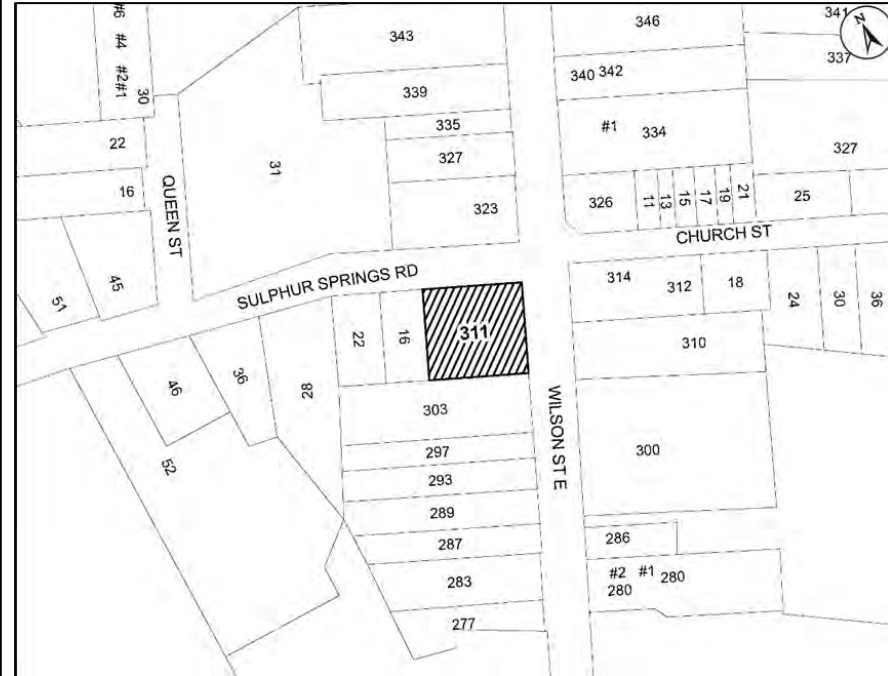


Recommendation To Designate 311 Wilson Street East, Ancaster (Orton House)

September 27, 2024

Hamilton Municipal Heritage Committee

311 Wilson Street East, Ancaster



2020 - Property listed on Municipal Heritage Register and added to designation workplan.

March 2023 - Prioritized for Designation by January 1st, 2025



Recommendation for Designation Under Part IV of the OHA



311 Wilson Street East, Ancaster

Ontario Regulation 9/06 Criteria (6 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4)
- Contextual (Criteria #7, 8, 9)

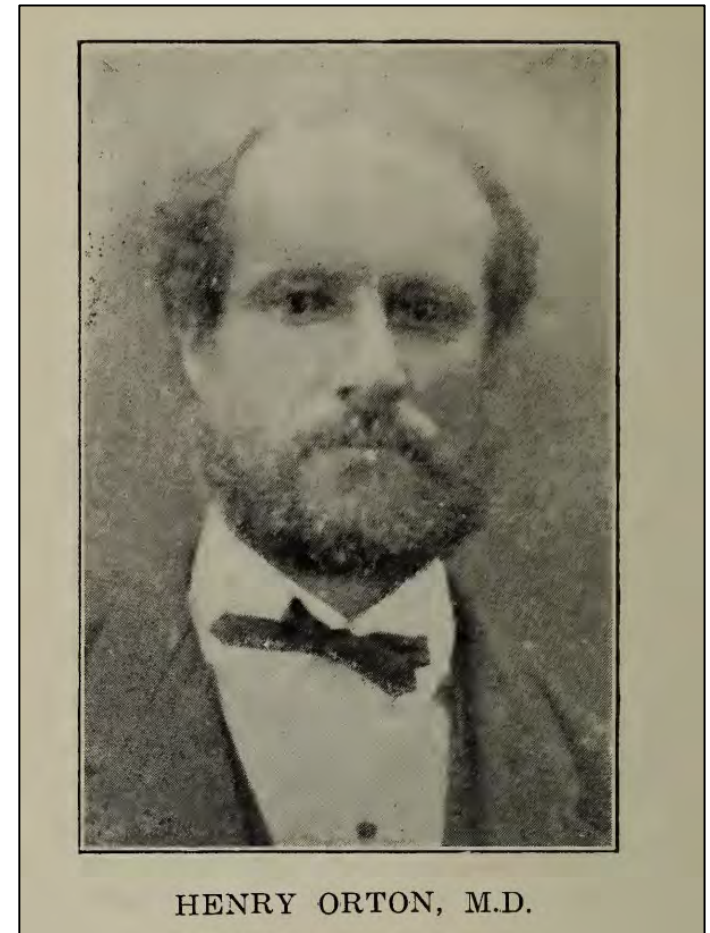
Design / Physical Value

1. The property is a **unique example** of a former **vernacular dwelling** influenced by the **Italianate style** of architecture.
2. The property displays a **high degree** of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



Historical / Associative Value

4. The property has historical value due to its direct associations with several prominent Ancasterians.
5. The property does not yield or have the potential to yield information that contributes to an understanding of a community or culture.
6. The property is not considered to demonstrate the work or ideas of an architect, artist, builder, designer or theorist significant to the community



Contextual Value

7. The property defines the **historic character** of the surrounding area.
8. The property is **functionally, visually and historically linked to its surroundings.**
9. The property is considered to be a local **landmark.**



Statement of Cultural Heritage Value or Interest (Summary)

The two-storey brick structure at **311 Wilson Street East** was built circa **1850** and heavily expanded and modified before **1882**. It has design value as a **unique example** of a **former dwelling** influenced by the **Italianate** style of architecture which displays a **high degree of craftsmanship**.

The property is associated with several prominent **Ancasterians**, including lawyer **Thomas McMurry**, **Doctor Henry Orton** and **Doctor George Devy Farmer**.

Contextually, this property is **important in defining** the **historic character** of the area and is **functionally, visually and historically linked** to its surroundings. This distinctive and highly visible property is considered to be a local **landmark**.

Description of Heritage Attributes (Summary)

- All elevations and roofline of the two-storey brick building, including its:
 - Truncated hip roof with its central belvedere, wide projecting eaves with ornate paired wooden brackets and flanking brick chimneys;
 - Front gable dormer and oculus window that may remain intact behind contemporary front covered portico;
 - Three-bay front (east) elevation including its:
 - Brick laid in Flemish bond in the first storey;
 - Round-headed window with stone hood in the second storey;
 - Flat-headed openings throughout the first storey with alternating brick voussoirs;
 - Segmentally-arched window openings in the second storey with brick voussoirs and stone lug sills;
 - Contrasting brickwork between the first and second storeys;
 - Two-storey rear brick wing with its:
 - Gable roof with projecting eaves and paired wood brackets;
 - Segmentally-arched window openings with brick voussoirs and stone lug sills;
 - Projecting one-storey 'office entrance' on the north side elevation with gable roof and round window in gable; and,
 - Stone foundation.

Description of Heritage Attributes (Continued)

The key contextual attributes include its:

- Location on Rymal Road;
- Shallow setback from the public right-of-way; and,
- Visibility of the property from all directions.



Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 311 Wilson Street East, Ancaster (Orton House)**, shown in Appendix "A" attached to Report PED24170, 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 PED24170, subject to the following:

- (a) 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;
- (a) 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.



Hamilton

QUESTIONS?



Hamilton

THANK YOU



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 27, 2024
SUBJECT/REPORT NO:	Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the <i>Ontario Heritage Act</i> (PED24136) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City Clerk be directed to give notice of Council's intention to designate 134 Cannon Street East, Hamilton (former Cannon Knitting Mills), shown in Appendix "A" attached to Report PED24136, 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 PED24136, subject to the following:

- (a) 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;
- (b) 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.

EXECUTIVE SUMMARY

This Report recommends designation of the significant built heritage resources located at 134 Cannon Street East, Hamilton, a former industrial complex known as the Cannon Knitting Mills, under Part IV of the *Ontario Heritage Act*. The subject property is currently listed on the City's Municipal Heritage Register and is a high priority on the City's list of candidates for designation. This recommendation to designate is being prepared in response to a Formal Consultation application (FC-23-101) proposing redevelopment of the property, which includes the demolition of sections of the complex that have been identified as being of cultural heritage value or interest.

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 "B" to Report PED24136. Should the property be designated under the *Ontario Heritage Act*, staff would have long-term, legal protection in place against inappropriate alterations and demolition. Designation would encourage the adaptive reuse of the subject property as the structure would be eligible for development charge exemption as well as the grant and loan programs offered by the City of Hamilton to assist in the conservation, rehabilitation, and restoration of designated heritage properties.

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The designation process will follow the requirements of the *Ontario Heritage Act* and provide for adequate notice of Council's intention to designate the property. Formal objections may be made under the *Ontario Heritage Act* and considered by Council before either withdrawing the notice of intention to designate or passing a designation by-law. Once a designation by-law has been passed, any further objection would be heard before the Ontario Land Tribunal.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the *Act*.

SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 3 of 10

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that “is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes” (Sub-section 33(1)).

The City of Hamilton also provides financial incentive programs, including development charge exemption and heritage grants and loans, to assist in the adaptive re-use and continued conservation of properties once they are designated.

HISTORICAL BACKGROUND

The subject property located at 134 Cannon Street East, Hamilton, shown in Appendix “A” attached to Report PED24136, is comprised of a complex of two-and-one-half-storey to four-storey brick industrial buildings constructed between 1866 and 1927, fronting onto Cannon, Mary, and Kelly Streets. The subject property was first surveyed for potential heritage interest in the 1970s.

In August 2014, staff prepared Report PED14191, which, as part of the Downtown Hamilton Built Heritage Inventory Project, recommended that 134 Cannon Street East be listed on the Municipal Heritage Register and added to staff’s designation workplan for further research and assessment of the property at a later date. The recommendations were approved by City Council as part of Planning Committee Report 14-014 in September 2014.

In 2018 and 2021, Formal Consultation applications (FC-18-058 and FC-21-123) were submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a mix of commercial and residential uses. Cultural Heritage Planning staff commented on the applications and advised that a Cultural Heritage Impact Assessment would be required to review the impacts of the proposal on the heritage resource and recommend measures to mitigate any impacts.

As a result of the recent Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 134 Cannon Street East was reprioritized for review for designation by January 1, 2025.

In a letter dated July 26, 2023, Cultural Heritage Planning staff notified the property owner of the changes to the City’s heritage designation process and the reprioritization of staff’s review of the property for designation.

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SUBJECT: Recommendation to Designate 134 Cannon Street East, Hamilton (Former Cannon Knitting Mills), under Part IV of the *Ontario Heritage Act* (PED24136) (Ward 2) - Page 4 of 10

In August 2023, Formal Consultation application FC-23-101 was submitted for the subject property proposing redevelopment of the site, which included partial retention of the historic industrial complex of buildings and their integration into new construction to accommodate a small hotel, commercial space, office space and residential towers. Cultural Heritage Planning staff commented on the application and indicated that they had prepared a preliminary cultural heritage evaluation for the subject property using the nine criteria outlined in Ontario Regulation 9/06 and had determined that the property is of sufficient cultural heritage value or interest to warrant designation under Part IV of the *Ontario Heritage Act*.

In a letter dated June 27, 2024, staff advised the owner of the recommendation to designate the property. In a subsequent letter dated August 9, 2024, sent via registered mail, staff 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 meeting date that the recommendation would be considered. Staff have not received a response from the property owner to date.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

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);
- Ensuring significant built heritage resources are conserved (Provincial Policy Statement, 2020, Sub-section 2.6.1); 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).

RELEVANT CONSULTATION

External

- Property Owner.

In addition, 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.

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ANALYSIS AND RATIONALE FOR RECOMMENDATION

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 Policy Statement (2020), 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 August 1, 2024 (see photographs attached as Appendix “C” to Report PED24136) and available secondary and primary research sources (attached as Appendix “D” to Report PED24136). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets eight of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design / Physical Value

1. The one-and-a-half-storey to four-storey complex municipally addressed as 134 Cannon Street East, Hamilton, known as the Cannon Knitting Mills, is an industrial complex constructed in stages between circa 1866 and 1927. This complex of connected buildings has design or physical value as it is a rare surviving example in Hamilton of an industrial complex whose evolution over time is visible in the distinct styles and periods of its constituent buildings. The property consists of five distinct structures and associated addresses constructed between circa 1866 and 1927:
 - **Structure 1 - 130 Mary Street** is a four-storey brick building constructed circa 1866 with a side gable roof. An addition to the original circa 1855 Turnbull foundry, this is now the oldest part of the complex.
 - **Structure 2 - 122 Mary Street** is a three-and-a-half-storey brick building constructed circa 1880 with a rounded southwest corner, hip roof and three wooden dormers. It was built to replace the original stone Turnbull foundry constructed circa 1855.

- **Structure 3 - 11 Kelly Street** is a three-storey brick building constructed circa 1910, which occupies the southeastern corner of the property. It connects 122 Mary Street to 134 Cannon Street.
 - **Structure 4 - 140 and 146 Mary Street** are two units of a three-storey brick building extending along Mary Street to the corner with Cannon Street East. The southern portion of this building was constructed in 1911 and the northern third completed in 1927. The eastern side of both units is one-and-a-half storeys with a louvred roof.
 - **Structure 5 - 134 Cannon Street East** is the northeastern corner of the property, a three-storey brick building constructed in 1920.
2. The property demonstrates a high degree of craftsmanship through the various decorative flourishes that enliven an otherwise utilitarian complex of structures, including:
- 11 Kelly Street has brick pilasters with pointed tops and stone accents, as well as brick relief work between pilasters.
 - 122 Mary Street has a corbelled brick chimney, a rounded southwest corner, decorative wooden brackets under projecting eaves, wide windows with segmental arches that have stone skewbacks, curved wooden cornice with wooden dentils and decorative end brackets, and Corinthian capitals supporting a wooden cornice.
 - 130 Mary Street has wide windows with segmental arches that have stone skewbacks and keystones facing onto Cannon Street.
 - 146 Mary Street has a shaped parapet to accommodate a louver for ventilation. The central window of the parapet has a semicircular transom under a brick arch with stone keystone and end stones. The central window is flanked on either side by a smaller version of the same design. The windows are recessed to give the impression of pilasters.
 - 134 Cannon Street East has a projecting bay on the first storey, featuring a wooden cornice, brick frieze with stone accents and paired brick pilasters as well as a wooden cornice over the entryway.
3. The property does not appear to demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property has historical value due to its long-standing association with two of Hamilton's historic industries - textiles and metalworking, its association with the 1892 Moulders' Union Strike, as well as its association with several prominent Hamilton firms including the: Turnbull's Mary Street Foundry, Hamilton Pottery

Company, Brown Boggs Company, Laidlaw Manufacturing Company, and Chipman-Holton Knitting Company.

