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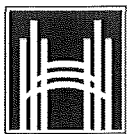


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**Hamilton**

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  
Fax: 905-540-5611

FILE: HP2021-033

November 2, 2021

Ontario Heritage Trust  
Attn: Registrar  
10 Adelaide Street East  
Toronto ON M5C 1J3

2021 11 2



**Re: Notice of Council Decision for Heritage Permit Application HP2021-033 for 398 Wilson Street East, Ancaster under Section 34 of the *Ontario Heritage Act* (By-law: 78-87) (Ward 12)**

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Please be advised that Council, at its meeting of October 13, 2021, resolved to approve Heritage Permit application HP2021-033, subject to conditions, for the demolition or removal of the rubble stone structure from 398 Wilson Street East, Ancaster under Section 34 of the *Ontario Heritage Act*, as outlined in the attached Notice of Council Decision (see item 5(b)). The Heritage Permit application HP2021-033 proposes to relocate the rubble stone structure at 398 Wilson Street East, Ancaster to 15 Lorne Avenue to address subsurface soil and groundwater contamination.

Subject to the following conditions:

- (a) That Council approve Heritage Permit HP2021-033 for 398 Wilson Street East, Ancaster, as submitted, with 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;
  - (ii) That the installation of the alterations, in accordance with this approval, shall be completed no later than July 31, 2023. If the alterations are not completed by July 31, 2023, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
  - (iii) That an Archaeological Assessment for the entirety of the site be submitted to the satisfaction of the Director of Planning and Chief Planner;

- (iv) That a full Building Condition Assessment by a qualified professional Structural Engineer with experience in heritage buildings be prepared to the satisfaction of the Director of Planning and Chief Planner;
- (v) That a signed letter from a Professional Engineer with experience in historic stone structures confirming the feasibility of relocation on the site be submitted to the satisfaction of the Director of Planning and Chief Planner;
- (vi) That a signed letter from an experienced building moving company with experience in relocating historic stone buildings be submitted to the satisfaction of the Director of Planning and Chief Planner;
- (vii) That a full Phase II ESA for the entirety of the site be submitted to the satisfaction of the Director of Planning and Chief Planner;
- (viii) That a revised Cultural Heritage Impact Assessment, assessing the proposal against required criteria and a new Statement of Cultural Heritage Value and Interest be submitted to the satisfaction and approval of the Director of Planning and Chief Planner;
- (ix) That the designating By-law No. 78-87 be repealed in accordance with the requirements of the Ontario Heritage Act at the expense of the owner;
- (x) That a new designation By-law be prepared in accordance with the requirements of the Ontario Heritage Act for the building's new location at the expense of the owner;
- (xi) That a new Survey be prepared to accompany a new designation By-law indicating the boundaries to which the designation applies;
- (xii) That a Conservation Plan in accordance with the City's Guidelines for Conservation Plans be submitted to the satisfaction and approval of the Director of Planning and Chief Planner;
- (xiii) That the applicant enters into a Heritage Easement Agreement with the City to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction, and that this agreement is registered on title;
- (xiv) That a Letter of Credit be provided to be held by the City based on the cost estimates for 100% of the total cost of securing, protecting, stabilizing, relocating, monitoring for a period of three years and the total cost of restoration. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner;

**Re: Notice of Council Decision for Heritage Permit  
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Ancaster under Section 34 of the *Ontario Heritage Act*  
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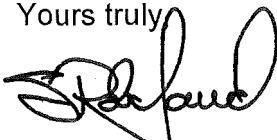
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- (xv) That any technical studies may be subject to Peer Review at the expense of the owner where deemed necessary;
  - (xvi) That if the building is to be relocated prior to site plan approval for the redevelopment of 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue, then the owner shall apply for and receive approval of a Minor Site Plan Application (MDA), and any other relevant Planning Act applications for the proposed relocation; and,
  - (xvii) That the owner submit an Official Plan Amendment and Zoning By-law Amendment for the redevelopment of 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue or alternatively the owner provide written confirmation to the Director of Planning and Chief Planner that they will be proceeding in accordance with the existing zoning in effect for these lands.
- (b) That staff be directed to report back to the Planning Committee before July 2022 on how the above Conditions (a) (i) to (xvii) have been cleared.

Please note that numbering of the conditions has been corrected from the Council minutes as duplicate numbering was used.

If you have any questions please contact Stacey Kursikowski, Cultural Heritage Planner, at 905-546-2424 ext. 1202 or via email at [Stacey.kursikowski@hamilton.ca](mailto:Stacey.kursikowski@hamilton.ca).

Yours truly



Steve Robichaud, MCIP, RPP  
Director of Planning and Chief Planner

attach (1)

cc: Jennifer Sheryer, Solicitor  
Chantal Costa, Plan Examination Secretary  
Bob Nuttall, Manager, Building Inspections  
Tamara Reid, Supervisor-Operations and Enforcement  
Loren Kolar, Legislative Coordinator  
Christine Vernem, Legislative Secretary  
Councillor Lloyd Ferguson, Ward 12