The Turnbull brothers, William (1815 - 1894) and James (1826 – c.1870) established the Mary Street Foundry on this site circa 1856. This foundry was known for its stoves, wagon boxes, kettles, and farm implements. By the late 1860s, a brick addition to the original stone foundry allowed several other firms to occupy space at the Mary Street property. R. Campbell and Company, which produced enamelware pottery, established themselves on site circa 1866, and would later grow into the leading Hamilton Pottery Company, the largest in Canada, after moving to new premises in 1873. S. J. Moore, a tinsmith, occupied part of the site between 1870 and 1873. This craftsman's workshop would grow into a large toolmaking manufacturer, which is still in business today as the Brown Boggs Company.

By the mid-1870s, the expanding Mary Street Foundry was using the brick addition themselves. In 1874, William Turnbull retired, leaving control of the foundry to his business partner, Adam Laidlaw (1833-1901), who had joined the firm in 1869. Renamed A. Laidlaw and Co., and later the Laidlaw Manufacturing Company, the foundry continued to produce a range of stoves, hot air furnaces, hollow ware, and castings, later expanding to a wide range of heating systems and industrial equipment.

In January of 1892, the owners of Hamilton's foundries announced to the Moulders' Union that they would reduce wages by ten percent, and that any resistance to this decision would result in non-union replacement workers being brought in. As the Moulders' Union was determined to resist any wage cutbacks, 350 union moulders went on strike. The moulders were skilled craftsmen who created the moulds needed to form castings. Without them, the foundries could not produce. Both sides understood what was at stake: for the owners, further control over their shops; for the moulders, the preservation of their independence as craftsmen. The Moulders' Strike dragged on for months. The foundries imported strike-breakers from Quebec, the United States, and other part of Ontario. Responses from strikers ranged from financial incentives to leave Hamilton, to jeers and insults and finally to intimidation and violence.

In August 1892, the first crack appeared in the owner's united front. The Laidlaw Manufacturing Company agreed to employ union moulders in their shops - if they agreed to work alongside non-union moulders. Within a week the Moulders' Union was in control, with only union men employed. Unfortunately, this did not translate into a wider victory for the moulders. The strike would last a total of thirteen months before failing in February of 1893. Laidlaw was the only foundry to accept

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the union's demands. Laidlaw itself would go out of business only a year later in 1894.

For several years the various parts of the building complex were vacant, occasionally being home to short-lived businesses. In 1902, successful nurseryman William Arthur Holton (1863-1941) partnered with brothers Frank (1866-1930) and William (1871- 1922) Chipman, American hosiery investors, to form the Chipman-Holton Knitting Company, which purchased the former Laidlaw foundry and proceeded to convert it into a factory to produce hosiery. Chipman-Holton rapidly expanded their premises through construction between 1902 and 1927. The firm was famous for its line of "Buster Brown" boys' stockings and was reputed as one of the largest hosiery manufacturers in North America.

By the 1950s, changing economic conditions convinced the Chipman-Holton Knitting Company to merge with fellow Hamilton knitting firm Mercury Mills Ltd. The merged company went bankrupt in 1956. The former knitting mill complex was used for a variety of light industry between the 1960s and the early twenty-first century and has been unoccupied since the mid-2000s.

5. The property has the potential to yield information that contributes to the understanding of a community or culture. This property was an industrial site for 150 years, providing employment to generations of nearby residents. As a scene of unrest during Hamilton's labour disputes through the late-nineteenth to the early-twentieth centuries, the property could reveal insights into work culture at foundries and textile mills. A major part of life in the Beasley Neighbourhood, the property is a physical reminder of the neighbourhood's working-class roots, and the property could reveal insights into the lives and struggles of working-class Hamiltonians.
6. The property reflects the work and ideas of the prominent Hamilton architectural firm, Stewart & Witton, who were commissioned by William Arthur Holton (1863-1941) to design alterations and expansions to the complex between 1902 and 1914. These included the construction of 11 Kelly Street and 140 and 146 Mary Street. Walter Stewart (1871-1917) was the son of prominent Hamilton architect William Stewart. Walter Stewart partnered with his father in 1893, forming W. & W. Stewart. Upon his father's retirement in 1904, Walter Stewart formed a partnership with William Witton (1871-1947), who had trained at the prominent Chicago architectural firm of Adler & Sullivan. Stewart and Witton practiced together until Stewart's death in 1917. The pair designed several residential, commercial, and industrial buildings in Hamilton and beyond, surviving examples of their industrial designs include the former Thornton and Douglas Ltd. Factory across the street at 147 Mary Street, now Welkom House; the former Tallman

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Brass Foundry at 70 Sanford Avenue North, now Park's Furniture; and the former American Can Company at 356 Emerald Street North, now Karma Candy.

Contextual Value

7. The property is important in defining the character of the Beasley Neighbourhood. A surviving example of the industrial complexes that have mostly vanished from the neighbourhood, the property comprises a complex of buildings constructed over the course of most of a century. The earliest extant buildings point to Beasley's status as Hamilton's first industrial area, while the eclectic massing and style of the various additions speaks to the growth and continued presence of industry in Beasley over most of the nineteenth and twentieth centuries. Being surrounded by residential and commercial areas, the property defines the cheek-by-jowl nature of nineteenth-century Hamilton.
8. The property is historically, visually, and functionally linked to its surroundings. In its original location, the Victorian (1837-1901) and Edwardian (1901-1910) era factory complex is in the midst of a Victorian and Edwardian-era working class neighbourhood. It is linked: visually, to the workers' housing that symbiotically surrounds it; functionally, to its location, being in Hamilton's first industrial area and across the street from 147 Mary Street, another surviving garment factory; and, historically, being very close to the now defunct Grand Trunk Railroad freight yard at Ferguson Avenue and Cannon Street, a vital location for receiving raw materials and shipping out finished hosiery.
9. The property is considered a local landmark. Encompassing an entire half block, the complex of buildings on the property dominates the local area. Being far larger, and moderately taller than the housing stock that surrounds it, the property is a solid masonry block which rises over the local rooftops. It has a visual prominence in keeping with the importance the industry once held in the Beasley neighbourhood. Located on the historic Cannon Street transportation corridor, and near to the historic Wilson Street corridor, this is a distinctive and extremely visible property that is seen by large numbers of Hamiltonians each day.

Staff have determined that 134 Cannon Street East, 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 PED24136.

ALTERNATIVES FOR CONSIDERATION

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 any of the properties to be an appropriate conservation alternative.

APPENDICES AND SCHEDULES ATTACHED

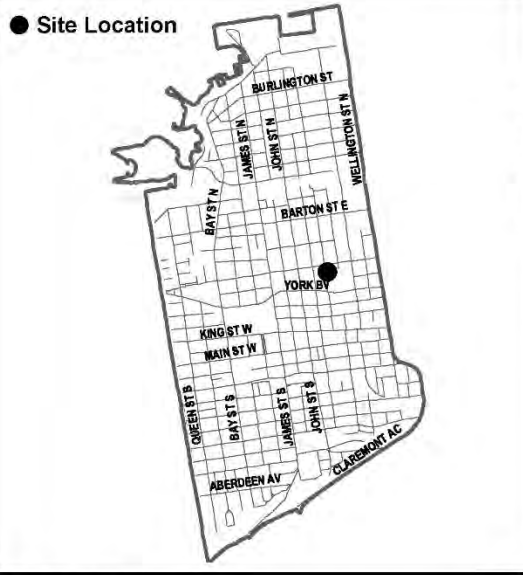
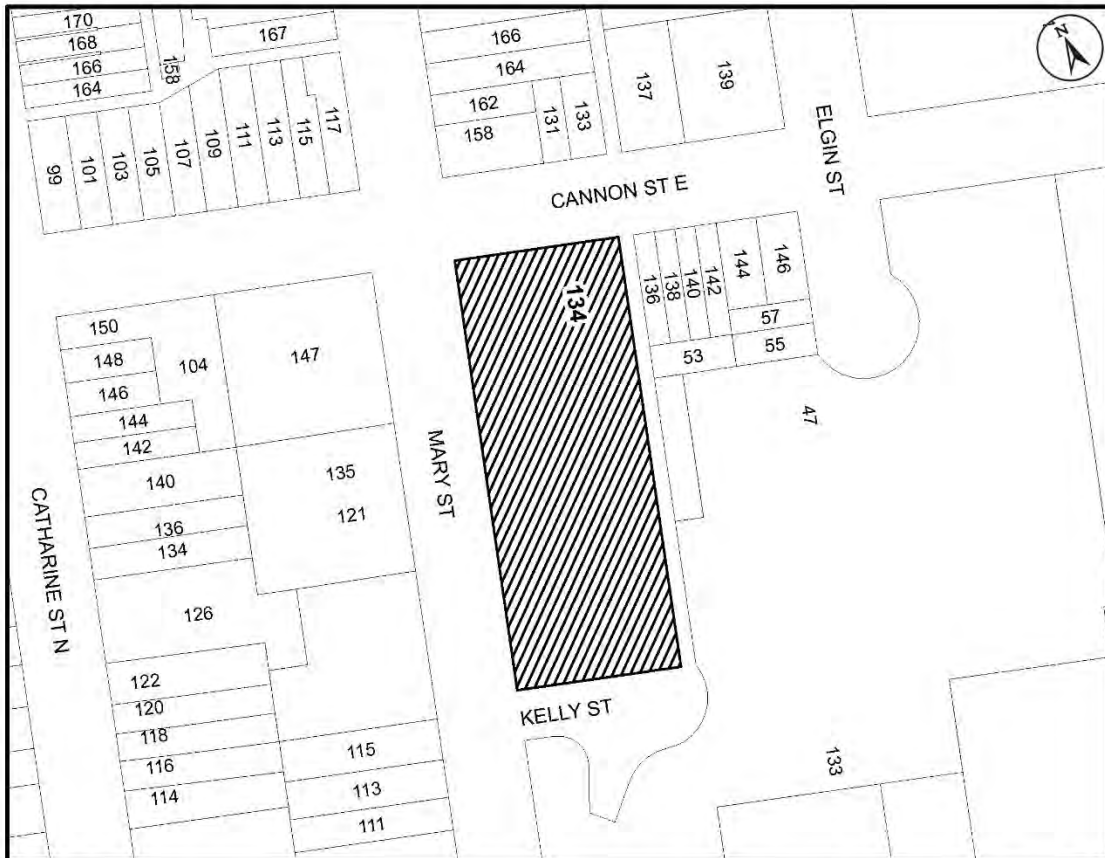
Appendix "A" to Report PED24136 – Location Map

Appendix "B" to Report PED24136 – Statement of Cultural Heritage Value or Interest
and Description of Heritage Attributes

Appendix "C" to Report PED24136 – Photographs

Appendix "D" to Report PED24136 – Research Sources

SD/AG/sd



Key Map - Ward 2

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
134 Cannon St E


Date:
August 30, 2023

Appendix "A"

Scale:
N.T.S

Planner/Technician:
SD/VS

Subject Property

 134 Cannon Street East, Hamilton

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The 0.4-hectare property municipally addressed as 134 Cannon Street East, Hamilton is comprised of a former industrial complex of brick buildings, formerly known as the Cannon Knitting Mills. The complex is comprised of five distinct brick structures constructed between circa 1866 and 1927, including: 130 Mary Street, built circa 1866; 122 Mary Street, built circa 1880 to replace the original 1855 Turnbull foundry; 11 Kelly Street, built 1910; 140-146 Mary Street, built in 1911 and completed in 1927; and 134 Cannon Street, built 1920. The complex occupies the entire half block formed by Kelly Street, Mary Street and Cannon Street, located in the Beasley Neighbourhood, in the City of Hamilton.

Statement of Cultural Heritage Value or Interest

The property, known as the Cannon Knitting Mills, has design or physical value as it is a rare surviving example of a nineteenth- to twentieth-century industrial complex in downtown Hamilton comprised of five distinct brick structures built over a 61 year period from circa 1866 to 1927. These various buildings which comprise the complex demonstrate a high degree of craftsmanship, including the: brick pilasters with pointed tops and stone accents on 11 Kelly Street; rounded corner entrance on 122 Mary Street with wooden cornice supported by Corinthian capitals; projecting eaves on 122 Mary with decorative wooden brackets; and shaped brick parapet designed to accommodate a rooftop louvre on the north elevation of 146 Mary Street.

The property has long-standing associations with two of Hamilton’s leading historic industries – textiles and metalworking, and is associated with several prominent Hamilton firms, including: the Turnbull brother’s Mary Street Foundry, the Laidlaw Manufacturing Company, and the Chipman-Holton Knitting Company, which was one of the most successful hosiery manufacturers in North America. The property is associated with a significant event in Hamilton’s labour history, as the Laidlaw Manufacturing Company was the only one of the foundries affected by the Moulders’ Strike of 1892 to accept the demands of the striking workers. The property also acted as an incubator for small firms which later expanded greatly, including the Hamilton Pottery Company, once the largest pottery manufacturer in Canada, and the still operating Brown Boggs Company.

The property is also associated with leading Hamilton architectural firm Stewart and Witton, who were responsible for designing two additions to the complex in the early-twentieth century: 11 Kelly Street in 1910 and 140-146 Mary Street (1911-1927). The pair designed a number of prominent residential, commercial, and industrial buildings in Hamilton and beyond. A surviving example of their industrial designs includes the former Thornton and Douglas Ltd. Factory, located across the street at 147 Mary Street, now Welkom House.

This property is a tangible reminder of the working-class roots of the Beasley neighbourhood and has the potential to yield information about the working-class communities of the surrounding area. As a surviving industrial complex surrounded by worker’s housing, the property defines the character of this part of Beasley, the earliest extant buildings pointing to Beasley’s status as Hamilton’s first industrial area, while the eclectic massing and style of the various additions speaks to the growth and continued presence of industry over most of the nineteenth and twentieth centuries. It is visually, historically, and functionally linked to its surroundings through its connections to local worker’s housing, to other surviving industrial sites in the area, and to the former rail yard on Ferguson Avenue. The property is also, as a distinctive and massive structure which rises over the rest of the neighbourhood, considered a prominent local landmark.

Description of Heritage Attributes

Key attributes that embody the cultural heritage value of the property as a rare surviving example of an industrial complex whose evolution over time is evident in its component structures, its historical associations with Hamilton’s metal working industry, with the historic Mary Street Foundry and Laidlaw Manufacturing Company and with the Moulders’ Union Strike of 1892, as well as in demonstrating a high degree of artisanship, include:

- The front (west) elevation and roofline of the four-storey circa 1866 brick building at 130 Mary Street, including its:
 - Side gable roof;
 - Brick façade laid in Common bond;
 - Six bay façade separated by raised brick pilasters;
 - Paired segmentally-arched windows with brick voussoirs and wooden lug sills; and,
 - Large ground-floor windows in the two southernmost bays with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.

- The front (west) and side (south) elevations and roofline of the three-and-a-half-storey circa 1880 corner brick building at 122 Mary Street, including its:
 - Hip roof with a rounded corner, wood-framed dormers, and tall corbelled brick chimney to the rear;
 - Projecting eaves with decorative wooden brackets, moulded frieze and decorative brick corbelling below;
 - Raised brick pilasters separating the bays with paired wooden brackets below the upper cornice;
 - Rounded southwest corner with a ground-floor entrance including a curved wooden cornice, decorative end brackets, wooden frieze with dentils, metal columns with Corinthian capitals and transoms;
 - Segmentally-arched window openings with brick voussoirs and wooden lug sills; and,

- Large ground-floor windows on the west elevation with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.

Key attributes that embody the cultural heritage value of the property as a rare surviving example of an industrial complex whose evolution over time is evident in its component structures, its historical associations with Hamilton’s textile industry, the Chipman-Holton Knitting Company, and the architectural firm Stewart & Witton, as well as in demonstrating a high degree of artisanship, include:

- The front (south) and side (east) elevations of the three-storey 1911 brick building at 11 Kelly Street, including its:
 - Brick facades laid in Common bond;
 - Brick pilasters with pointed tops with diamond-shaped stone accents;
 - Flat-headed openings with stone sills and remaining multi-pane metal windows; and,
 - Decorative brickwork including courses of corbelled brick and relief work.
- The front (north) and side (west) elevations and roofline of the western portion of the 1911-1927 brick building at 140 and 146 Mary Street, including its:
 - Brick facades laid in Common bond;
 - Raised brick pilasters separating the bays;
 - Large flat-headed window openings with stone sills and remaining multi-pane metal windows;
 - Segmentally-arched openings in the ground floor of the three southern ground-floor bays with brick voussoirs and brick sills; and,
 - Stone foundation.
- The front (north) elevation and roofline of the eastern portion of the 1911-1927 brick building at 140 and 146 Mary Street (fronting onto Cannon Street East), including its:
 - Shaped brick parapet;
 - Central window with semi-circular transom, brick voussoirs and stone keystone, end stones and sills;
 - Flanking windows with semi-circular transoms, brick voussoirs and stone keystones, end stones and sills; and,
 - Recessed brickwork between first and second storey windows.
- The front (north) and side (east) elevation of the three-storey 1920 brick building at 134 Cannon Street East, including its:
 - Brick façades laid in Common bond;
 - Flat-headed window openings with stone lug sills;
 - Projecting ground-floor wooden cornice;
 - Decorative stone accents and banding;
 - Shallow paired brick pilasters; and,
 - Stone door surround.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of the Beasley Neighbourhood and as a local landmark include its:

- Location filling the half block formed by Cannon, Mary, and Kelly Streets; and,
- Brick chimneys.

Photographs

All images taken by City of Hamilton staff in June, July, and August of 2024 unless otherwise noted.



Figure 1: Aerial view of the property showing division of structures. (Google Maps, marked up by staff)



Figure 2: Overhead view of subject property. (Google Earth)



Figure 3: View of the west façade of 130 Mary Street (Structure 1), built circa 1866. (Downtown Built Heritage Inventory, 2011).



Figure 4: View of 122 Mary Street (Structure 2) at the corner of Mary and Kelly Streets, built circa 1880.



Figure 5: View of the south façade of 11 Kelly Street (Structure 3), built circa 1910.



Figure 6: View of the west façade of 140-146 Mary Street (Structure 4) along Mary Street. Built circa 1911 and extended circa 1927. (Downtown Built Heritage Inventory, 2011).



Figure 7: View of the north façade of the western portion of 140-146 Mary Street (Structure 4) facing onto Cannon Street East.



Figure 8: View of the north façade of the eastern portion of 140-146 Mary Street (Structure 4) facing onto Cannon Street East, built circa 1927.



Figure 3: View of the front (north) elevation of 134 Cannon Street East (Structure 5) built circa 1920.



Figure 10: Northwestern corner of the property at the intersection of Cannon Street East and Mary Street. (Google Maps)



Figure 11: North elevation of the property looking west along Cannon Street East, including 136 Cannon Street East (Structure 5, left), eastern portion of 140-146 Mary Street (Structure 4, middle) and the western portion of 140-146 Mary Street (Structure 4, right).



Figure 12: West elevation of the property looking south along Mary Street, including 140-146 Mary Street (Structure 4, left), 130 Mary Street (Structure 1, middle right) and 122 Mary Street (Structure 2, far right).



Figure 13: West elevation looking north along Mary Street, including 122 Mary Street (Structure 2, right), 130 Mary Street (Structure 1, middle right) and 140-146 Mary Street (Structure 4, left).



Figure 14: Southwest corner of the property, including 122 Mary Street (Structure 2, left) and 11 Kelly Street (Structure 4, right), at the corner of Mary Street and the now pedestrianized portion of Kelly Street abutting Beasley Park.



Figure 15: South elevation, including 122 Mary Street (Structure 2, left) and 11 Kelly Street (Structure 4, right), and the now pedestrianized portion of Kelly Street abutting Beasley Park

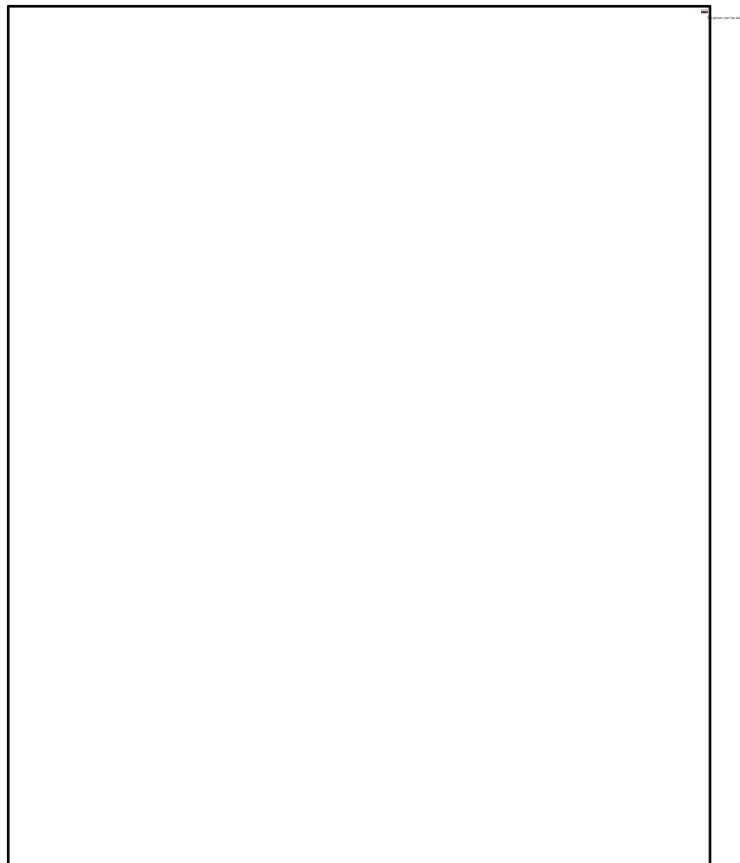


Figure 16: Detail view of the entrance at 134 Cannon Street East (Structure 5).



Figure 17: Detail view of decorative elements at 134 Cannon Street East (Structure 5).



Figure 18: View of decorative elements of the eastern portion of 140-146 Mary Street (Structure 4), facing Cannon Street East.



Figure 19: Detail view of decorative elements on rounded entrance of 122 Mary Street (Structure 2).



Figure 20: Detail view of south elevation and bracketed eaves of 122 Mary Street (Structure 2).



Figure 4: Detail view of decorative elements along roofline of 11 Kelly Street (Structure 3).



Figure 5: Turnbull's Foundry, 1859. (Surtees Map)

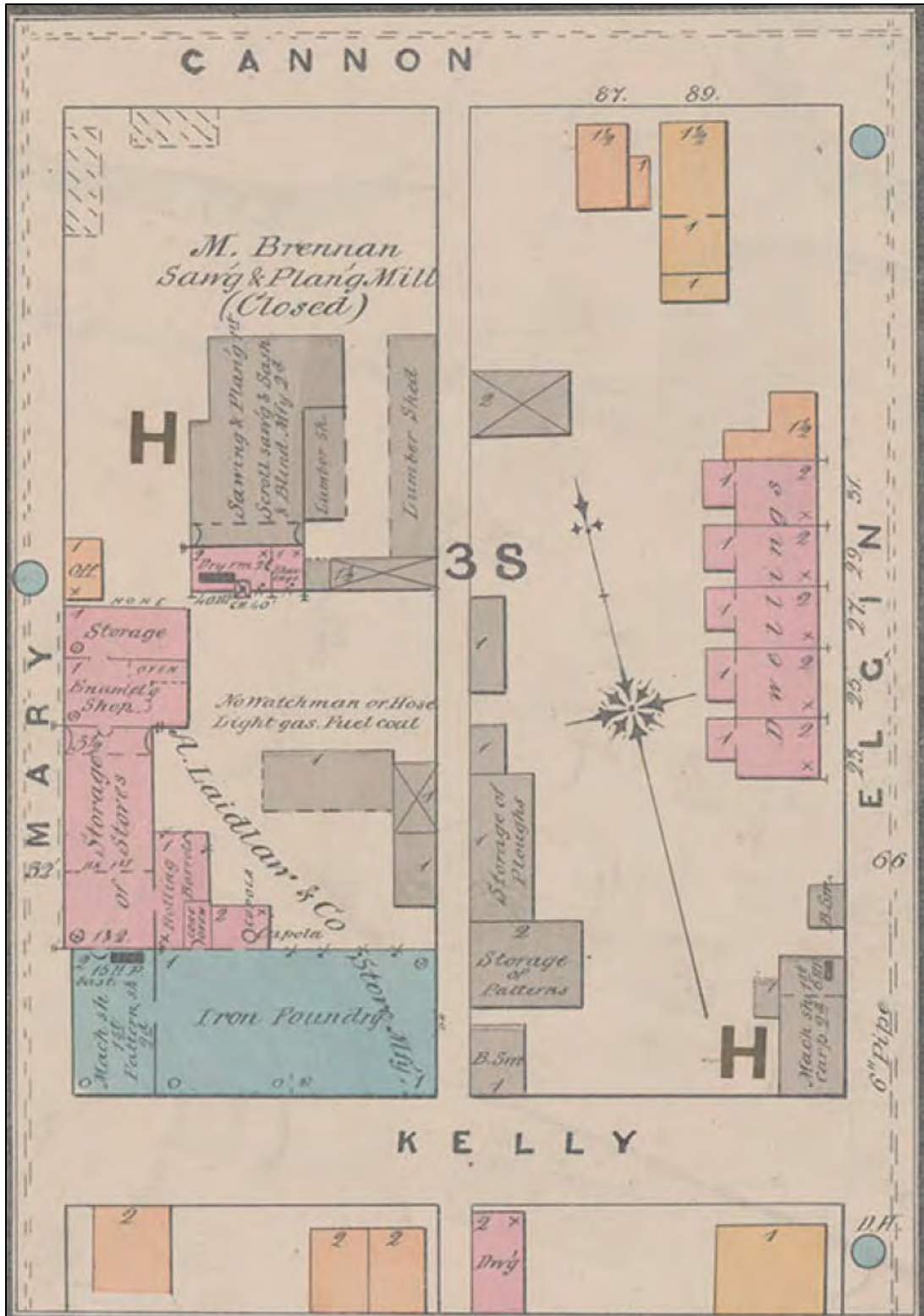


Figure 6: Fire Insurance Map for 1878, showing original stone building at 122 Mary Street and extant circa 1866 brick structure at 130 Mary Street. (Library and Archives Canada. Accessed September 2023. <http://central.bac-lac.gc.ca/.redirect?app=fonandcol&id=3837140&lang=eng>)



Figure 7: Laidlaw's Foundry, late-nineteenth century. (Birmingham of Canada)

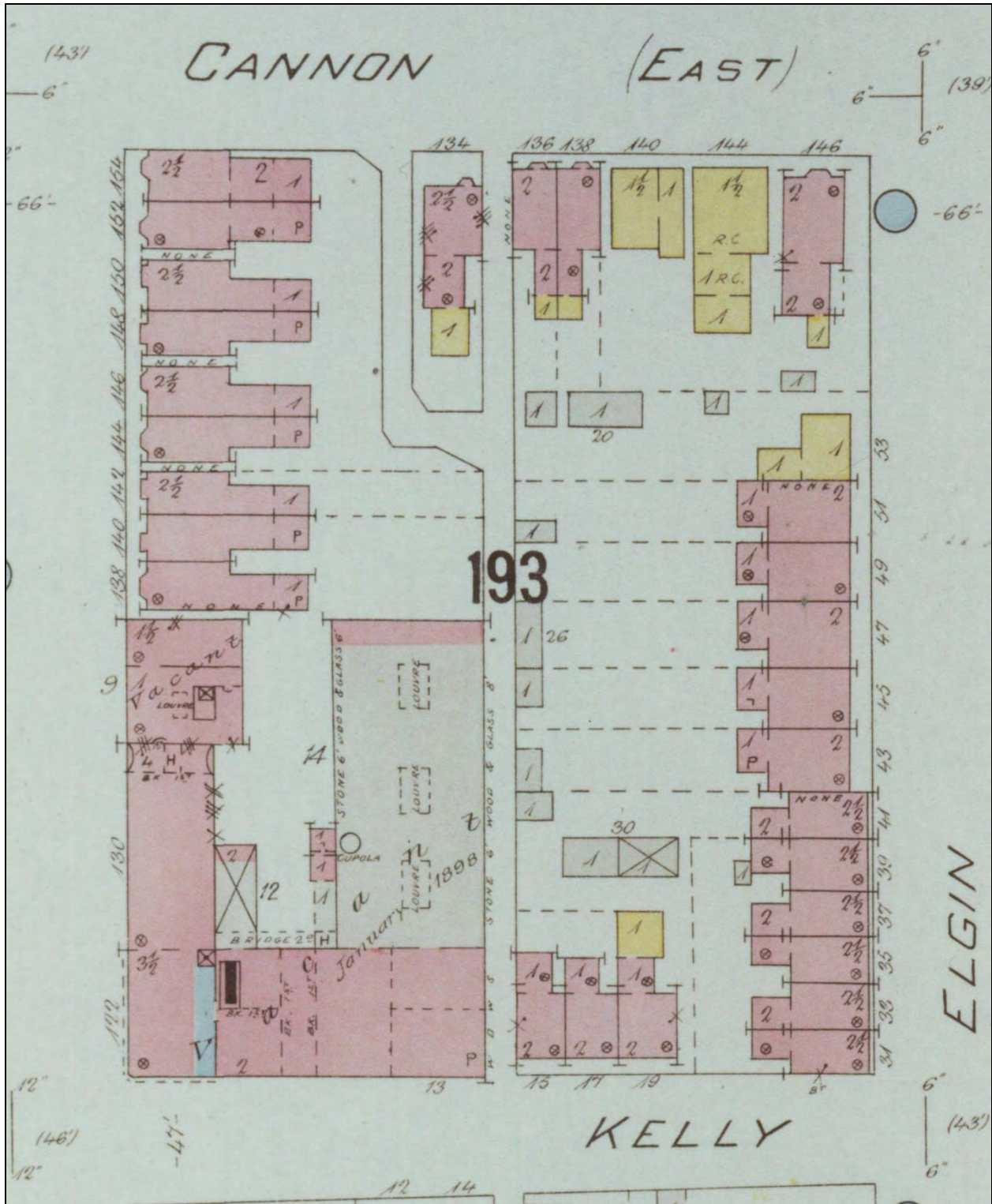


Figure 8: Fire Insurance Map for 1893, showing replacement circa 1880 brick structure at 122 Mary Street and brick extensions along Kelly Street. (McMaster Fire Insurance Map Collection)

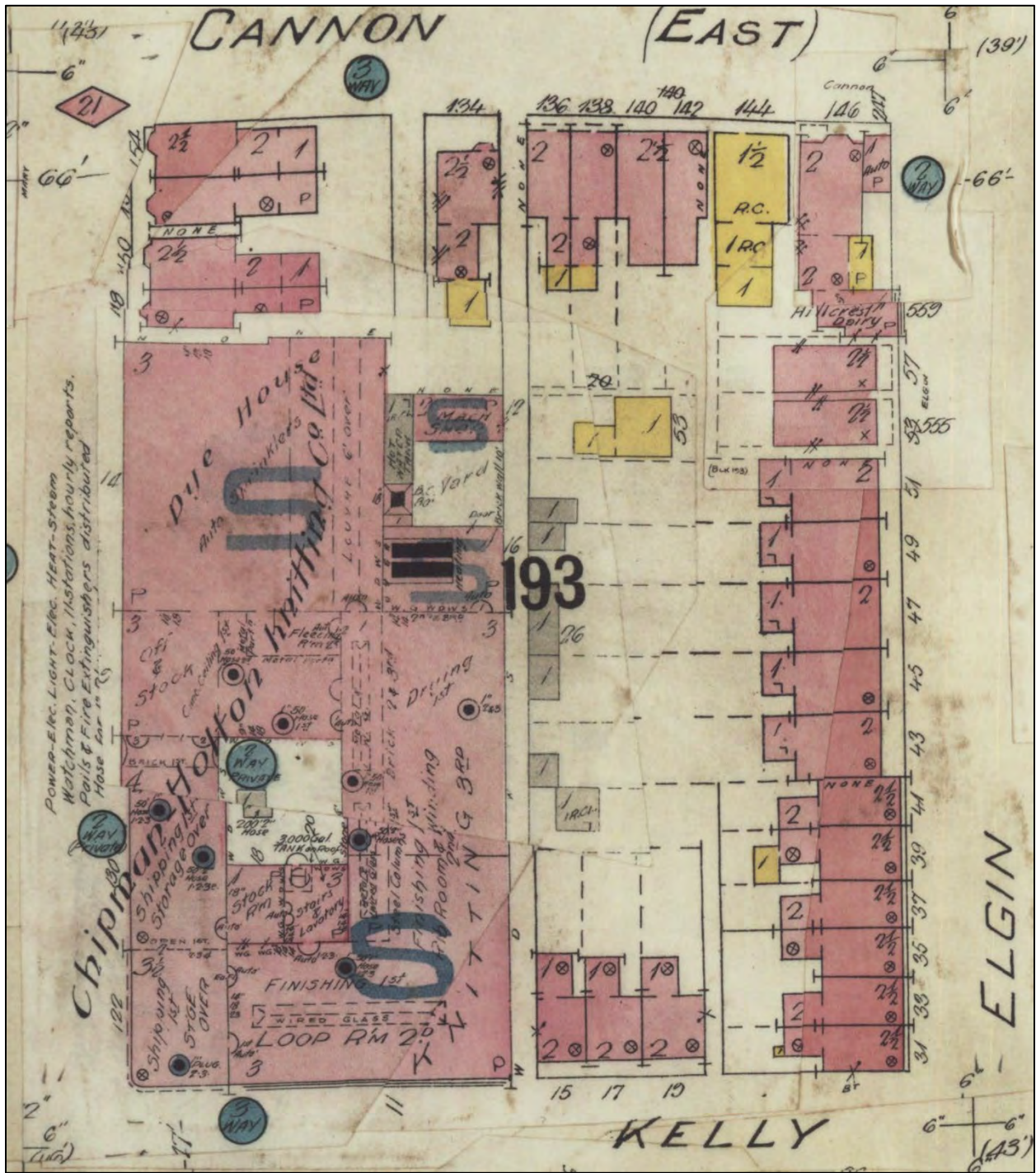
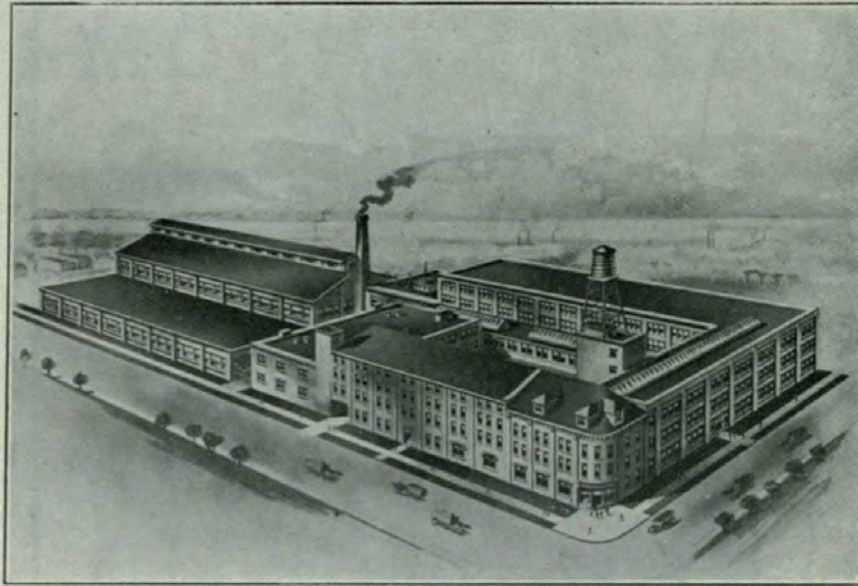


Figure 26: Fire Insurance Map for 1911, showing 140 Mary Street. (McMaster Fire Insurance Map Collection)



HAMILTON PLANT OF
**The Chipman-Holton
Knitting Co., Limited**

MANUFACTURERS OF



MILLS:
Hamilton, Ontario
Welland, Ontario

HEAD OFFICE ;
Hamilton, Canada

E. H. WALSH & CO., SOLE AGENTS
TORONTO MONTREAL WINNIPEG ST. JOHN, N.B. VANCOUVER

Figure 27: Chipman-Holton Knitting Company, circa 1913 (Hamilton Centennial Industrial Exposition 1913).

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Frank Lewis Chipman.

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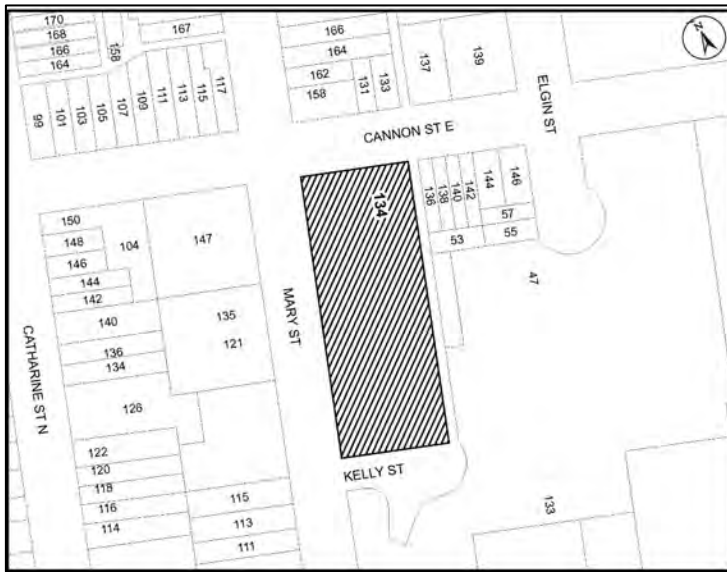


Recommendation To Designate 134 Cannon Street East, Hamilton (Cannon Knitting Mill)

September 27, 2024

Hamilton Municipal Heritage Committee

134 Cannon Street East, Hamilton

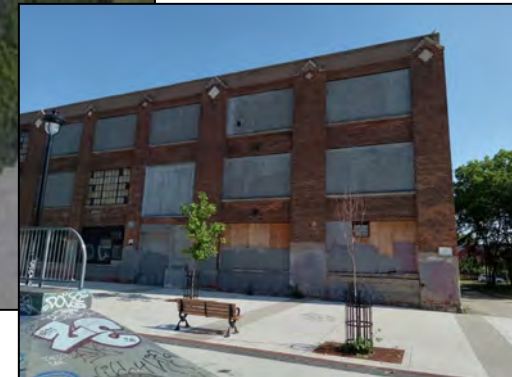


August 2014 - Property listed on Municipal Heritage Register.

March 2023 - Prioritized for Designation by January 1st, 2025



Site Context

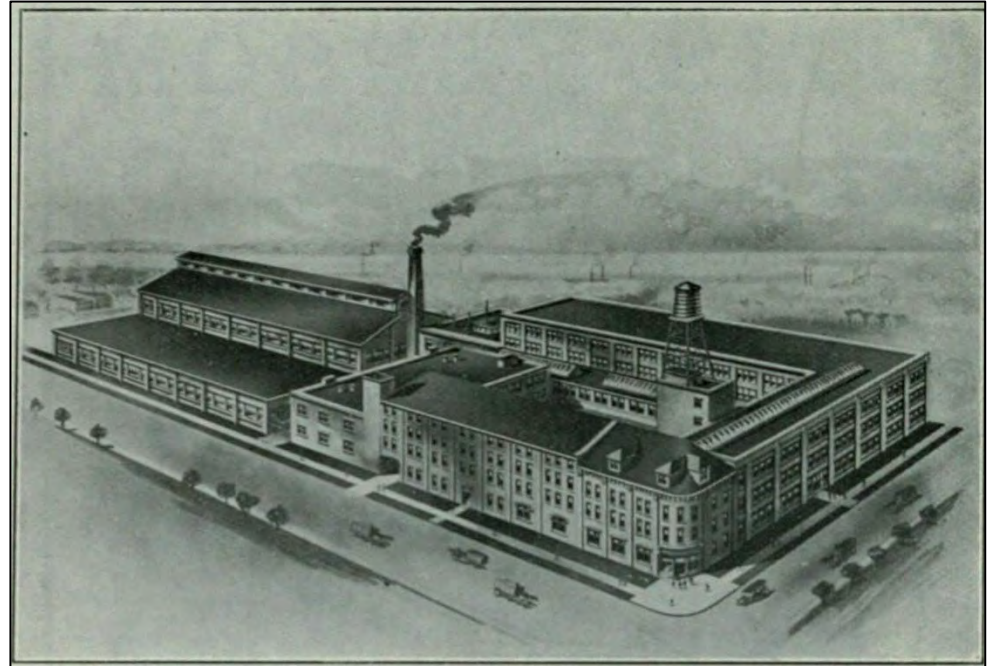


Recommendation for Designation Under Part IV of the OHA

134 Cannon Street East, Hamilton

Ontario Regulation 9/06 Criteria (8 of 9)

- Design / Physical (Criteria #1, 2)
- Historical / Associative (Criteria #4, 5, 6)
- Contextual (Criteria #7, 8, 9)

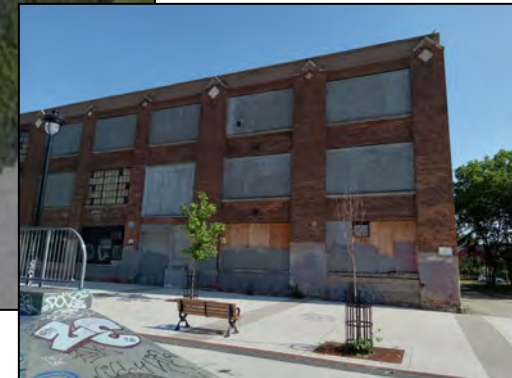


Design / Physical Value

1. The property is a **rare example** of an **industrial complex** constructed in stages between circa **1866** and **1927**.
2. The property displays a high degree of craftsmanship or artistic merit.
3. The property is not considered to demonstrate a high degree of technical or scientific achievement.



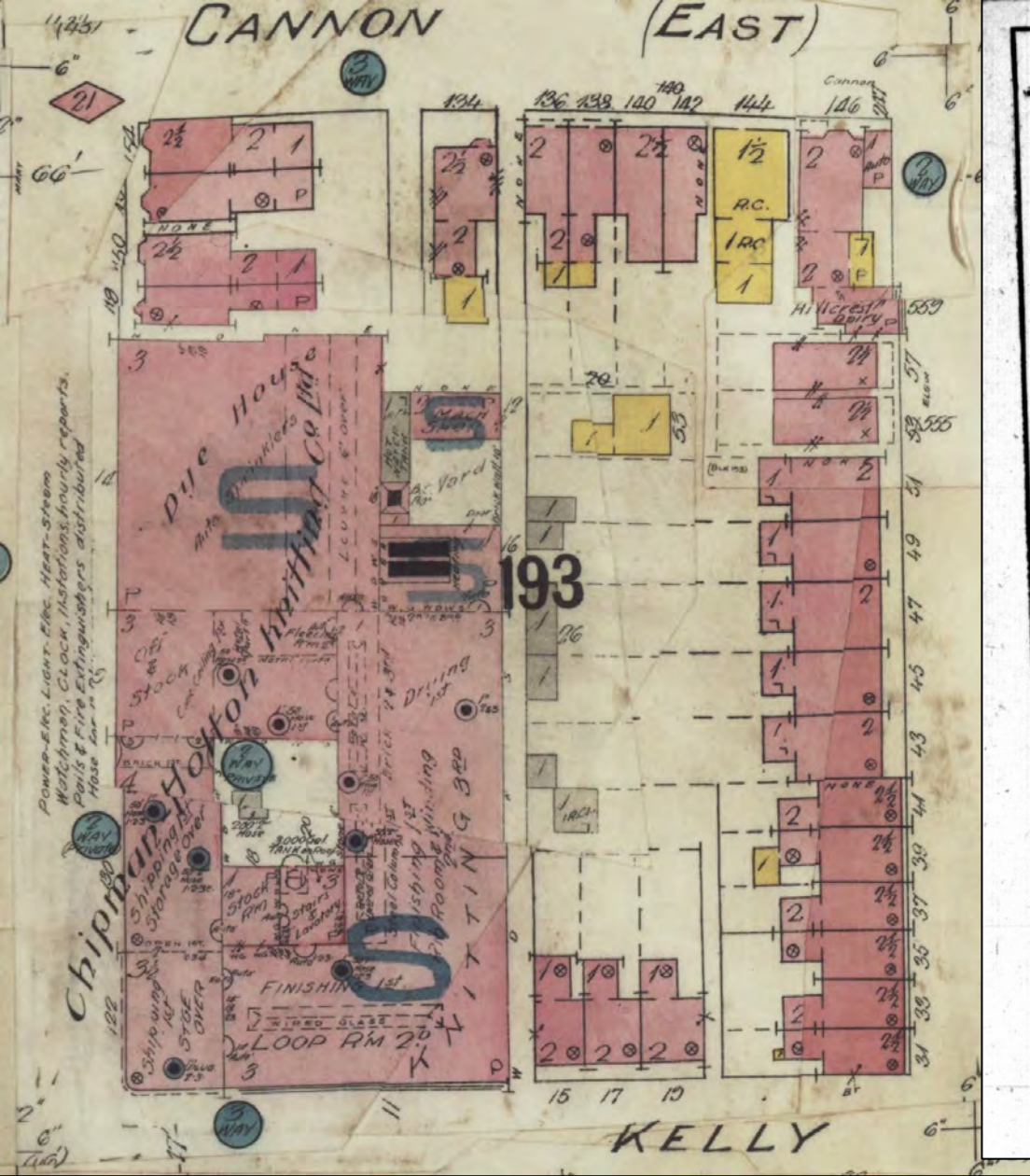
Site Context



Historical / Associative Value

4. The property is associated with two of Hamilton's historic industries- **textiles** and **metalworking**.
5. The property has the **potential** to yield information that **contributes** to an understanding of **Hamilton** as a **nineteenth-century industrial community**.
6. The property is considered to demonstrate the work or ideas of famed Hamilton architectural firm **Stewart & Witton**.





Stockings That Cost Less Because They Wear Longer

YOUR boy is hard on stockings. Any normal, healthy boy is. You can't keep him from climbing trees and fences. But you can get him stockings that will stand this usage—that will give him extra wear and look well too. Just ask your dealer for Buster Brown Stockings.

Buster Brown Stockings wear longer because we knit them from extra-long yarn with double-ply legs and three-ply heels and toes. We make sure of Buster Brown quality

by spinning our own yarn. Our employees have had years of training, for special skill is necessary to knit Buster Brown Stockings.

You'll find them well-fitting and smoothly finished, for we knit good looks as well as durability into Buster Brown hosiery. They look well at all times.

Sold everywhere. Ask your dealer for Buster Brown durable hosiery.

The Chipman-Holton Knitting Co., Limited
Hamilton, Ont.—Mills also at Welland

The BUSTER BROWN STOCKING



The Chipman-Holton Knitting Company, Limited.

(LARGEST EXCLUSIVE MANUFACTURER OF HOSIERY IN THE DOMINION.)

Was established in 1902 for the manufacture of all kinds of seamless hosiery—wool, cashmere and cotton—for men, women and children. It specializes on the "Noverkuro" hole-proof hosiery, which is sold with a six-months' guarantee. It controls the sole Canadian rights for the manufacture of the famous "Buster Brown" stockings for boys. It also makes the "Beak-Bill," "Hercules" and "Princess" brands of boys' and girls' hose.

The goods are sold exclusively through the wholesale trade; Messrs. F. H. Walsh & Company being selling agents, with offices in Manchester Building, Toronto, and Christine Building, Montreal.

Contextual Value

7. The property defines the **character** of the **Beasley neighborhood**.
8. The property is **visually, historically and functionally** linked to its **surroundings**.
9. The property is considered to be a local landmark.



Laidlaw Manufacturing Co.

Statement of Cultural Heritage Value or Interest (Summary)

The two-and-a-half-storey to four-storey brick complex at **134 Cannon Street East** was built in stages between 1866 and 1927. It has design value as a **rare example of an industrial complex** which evolved over time, which also displays a **high degree of craftsmanship**.

The historical value of the property lies in its association with two of Hamilton's leading **historic industries –textiles and metalworking-** and is associated with several Hamilton firms including the **Turnbull Foundry, Laidlaw Manufacturing** and the **Chipman-Holton Knitting Company**. It is also associated with leading Hamilton architectural firm **Stewart and Witton**.

Contextually, this property is **important in defining the character of the Beasley Neighbourhood**, and is **visually, historically and functionally linked** to its surroundings. As a distinctive and massive structure which dominates the local area, it is considered a landmark.

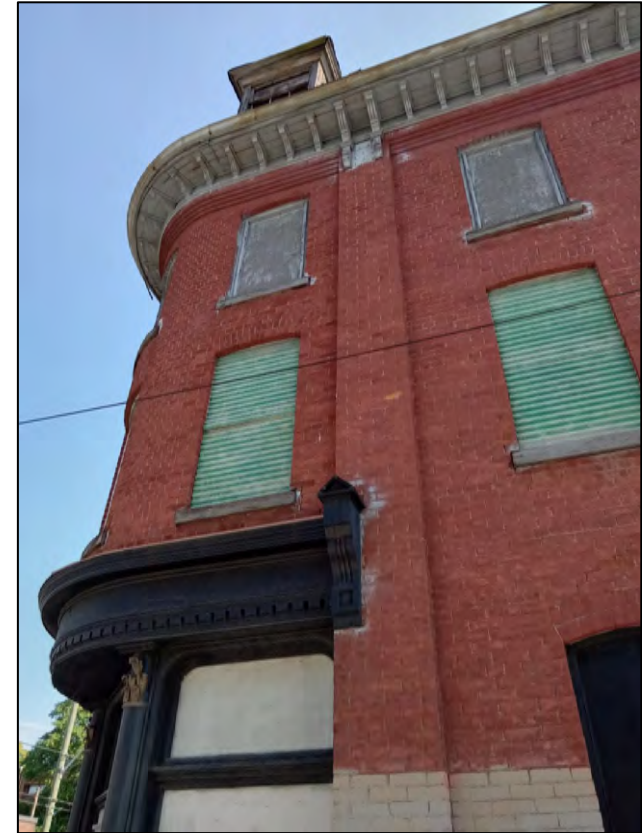
Description of Heritage Attributes (Summary)

- The front (west) elevation and roofline of the four-storey circa 1866 brick building at 130 Mary Street, including its:
 - Side gable roof;
 - Brick façade laid in Common bond;
 - Six bay façade separated by raised brick pilasters;
 - Paired segmentally-arched windows with brick voussoirs and wooden lug sills; and,
 - Large ground-floor windows in the two southernmost bays with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.



Description of Heritage Attributes (Continued)

- The front (west) and side (south) elevations and roofline of the three-and-a-half storey circa 1880 corner brick building at 122 Mary Street, including its:
 - Hip roof with a rounded corner, wood-framed dormers, and tall corbelled brick chimney to the rear;
 - Projecting eaves with decorative wooden brackets, moulded frieze and decorative brick corbelling below;
 - Raised brick pilasters separating the bays with paired wooden brackets below the upper cornice;
 - Rounded southwest corner with a ground-floor entrance including a curved wooden cornice, decorative end brackets, wooden frieze with dentils, metal columns with Corinthian capitals and transoms;
 - Segmentally-arched window openings with brick voussoirs and wooden lug sills; and,
 - Large ground-floor windows on the west elevation with segmented openings, transoms, brick voussoirs, stone skewbacks, and stone lug sills.



Description of Heritage Attributes (Continued)

- The front (south) and side (east) elevations of the three-storey 1911 brick building at 11 Kelly Street, including its:
 - Brick facades laid in Common bond;
 - Brick pilasters with pointed tops with diamond-shaped stone accents;
 - Flat-headed openings with stone sills and remaining multi-pane metal windows; and,
 - Decorative brickwork including courses of corbelled brick and relief work.



Description of Heritage Attributes (Continued)

- The front (north) and side (west) elevations and roofline of the western portion of the 1911-1927 brick building at 140 and 146 Mary Street, including its:
 - Brick facades laid in Common bond;
 - Raised brick pilasters separating the bays;
 - Large flat-headed window openings with stone sills and remaining multi-pane metal windows;
 - Segmentally-arched openings in the ground floor of the three southern ground-floor bays with brick voussoirs and brick sills; and,
 - Stone foundation.



Description of Heritage Attributes (Continued)

- The front (north) elevation and roofline of the eastern portion of the 1911-1927 brick building at 140 and 146 Mary Street (fronting onto Cannon Street East), including its:
 - Shaped brick parapet;
 - Central window with semi-circular transom, brick voussoirs and stone keystone, end stones and sills;
 - Flanking windows with semi-circular transoms, brick voussoirs and stone keystones, end stones and sills; and,
 - Recessed brickwork between first and second storey windows.



Description of Heritage Attributes (Continued)

- The front (north) and side (east) elevation of the three-storey 1920 brick building at 134 Cannon Street East, including its:
 - Brick façades laid in Common bond;
 - Flat-headed window openings with stone lug sills;
 - Projecting ground-floor wooden cornice;
 - Decorative stone accents and banding;
 - Shallow paired brick pilasters; and,
 - Stone door surround.

The key contextual attributes include its:

- Location filling the half block formed by Cannon, Mary and Kelly Streets; and,
- Brick chimneys.



Staff Recommendation

That the City Clerk be directed to give **notice of Council's intention to designate 134 Cannon Street East, Hamilton (Cannon Knitting Mill)**, shown in Appendix "A" attached to Report PED24136, 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 PED24136, subject to the following:

- (a) 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;
- (a) 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.



Hamilton

QUESTIONS?



Hamilton

THANK YOU



Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424

FILE: HP2024-019

August 29, 2024

Chuck Gammage
107 Mill Street North
Flamborough, ON L0R 2H0

Re: Heritage Permit Application HP2024-019: Removal and Replacement of Roof Shingles at 107 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H)

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-019 is approved for the designated property at 107 Mill Street North, Flamborough in accordance with the materials submitted with the application for the following alterations:

- Removal and replacement of existing contemporary cedar roof shingles with a new asphalt shingle roof with a sympathetic design and colour

Subject to the following conditions:

- a) That the final details of the chosen replacement roof material and colour 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;
- b) 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,
- c) That the installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2026. If the alterations are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Re: Heritage Permit Application HP2024-019: Removal and Replacement of Roof Shingles at 107 Mill Street North, Flamborough (Ward 15) (Mill Street HCD, By-law No. 96-34-H) - Page 2 of 2

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this Notice.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner via email at Dawn.Cordiero@hamilton.ca.

Yours truly,

per



Anita Fabac, MCIP RPP
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Councillor McMeekin, Ward 15



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Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424

FILE: HP2024-020

August 29, 2024

Steve Bernstein
c/o Alissa Murray, Bernstein Law Group
250 James Street South
Hamilton, ON L8P 3B3

Re: Heritage Permit Application HP2024-020: Replacement of Roof at 250 James Street South, Hamilton (Ward 2) (Balfour House, By-law No. 85-174)

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-020 is approved for the designated property at 250 James Street South, Hamilton, in accordance with the materials submitted with the application for the following alterations:

- Replacement of the existing slate roof, including:
 - Removal of existing shingles;
 - Installation of a new underlayment;
 - Installation of new shingles with a sympathetic material, shape, and design; and,
 - Custom fabricated flashing around the chimney.

Subject to the following conditions:

- a) That the applicant make all reasonable efforts to choose a replacement shingle that closely replicates the existing slate shingles, in terms of their distinct shape and that the chosen material closely matches the look of traditional slate shingles, with preference for the Euroshield or similar alternative;
- b) That the final details of the replacement roof 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;

Re: Heritage Permit Application HP2024-020: Replacement of Roof at 250 James Street South, Hamilton (Ward 2) (Balfour House, By-law No. 85-174) - Page 2 of 2

- c) 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,
- d) That the installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2026. If the alterations are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this Notice.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner, via Dawn.Cordeiro@hamilton.ca.

Yours truly,

Per: 

Anita Fabac, MCIP RPP
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Councillor Kroetsch, Ward 2



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Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424

FILE: HP2024-021

August 29, 2024

Tony Reid
99 Mountsberg Road
Flamborough, ON L0P 1B0

Re: Heritage Permit Application HP2024-021: Removal and Replacement of Windows at 99 Mountsberg Road, Flamborough (Ward 15) (Kerr-Woolsey House, By-law No. 2000-95-H)

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-021 is approved for the designated property at 99 Mountsberg Road, Flamborough, in accordance with the materials submitted with the application for the following alterations:

- Removal of the existing six-over-six hung wood windows in the front (south) and side (east and west) ground floor elevations;
- Replacement with new, thermal pane, simulated divided light six-over-six wood windows with matching profiles, including sash dimensions, muntin bar size, profile and spacing and pattern, and brick mold; and,
- Salvaging the removed wood windows to repurpose as decorative interior features on site.

Subject to the following conditions:

- a) 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,
- b) That the installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2026. If the alterations are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Re: Heritage Permit Application HP2024-021: Removal and Replacement of Windows at 99 Mountsberg Road, Flamborough (Ward 15) (Kerr-Woolsey House, By-law No. 2000-95-H) - Page 2 of 2

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this Notice.

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If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner, via email at Dawn.Cordeiro@hamilton.ca.

Yours truly,

Per: 

Anita Fabac, MCIP RPP
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Councillor McMeekin, Ward 15



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Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424

FILE: HP2024-022

August 29, 2024

City of Hamilton
c/o Ian Hoaran, Forestry Investigator
600 York Boulevard
Hamilton, ON L8R

Re: Heritage Permit Application HP2024-022: Removal of Dead Trees at 600 York Boulevard, Hamilton (Ward 1) (Dundurn Castle, By-law No. 77-239)

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2024-022 is approved for the designated property at 600 York Boulevard, Hamilton in accordance with the materials submitted with the application for the following alterations:

- Removal of 2 dead trees, including:
 - A 22 cm diameter Crab Apple tree; and,
 - A 32 cm diameter Norway Maple tree.

Subject to the following conditions:

- a) That the details for removal of the stumps be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations;
- b) 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,
- c) That the installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2026. If the alterations are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted work. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this Notice.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any further questions, feel free to contact Dawn Cordeiro, Cultural Heritage Planner, via email at Dawn.Cordiero@hamilton.ca.

Yours truly,

Per: 

Anita Fabac, MCIP RPP
Acting Director, Planning and Chief Planner

cc: Dawn Cordeiro, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
Matt Gauthier, Legislative Coordinator
Councillor Wilson, Ward 1

MEETING NOTES

POLICY AND DESIGN WORKING GROUP

Monday, July 8, 2024

2:30 pm

City of Hamilton Webex Virtual Meeting

Attendees: L. Lunsted, A. Denham-Robinson

Regrets: A. Douglas

Also Present: A. Golden, L Marlatt. M. Oldfield

THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:

a) CHANGES TO THE AGENDA

None

b) DECLARATIONS OF INTEREST

A. Denham-Robinson declared an interest in Item D, CHIA – 309 James St. North by WSP, August 31, 2023, as her husband works for the architecture firm involved with the property.

c) REVIEW OF PAST MEETING NOTES

Meeting notes of June 17, 2024, were reviewed and approved.

d) C.H.I.A – 309 James Street North Hamilton by WSP, August 31, 2023

Zoning By-Law Amendment (ZAC-24-018)

The purpose of this application is to rezone the subject land from Downtown Mixed Use, Pedestrian Focus (D2, H21) Zone, to Downtown Mixed Use, Pedestrian Focus (D2, ###) Zone to permit a proposed 12-storey multiple dwelling and the adaptive reuse of an existing 3-storey heritage building.

Working Group comments:

- The Working Group is supportive of this application and has no issues with the design.
- The Working Group noted that Appendix A is floor plans, not site plans. The text is impossible to read due to the colour, which may have been due to the conversion software used to include the plans within the CHIA.

The Policy & Design Working Group does not need to review this again.

e) Cultural Heritage Assessment – 386 Wilcox Street (Stelco) by MHBC, May, 2024

Draft Plan of Subdivision (25T-202403)

The proposed Draft Plan of Subdivision consists of 23 parcels, one Hamilton Harbour Parcel (Parcel 1), twelve Employment Parcels (Parcels 2 ,3 ,5 ,6 ,8 ,9 ,11 ,15-18 and 20), nine Open Space/Employment parcels (Parcels 4,7,10 ,12-14 ,19 ,21 and 22), one Daylight triangle parcel (Parcel 23), and four public roads identified as Street 'A', Street 'B', Street 'C' and Street 'D'. The effect is to create a modern business park with 1 million square metres (11 million square feet) of employment and accessory uses.

Working Group Comments:

- The document provides a very comprehensive history of the site but we found it difficult to follow with regards to the specific buildings being considered as heritage resources. We would have liked to see a thumbnail/ summary of the specific areas/buildings being considered for heritage retention or adaptive reuse.
- Some of the areas are being leased back but there was no time frame noted.
- There did not seem to be a lot of public access to the waterfront
- We would be interested to know if there has been, or will be, consultation with other groups developing the Hamilton waterfront, to perhaps provide smooth transitions and access between the areas.
- We would like to see as many heritage features retained as possible but we recognize the challenges of this site. This property is integral to the history of Hamilton and we would like to see some sort of large interpretive panels placed at various key locations within the site.

As this project moves forward, we would like to see documentation again.

f) Additional Members

Given the small size of this Working Group and the challenges this creates with respect to absences and/or declarations of interest, we would like to try to find additional members for this group. As they do not need to be members of the HMHC, we would like staff to reach out to individuals who have indicated an interest, such as [REDACTED]

The meeting adjourned at 3:30 pm.

Next meeting date: Monday August 12, 2024

Heritage Permit Review Subcommittee (HPRS) Meeting Minutes

Tuesday, Aug 20, 2024
City of Hamilton, Webex Virtual Meeting

Present: Karen Burke (Chair), Graham Carroll (Vice Chair), Matthew LaRose, Katie McGirr, Carol Priamo, Andy MacLaren, Steve Wiegand

Staff Present: Alissa Golden (Cultural Heritage Program Lead), Meg Oldfield (Cultural Heritage Planner), Dawn Cordeiro (Cultural Heritage Planner), Luke Marlatt (Cultural Heritage Intern)

Regrets: Andrew Douglas

Quorum was reached and the meeting was called to order by the Chair of the Heritage Permit Review Subcommittee at 5:00 pm.

1. Approval of Agenda

(Priamo/McGirr)

That the Agenda for August 20, 2024 be approved.

(Carried)

2. Declarations of Interest

None

3. Approval of Minutes from Previous Meeting

(Wiegand/Carroll)

That the Minutes of the Heritage Permit Review Sub-Committee held on July 16, 2024, be approved, as amended.

(Carried)

4. Discussion Items

a) HP2024-022 – 600 York Blvd, Hamilton (Dundurn Castle, Part IV)

- Removal of 2 dead trees, including:
 - A 22cm diameter Crab Apple tree; and,
 - A 32cm diameter Norway Maple tree.

- The trees will be removed first, followed by a submission for locates. If there are any locates found, a stump removal crew will be dispatched to those locations. *[Language to be corrected]*

The Subcommittee considered the application and together with advice from staff, passed the following motion:

(MacLaren/McGirr)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-022 be consented to, subject to the following Conditions:

- i. That the details for removal of the stumps be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to commencement of any alterations;
- ii. 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
- iii. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2026. If the alteration(s) are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(Carried)

b) HP2024-019 – 107 Mill Street North, Flamborough (Mill St HCD, Part V)

- Removal and replacement of existing contemporary cedar roof shingles with an alternate sympathetic material, including similar size, design and colour (CertainTeed's Landmark Shingle)

The applicant, Chuck Gammage, spoke to the Subcommittee. The Subcommittee considered the application, and together with input from the applicant and advice from staff, passed the following motion:

(MacLaren/LaRose)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-019 be consented to, subject to the following Conditions:

- i. That the final details of the chosen replacement roof and colour 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;
- ii. 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
- iii. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2026. If the alteration(s) are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(Carried)

c) HP2024-020 – 250 James Street South, Hamilton (Balfour House, Part IV)

- Replacement of the existing slate roof, including:
 - Removal of existing shingles;
 - Installation of a new underlayment;
 - Installation of new shingles (slate or alternative material); and,
 - Custom fabricated flashing around the chimney
- Options for alternate cladding material include Euroshield; recycled, rubberized material; or Timberline HDZ 50-year shingles, hand nailed.

Steve Bernstein, Bernstein Law Group, owner, spoke to the Subcommittee and answered questions. The Subcommittee considered the application and together with advice from staff, passed the following motion:

(Carroll/McGirr)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-020 be consented to, subject to the following Conditions:

- i. That the applicant make all reasonable efforts to choose a replacement shingle that closely replicates the existing slate shingles, in terms of their distinct shape and that the chosen material closely matches the look of traditional slate shingles, with preference for the Euroshield or similar alternative;
- ii. That the final details of the replacement roof 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;
- iii. 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
- iv. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2026. If the alteration(s) are not completed by August 31, 2026, then this approval

expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(Carried)

d) HP2024-021 – 99 Mountsburg Road, Flamborough (Kerr-Woolsey House, Part IV)

- Removal of the existing six-over-six hung wood windows and replacement with new, thermal pane, simulated divided light six-over-six wood windows with matching profiles, including sash dimensions, muntin bar size, profile and spacing and pattern, and brick mold.
- Salvaging the removed wood windows to repurpose as decorative interior features on site.

Tony Reed, owner, and Chris Harrison, Harrison Architecture, spoke to the Subcommittee and answered questions. The Subcommittee considered the application and together with advice from staff, passed the following motion:

(McGirr/MacLaren)

That the Heritage Permit Review Subcommittee advises that Heritage Permit Application HP2024-021 be consented to, subject to the following Conditions:

- i. 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
- ii. That the final details of the replacement roof 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;
- iii. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than August 31, 2026. If the alteration(s) are not completed by August 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

5. Adjournment

(McGirr/MacLaren)

That the meeting be adjourned at 6:11 pm.

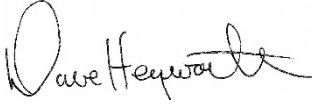
(Carried)

6. Next Meeting: Tuesday, September 17, 2024 at 5:00pm



Hamilton

INFORMATION REPORT

TO:	Chair and Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 27, 2024
SUBJECT/REPORT NO:	Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies (PED23113(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Alissa Golden (905) 546-2424 Ext. 1202
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	Per: 

COUNCIL DIRECTION

Not applicable.

INFORMATION

On August 20, 2024, Ontario’s Minister of Municipal Affairs and Housing issued a new Provincial Planning Statement under the *Planning Act*, attached as Appendix “A” to Report PED23113(a), that takes effect on October 20, 2024. The Provincial Planning Statement, 2024, will replace the existing Provincial Policy Statement, 2020, and Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). Under the *Planning Act*, planning decisions shall be consistent with policy statements, such as the new Provincial Planning Statement, which is intended to provide a streamlined province-wide land use planning policy framework that enables more housing to be built faster in a way that protects the environment, public health and safety and manages natural resources.

The City’s existing Official Plan policies remain in force and effect. The new Provincial Planning Statement represents a minimum standard for municipalities in the consideration of applications under the *Planning Act*, municipal policies can be more restrictive than the provincial policy framework. A statutory review of the City’s existing

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Official Plan policies is forthcoming to address to the Provincial Planning Statement and any policy changes would be recommended at that time.

Background

On April 6, 2023, Ontario's Ministry of Municipal Affairs and Housing posted Environmental Registry of Ontario # 019-6813 for the "Review of proposed policies adapted from the Growth Plan and Provincial Policy Statement to form a new provincial planning policy instrument". The draft policy document, known as the Proposed Provincial Planning Statement, dated April 6, 2023, was originally posted for comment on the Environmental Registry of Ontario until June 5, 2023. As described in the posting, the proposed Provincial Planning Statement, in part, is intended to update the cultural heritage policies to align with *Ontario Heritage Act* amendments through Bill 108 and Bill 23, with a focus on conserving protected heritage properties.

City Comments on Proposed Provincial Planning Statement

As part of the City's submission to the Province, Cultural Heritage Planning staff prepared comprehensive comments on the proposed Provincial Planning Statement, which were compiled as part of Report PED23145 to Planning Committee and Council addressing all of the relevant legislative changes resulting from the document, to be submitted to the Province. The comprehensive cultural heritage comments on the draft Provincial Planning Statement that were included in Report PED23145 are attached as Appendix "B" to Report PED23113(a). Key takeaways from staff's comments are as follows:

1. Diminishing the City's Ability to Conserve Significant Heritage Resources

The proposed revisions to the cultural heritage resource policies, and the corresponding removal of the definition of "significant" with regard to cultural heritage resources, would diminish the municipality's ability to evaluate and protect a significant built heritage resource or cultural heritage landscape through the development application process under the *Planning Act*. The definition of significant in the 2020 Provincial Policy Statement included a recognition that not all significant heritage properties have been identified, even with proactive inventory work, and there may still be significant resources that would be identified and evaluated through the *Planning Act* process that should be conserved.

This policy revision would require municipalities to designate properties containing cultural heritage resources to ensure that they are considered a "protected heritage property" and conserved through the *Planning Act* process. In the case of applications considered to be "prescribed events" as per Ontario

Regulation 385/21 of the *Ontario Heritage Act*, the City would be required to proactively designate prior to an application or within 90-days of a prescribed event being triggered. This policy change would also impact how cultural heritage landscapes are identified and require the City to re-evaluate landscapes identified in Official Plans and in the City's Inventory of Cultural Heritage Landscapes, to take alternative actions to ensure their conservation, such as designation under the *Ontario Heritage Act*.

2. Refocusing the City's Built Heritage Inventory Strategy

The City's Built Heritage Inventory Strategy is a proactive initiative for the identification of built heritage resources of cultural heritage value or interest. To date, the City's Strategy has focused on listing properties of heritage interest on the Municipal Heritage Register to provide interim protection from demolition, and flagging significant heritage properties that may be worthy of designation under Part IV of the *Ontario Heritage Act*. Recent staff Report PED22211(a) identified the need to re-evaluate and focus the Built Heritage Inventory Strategy work in light of the Bill 23 amendments to the *Ontario Heritage Act*, and to focus on Part IV designation of properties and the identification of new Heritage Conservation Districts for designation under Part V of the Act. The proposed Provincial Planning Statement further heightens the need to refocus the City's proactive heritage planning work to ensure that areas with concentrations of cultural heritage resources, like historical neighbourhoods and cultural heritage landscapes identified in the City's Urban and Rural Hamilton Official Plans and on the City's Cultural Heritage Landscape Inventory, are identified and protected to ensure they are conserved through the *Planning Act* process.

Based on the policies included in the proposed Provincial Planning Statement, staff anticipate significant staffing and resource impacts to be able to ensure previously unprotected (undesignated) significant heritage resources are conserved through the *Planning Act* process. These heritage resources include properties of heritage interest on the Inventory of Heritage Properties, Inventory of Cultural Heritage Landscapes and Municipal Heritage Register that are not "protected heritage property".

2024 Provincial Planning Statement

From April 10 to May 12, 2024, the Province undertook public consultation on updated policies, incorporating feedback received from the previous 2023 consultation on the proposed Provincial Planning Statement (ERO #019-6813). On August 20, 2024, the Province of Ontario released the final version of the Provincial Planning Statement, 2024, attached as Appendix "A" to Report PED23113(a), which is set to take effect on October 20, 2024. The Province considered the feedback received on the proposed Provincial Planning Statement and noted in their Environmental Registry of Ontario post

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that, “[s]ome municipalities and stakeholders in the cultural heritage sector expressed concerns that cultural heritage protections would be weakened.”

The Province identifies key changes informed by the April-May 2024 consultation on the Provincial Planning Statement, including the reintroduction of the definition of “significant” for the purposes of cultural heritage resources and archaeology, reverting to the previous definition in the existing Provincial Policy Statement, 2020. The Provincial Planning Statement, 2024, requires that protected heritage property be conserved, but also encourages planning authorities to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.

The Cultural Heritage and Archaeology policies contained in Section 4.6 of the new Provincial Planning Statement, 2024, are as follows [*italics identify defined terms in the document*]:

- “1. *Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*
2. Planning authorities shall not permit *development and site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *significant archaeological resources* have been conserved.
3. Planning authorities shall not permit *development and site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be conserved.
4. Planning authorities are encouraged to develop and implement:
 - a) archaeological management plans for conserving *archaeological resources*; and
 - b) proactive strategies for conserving *significant built heritage resources* and *cultural heritage landscapes*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing *archaeological resources, built heritage resources and cultural heritage landscapes.*”

City Comments on 2024 Provincial Planning Statement

The final Provincial Planning Statement, which comes into effect on October 20, 2024, addresses some of the concerns and comments previously identified by staff, as follows:

- Reintroduction of the previous definition of “adjacent lands”, with regards to cultural heritage, enabling municipalities to otherwise define adjacency in their official plans; and,
- Reintroduction of the definition of “significant”, with regards to cultural heritage. This definition assists in interpreting subsection 3(d) of the *Planning Act* which identifies the “conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” as matters of provincial interest that the municipality shall have regard to, among other matters, in carrying out its responsibilities under the Act.

Although only “protected heritage property” (i.e., property designated or subject to easement under the *Ontario Heritage Act*) is required to be conserved under the new Provincial Planning Statement, the inclusion of the definition of significant does assist municipalities in requiring that unprotected significant cultural heritage resources are evaluated and conserved through the *Planning Act* process.

Next Steps

Policy 4.6.4(b) of the Provincial Planning Statement, 2024, encourages municipalities to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes. Staff will be reporting back before the end of 2024 with recommendation actions for refocusing the Built Heritage Inventory Strategy and for new district designation work moving forward. Staff will also be reporting back to the Hamilton Municipal Heritage Committee before the end of 2024 on the progress of the City’s Part IV heritage designation work in response to the Bill 23 changes to the *Ontario Heritage Act*, another important component of a proactive strategy for the conservation of significant cultural heritage resources.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23113(a) – Provincial Planning Statement, August 20, 2024
Appendix “B” to Report PED23113(a) – Excerpt of Cultural Heritage Comments on the Proposed Provincial Planning Statement from Appendix “D” to Report PED23145

AG:sd

PROVINCIAL PLANNING STATEMENT, 2024

Under the *Planning Act*

PROVINCIAL PLANNING STATEMENT, 2024

Approved by the Lieutenant Governor in Council, Order in Council No. 1099/2024

The Provincial Planning Statement was issued under section 3 of the *Planning Act* and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

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Chapter 1: Introduction

Vision

Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

Ontario will increase the supply and mix of *housing options*, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of *housing options* will support a diverse and growing population and workforce, now and for many years to come.

A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. Prioritizing compact and *transit-supportive* design, where locally appropriate, and optimizing investments in *infrastructure* and *public service facilities* will support convenient access to housing, quality employment, services and recreation for all Ontarians. Cultural heritage and archaeology in Ontario will provide people with a sense of place. And while many Ontarians still face a complex range of challenges, municipalities will work with the Province to support the long term prosperity and well-being of residents through the design of communities responsive to the needs of all Ontarians.

Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the province's economic prosperity and overall identity. Growth and development will be prioritized within urban and rural settlements that will, in turn, support and protect the long-term viability of *rural areas*, local food production, and the *agri-food network*. In addition, resources, including natural areas, water, aggregates and agricultural lands will be protected. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

Role of the Provincial Planning Statement

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

Zoning and development permit by-laws are also important for the implementation of the Provincial Planning Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications, affect planning matters, and assist in implementing these interests.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

Legislative Authority

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

How to Read the Provincial Planning Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, health and social factors in land use planning. The Provincial Planning Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The Provincial Planning Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

There is no implied priority in the order in which the policies appear. While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Planning Statement as a whole.

Consider Specific Policy Language

When applying the Provincial Planning Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Planning Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote,” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Planning Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Planning Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Planning Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Within the Great Lakes –St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Policies Represent Minimum Standards

The policies of the Provincial Planning Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Planning Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Planning Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

Provincial Guidance

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Planning Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Provincial Planning Statement.

Relationship with Provincial Plans

The Provincial Planning Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this Provincial Planning Statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, build upon the policy foundation provided by the Provincial Planning Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Planning Statement. They take precedence over the policies of the Provincial Planning Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Planning Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Planning Statement. In contrast, where matters addressed in the Provincial Planning Statement do not overlap with policies in provincial plans, the policies in the Provincial Planning Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Planning Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

1. As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.
2. Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.
3. At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

4. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
 - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.
5. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

6. Planning authorities should support the achievement of *complete communities* by:
- a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
- a) establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;
 - b) permitting and facilitating:
 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
 - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;
 - c) support *active transportation*;
 - d) are *transit-supportive*, as appropriate; and
 - e) are *freight-supportive*.
3. Planning authorities shall support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.
4. Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions.
5. Planning authorities are encouraged to establish density targets for *designated growth areas*, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a target of 50 residents and jobs per gross hectare in *designated growth areas*.
6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within *designated growth areas* is orderly and aligns with the timely provision of the *infrastructure* and *public service facilities*.

2.3.2 New Settlement Areas and Settlement Area Boundary Expansions

1. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities shall consider the following:
 - a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - b) if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - c) whether the applicable lands comprise *specialty crop areas*;
 - d) the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
 - e) whether the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - f) whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
 - g) the new or expanded *settlement area* provides for the phased progression of urban development.
2. Notwithstanding policy 2.3.2.1.b), planning authorities may identify a new *settlement area* only where it has been demonstrated that the *infrastructure* and *public service facilities* to support development are planned or available.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

1. Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.
2. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned:
 - a) to accommodate significant population and employment growth;
 - b) as focal areas for education, commercial, recreational, and cultural uses;
 - c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
 - d) to support *affordable*, accessible, and equitable housing.

3. Planning authorities should:

- a) prioritize planning and investment for *infrastructure* and *public service facilities* in *strategic growth areas*;
- b) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;
- c) permit *development* and *intensification* in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;
- d) consider a student housing strategy when planning for *strategic growth areas*; and
- e) support *redevelopment* of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

2.4.2 Major Transit Station Areas

1. Planning authorities shall delineate the boundaries of *major transit station areas* on *higher order transit* corridors through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within an approximately 500 to 800-metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit* corridors, planning authorities shall plan for a minimum density target of:
 - a) 200 residents and jobs combined per hectare for those that are served by subways;
 - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
 - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.
3. Planning authorities are encouraged to promote *development* and *intensification* within *major transit station areas*, where appropriate, by:
 - a) planning for land uses and built form that supports the achievement of minimum density targets; and
 - b) supporting the *redevelopment* of surface parking lots within *major transit station areas*, including commuter parking lots, to be *transit-supportive* and promote *complete communities*.
4. For any particular *major transit station area*, planning authorities may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
 - a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
 - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.

5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit corridors* by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
 - a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.4.3 Frequent Transit Corridors

1. Planning authorities shall plan for *intensification* on lands that are adjacent to existing and planned *frequent transit corridors*, where appropriate.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment of brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
3. The establishment of new permanent townsites shall not be permitted.

4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement of *complete communities*; and
 - e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit service* is available, outside of *employment areas*.
3. In addition to policy 3.5, on lands within 300 metres of *employment areas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned *employment areas*, in accordance with provincial guidelines.
4. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit service* is available.

2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses, and ensure that the necessary *infrastructure* is provided to support current and projected needs.
2. Planning authorities shall protect *employment areas* that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
3. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
 - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
4. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*. In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.

5. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
 - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
 - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5;
 2. maintaining access to *major goods movement facilities and corridors*;
 - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
 - d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
 - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
 - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
 - c) support energy conservation and efficiency;
 - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
 - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure and public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs.
2. Before consideration is given to developing new *infrastructure and public service facilities*:
 - a) the use of existing *infrastructure and public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
 3. *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
 4. *Public service facilities* should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
 5. Planning authorities, in collaboration with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low- emission vehicles.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

3. As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate *negative impacts* on and *adverse effects* from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities*, and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other *sensitive land uses* in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) prohibiting land uses which may cause a potential aviation safety hazard.

3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* is only permitted if potential *adverse affects* to the proposed *sensitive land use* are minimized and mitigated, and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
 - b) ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
 4. aligns with comprehensive municipal planning for these services, where applicable.
 - c) promote water and energy conservation and efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process;
 - e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of *municipal water services* and *municipal sewage services* to support efficient use of these services to meet current and projected needs for increased housing supply; and
 - f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.

3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development;
 - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*; or
 - c) within rural *settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5.a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.

8. Planning for stormwater management shall:
 - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
 - b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
 - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
 - d) mitigate risks to human health, safety, property and the environment;
 - e) maximize the extent and function of vegetative and pervious surfaces;
 - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
 - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, *renewable energy systems*, and *alternative energy systems*, to accommodate current and projected needs.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
 - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.
2. The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.
3. *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas*, *rural areas*, and *prime agricultural areas*.
4. *Development* and *site alteration* shall not be permitted in:
 - a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
 - b) *significant coastal wetlands*.
5. *Development* and *site alteration* shall not be permitted in:
 - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
 - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - d) *significant wildlife habitat*;
 - e) *significant areas of natural and scientific interest*; and
 - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 4.1.4.b),
unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.
6. *Development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
7. *Development* and *site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

8. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.
9. Nothing in policy 4.1 is intended to limit the ability of *agricultural uses* to continue.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development and site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake, and *large and fast-growing municipalities* shall undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.
4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier *large and fast-growing municipalities*, the upper-tier municipality shall undertake *watershed planning* in partnership with lower-tier municipalities, including lower-tier *large and fast-growing municipalities*.
5. All municipalities undertaking *watershed planning* are encouraged to collaborate with applicable conservation authorities.

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation shall be permitted in *prime agricultural areas* as an *agricultural use*, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

5. Where a residential dwelling is permitted on a lot in a *prime agricultural area*, up to two additional residential units shall be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling, and any additional residential units:
 - a) comply with the *minimum distance separation formulae*;
 - b) are compatible with, and would not hinder, surrounding agricultural operations;
 - c) have appropriate *sewage and water services*;
 - d) address any public health and safety concerns;
 - e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
 - f) minimize land taken out of agricultural production.

Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).

6. For greater certainty, the two additional residential units that are permitted on a lot in a *prime agricultural area* in accordance with policy 4.3.2.5 are in addition to farm worker housing permitted as an *agricultural use*.

4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in *prime agricultural areas* is discouraged and may only be permitted in accordance with provincial guidance for:
 - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
 - c) one new residential lot per farm consolidation for a *residence surplus to an agricultural operation*, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
 - d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
2. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

3. The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 4.3.3.1.c).

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.2.

4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

4.3.6 Supporting Local Food and the Agri-food Network

1. Planning authorities are encouraged to support local food, facilitate near-urban and *urban agriculture*, and foster a robust *agri-food network*.

4.4 Minerals and Petroleum

4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified, and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

4.5 Mineral Aggregate Resources

4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
 - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
 - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1.b), complete rehabilitation to an *agricultural condition* is not required if:
 - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) agricultural rehabilitation in remaining areas is maximized.

4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *significant archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.
4. Planning authorities are encouraged to develop and implement:
 - a) archaeological management plans for conserving *archaeological resources*; and
 - b) proactive strategies for conserving *significant built heritage resources* and *cultural heritage landscapes*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources, built heritage resources* and *cultural heritage landscapes*.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police, and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development and site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

Chapter 6: Implementation and Interpretation

6.1 General Policies for Implementation and Interpretation

1. The Provincial Planning Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. The Provincial Planning Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing the Provincial Planning Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

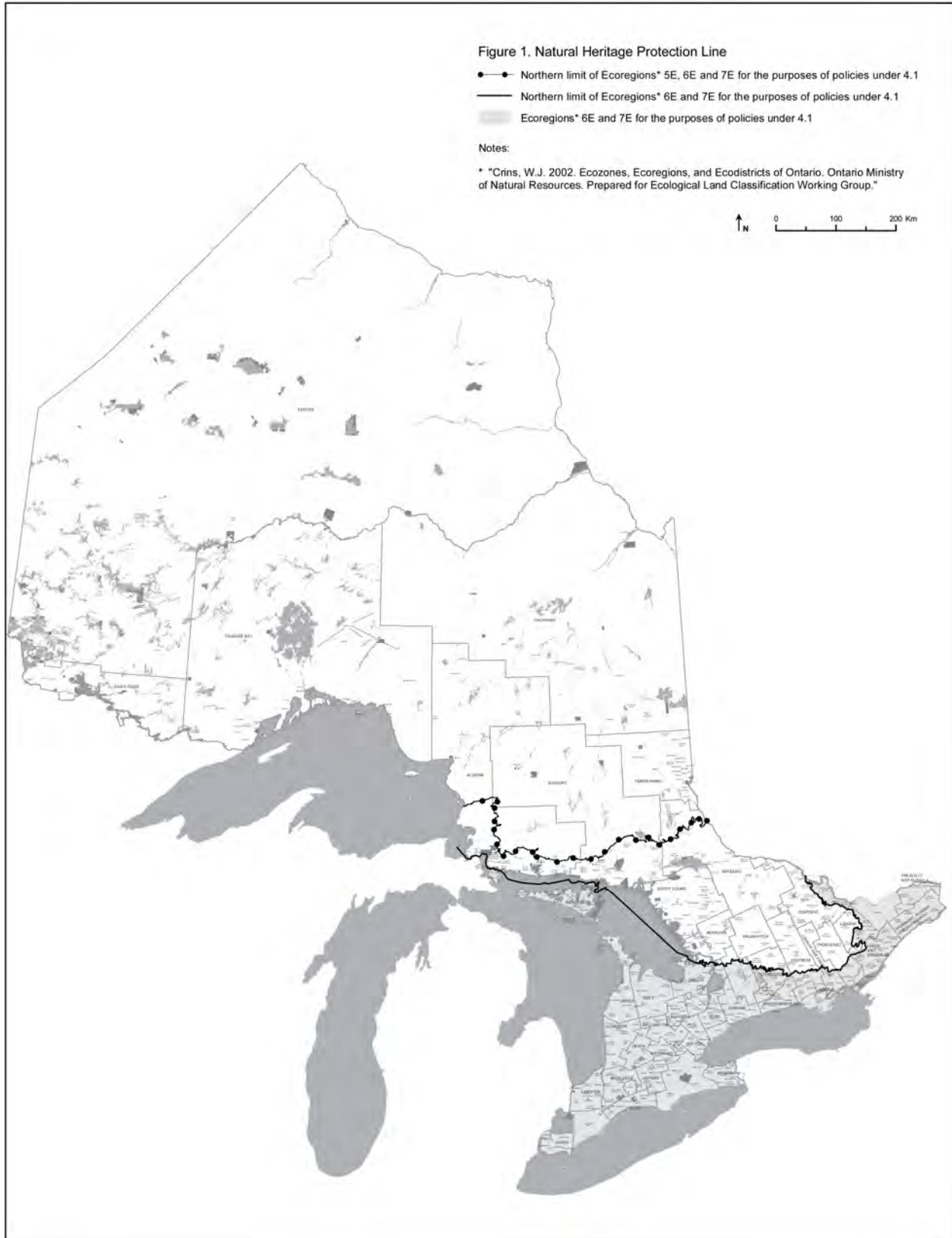
9. To assess progress on implementation of the Provincial Planning Statement, the Province may:
 - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in the Provincial Planning Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
 - b) monitor and assess the implementation of the Provincial Planning Statement through the collection and analysis of data under each indicator; and
 - c) consider the resulting assessment in each review of the Provincial Planning Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, data standards, and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* and *designated growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.
12. Density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Provincial Planning Statement or any other provincial plan.
13. Minimum density targets will be revisited at the time of each official plan update to ensure the target is appropriate.

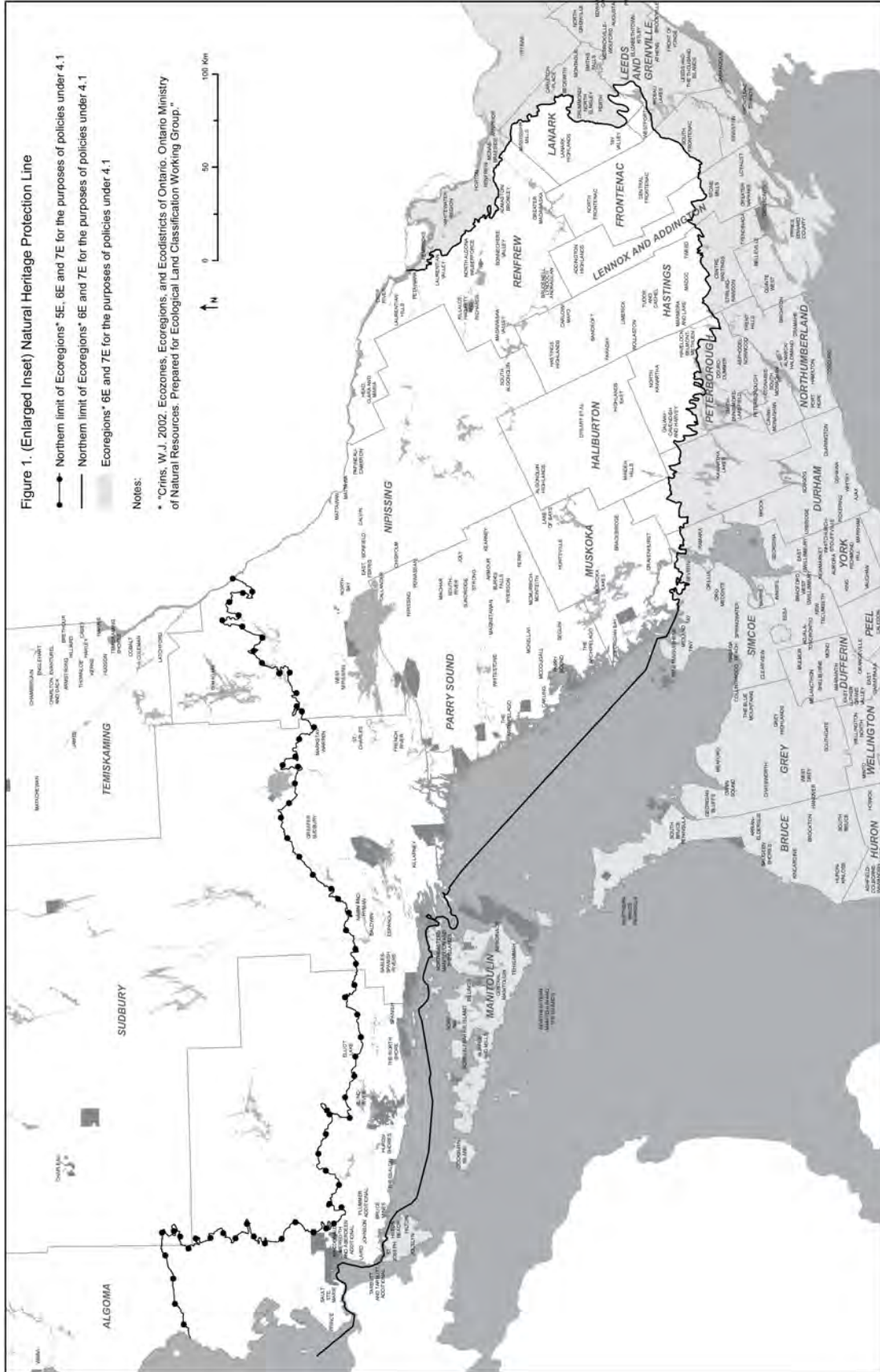
6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
 - a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
 - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement the Provincial Planning Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities shall collaborate with publicly-assisted post-secondary institutions, where they exist, to facilitate early and integrated planning for student housing that considers the full range of *housing options* near existing and planned post-secondary institutions to meet current and future needs.
6. Further to policy 6.2.5, planning authorities should collaborate with publicly-assisted post-secondary institutions on the development of a student housing strategy that includes consideration of off-campus housing targeted to students.

7. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
8. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
9. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
 - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
 - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
 - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
 - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
10. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.9 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

7: Figure 1 – Natural Heritage Protection Line





8: Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional needs housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

Adverse effect: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the municipality.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

Agricultural impact assessment: means the evaluation of potential impacts of non-agricultural uses on the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

Agricultural system: means a system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*. It may also include *rural lands* that help to create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes agricultural operations, *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; agricultural operations including on-farm buildings and primary processing; infrastructure; agricultural services, farm markets, and distributors; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Compact built form: means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Complete communities: means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process or identified in provincial standards; or
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Endangered species: means a species that is classified as "Endangered Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Energy storage system: means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means water frequented by *fish* and any other areas on which *fish* depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave effects* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means habitat within the meaning of section 2 of the *Endangered Species Act, 2007*.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development and site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include

a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter rail), light rail, and buses in dedicated rights-of-way.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable housing, additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
- b) the development of vacant and/or underutilized lots within previously developed areas;

- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or
- b) In the case of rental housing, household with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g., copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g., graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Critical minerals are a subset of raw materials that have specific industrial, technological or strategic applications for which there are a few viable substitutes.

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g., glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the *Fisheries Act*;
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.
- d) in regard to policy 4.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their *related hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- e) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and *energy storage systems*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services or private communal sewage services combined with individual on-site water services; or*
- b) *municipal water services or private communal water services combined with individual on-site sewage services.*

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy and Electrification, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the identification and protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- a) in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means one existing habitable detached dwelling, including any associated additional residential units, that are rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's *settlement areas* vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral potential*, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in section c) - d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, existing and emerging downtowns, lands in close proximity to publicly-assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit service* or *higher order transit corridors* may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban agriculture: means food production in *settlement areas*, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate on water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest."

9: Appendix – Schedule 1: List of Large and Fast-Growing Municipalities

Town of Ajax

City of Barrie

City of Brampton

City of Brantford

City of Burlington

Town of Caledon

City of Cambridge

Municipality of Clarington

City of Guelph

City of Hamilton

City of Kingston

City of Kitchener

City of London

City of Markham

Town of Milton

City of Mississauga

Town of Newmarket

City of Niagara Falls

Town of Oakville

City of Oshawa

City of Ottawa

City of Pickering

City of Richmond Hill

City of St. Catharines

City of Toronto

City of Vaughan

City of Waterloo

Town of Whitby

City of Windsor

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Excerpt of Cultural Heritage Comments on the Proposed Provincial Planning Statement from Appendix “D” to Report PED23145

Summary of Proposed Change	Comments
Chapter 1: Introduction	
Proposed Vision	
<p>There is no longer a recognition on the value of cultural heritage in the overall Vision. The importance and value of cultural heritage in creating great communities is more than just providing a sense of place, it provides environmental, economic, and social benefits to communities and needs to be recognized in the vision although it is noted policies are still included under “Wise Management of Resources” section in Chapter 4.</p>	
Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
2.5 Rural Areas in Municipalities	
<p>Revises policy 2.5.2 (previously 1.1.4.3) to add “locally appropriate” when referring to rural characteristics to be considered for development in rural settlement areas.</p>	<p>The City is supportive of adding “locally appropriate” to this policy which helps support the City’s efforts to establish rural settlement area specific policies that reflect local conditions and priorities. “Locally appropriate” and “rural characteristics” should be defined in the proposed PPS. Defining these terms will help to clarify questions such as whether the conservation and enhancement of cultural heritage resources such as agricultural landscapes and historic settlement areas are considered “rural characteristics”</p>
2.9 Energy Conservation, Air Quality and Climate Change	
<p>Modifies the approaches for planning for the impacts of a changing climate under Section 2.9 (previously 1.8) with less focus on the location of certain land uses to minimize transportation congestion.</p>	<p>Specific reference should be made to the role of the retention and retrofitting existing buildings, including buildings of cultural heritage value, to achieve these goals.</p>
Chapter 4: Wise Use and Management of Resources	
4.3 Agriculture	
<p>Adds policy 4.3.3.3 which discourages non-residential lot creation in prime agricultural areas and prescribes criteria when it is permitted.</p>	<p>The City of Hamilton recommends including the facilitating the retention and conservation of a significant cultural heritage resource in the prescribed criteria for permissions for lot creation.</p>

Summary of Proposed Change	Comments
4.6 Cultural Heritage and Archaeology	
<p>4.6.1 Replacement of “significant” cultural heritage resources (including built heritage resources and cultural heritage landscapes) with “protected heritage property”.</p> <p>This change is in conjunction with the removal of the definition of <i>significant</i>, in regard to cultural heritage (definition e), and revisions to the definition of <i>protected heritage property</i>, <i>built heritage resource</i>, <i>cultural heritage landscape</i> from the Definitions section.</p>	<p>The change from “significant” to “protected heritage property” is not consistent with the language in Section 2 of the <i>Planning Act</i> outlining the provincial interest, which includes: (d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest; [emphasis added]</p> <p>The proposed change diminishes the City’s ability to conserve significant heritage resources.</p> <p>Through the revision of PPS, 2020 policy 2.6.1, now 4.6, and the corresponding removal of the definition of <i>significant</i> with regard to cultural heritage resources, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition of <i>significant</i> included a recognition that not all significant heritage properties have been identified, even with proactive inventory work (as proposed with new policy 4.6.4(b)), and there may still be significant resources that would be identified and evaluated through the <i>Planning Act</i> process that should be conserved.</p> <p>This policy change will require municipalities to designate properties containing cultural heritage resources to ensure that they are <i>conserved</i> through the <i>Planning Act</i> process. In the case of applications considered to be “prescribed events” as per <i>Ontario Regulation 385/21</i> of the <i>Ontario Heritage Act</i>, this would require the City to proactively designate prior to an application or within 90-days of a prescribed event being triggered.</p>

Summary of Proposed Change	Comments
<p>4.6.1 Replacement of “significant” cultural heritage resources (including built heritage resources and cultural heritage landscapes) with “protected heritage property”. (Continued)</p>	<p>The changes to the language in this policy will require a review and update of the City’s cultural heritage resource policies in the official plans, which currently include policies to ensuring that previously unidentified cultural heritage resources (built heritage resources and cultural heritage landscapes) are conserved, and allow the municipality to require Cultural Heritage Impact Assessments and Documentation and Salvage Reports for properties of heritage interest that are not yet <i>protected heritage property</i>.</p> <p>This policy revision, in conjunction with the removal of the definition of <i>significant</i> and the revision of the definition of <i>cultural heritage landscape</i>, will require the City to re-evaluate the Cultural Heritage Landscapes (CHL) identified on the Official Plans and in the City’s Inventory of CHLs, and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>. This is anticipated to have significant impacts on budget and staffing and may result in the loss of features and buildings within cultural heritage landscapes of interest without <i>Ontario Heritage Act</i> protections.</p> <p>Note: There are minor administrative changes to the definition of <i>protected heritage property</i>, but the intent of the definition remains the same.</p> <p>There is now stronger language around engaging with Indigenous groups early in the process when identifying, protecting, and managing archaeological resources. Staff support early engagement with Indigenous communities in the Planning process. Archaeological assessments for parks, trails, open space projects are regularly conducted by Environmental Services staff when identified by Planning staff to have archaeological potential.</p>

Summary of Proposed Change	Comments
<p>Proposed policy 4.6.4 a) revises previous PPS, 2020 policy 2.6.4</p>	<p>The proposed revisions include the removal of language that encouraged the development of cultural plans in the conservation of cultural heritage resources and adds language to encourages planning authorities to develop and implement “proactive strategies for identifying properties for evaluation under the <i>Ontario Heritage Act</i>.” This policy revision is consistent with the City’s Built Heritage Inventory (BHI) Strategy, which is a proactive initiative for the identification of built heritage resources of cultural heritage value or interest. To date, the City’s BHI Strategy has focused on listing properties of heritage interest on the Municipal Heritage Register to provide interim protection from demolition, and flagging significant heritage properties that may be worthy of designation under Part IV of the <i>Ontario Heritage Act</i>. Recent staff Report PED22211(a) identified the need to re-evaluate and focus the BHI Strategy work in light of the Bill 23 amendments to the <i>Ontario Heritage Act</i>, and to focus on Part IV designation of properties and the identification of new Heritage Conservation Districts for designation under Part V of the Act. Staff will be reporting back with recommended actions for refocusing the BHI Strategy and for new HCD work moving forward.</p>
<p>Proposed policy 4.6.5 Revises previous PPS, 2020 policy 2.6.5</p>	<p>The proposed revisions include the addition of “early” to the direction for planning authorities to engage with Indigenous communities when identifying, protecting, and managing cultural heritage resources, including archaeology, built heritage resources and cultural heritage landscapes. The revised language also directs planning authorities to “ensure” that the interests of Indigenous communities are considered, rather than they “consider their interests”.</p> <p>Early engagement is already a best practice in the City of Hamilton and is already reflected in the City’s Archaeology Management Plan (AMP) and Indigenous Archaeological Monitoring Policy.</p>

Chapter 7: Definitions

- **Adjacency** - The definition of *adjacency* for the purposes of policy 4.6.3 (cultural heritage resources) has been revised to remove the language that allowed municipalities to further define adjacency in their official plans. The revised definition of adjacency will now only apply to those lands contiguous to a *protected heritage property*. The City’s official plans currently have a definition of adjacency that includes within 50 metres of a protected heritage property, which allows for consideration of properties across municipal right-of-ways. These definitions in the City’s official plans will need to be revised.
- **Archaeological Resources** – There are minor administrative changes to the definition of *archaeological resources*, but the intent of the definition remains the same.
- **Areas of Archaeological Potential** – There are minor administrative changes to the definition of *areas of archaeological potential*, but the intent of the definition remains the same.
- **Built Heritage Resource** – The definition of *built heritage resource* has been revised to remove the following:

Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.

The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant built heritage resources and requires a BHR to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate Inventoried and Listed (Registered) properties identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the *Ontario Heritage Act*.

- **Conserved** - The definition of *conserved* has been strengthened to indicate that mitigative measures and alternative development approaches “should” be included in related heritage studies required as part of the development application process, rather than “can”.
- **Cultural Heritage Landscape** - The definition of *cultural heritage landscape* has been revised to remove the following:

Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been

included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant cultural heritage landscape and requires a CHL to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate the CHLs identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the *Ontario Heritage Act*.

- **Heritage Attribute** - The definition of *heritage attributes* has been updated to clarify its relationship to attributes identified as part of designation under the *Ontario Heritage Act*.
- **Protected Heritage Property** - There are minor administrative changes to the definition of *protected heritage property*, but the intent of the definition remains the same.
- **Significant** - The definition of *significant*, in regard to cultural heritage, (definition e) has been removed from the Definitions section. This is in conjunction with the removal of significant from new **Section 4.6 Cultural Heritage and Archaeology**. The definition of Significant in the PPS, 2020, was:

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. Criteria for determining significance for the resources identified in sections (c)-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Through the removal of the definition of significant and the corresponding policy from previous PPS 2.6.1, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition include a recognition that not all significant heritage properties have been identified, even with proactive inventory work, and there may still be significant resources that would be identified and evaluated through the *Planning Act* process that should be conserved.