SUBJECT: Heritage Permit Application (HP2006-012) Under Part V of the Ontario Heritage Act to Permit Demolition of a Detached Garage on the Designated Property at 38 John Street East (Mill Street Heritage Conservation District), Waterdown, in the City of Hamilton (PED06134) (Ward 15)

RECOMMENDATION:

That Heritage Permit (HP2006-012) be approved for demolition of the existing garage at 38 John Street East, Waterdown, depicted in the submitted photographs accompanying the permit application, as shown in Appendix ‘A’ to Report PED06134.

EXECUTIVE SUMMARY:

38 John Street East is a residential property located within the Mill Street Heritage Conservation District (HCD), designated under Part V of the Ontario Heritage Act. A heritage permit is required for the demolition of any building or structure within the district. The applicant proposes the demolition of the existing detached garage due to its poor structural condition. The subject application satisfies the intent of the applicable HCD guidelines adopted by the Council of the former Town of Flamborough.

BACKGROUND:

The Mill-John-Union-Griffin Heritage Conservation District (HCD) was designated by the former Town of Flamborough and approved by the Ontario Municipal Board in 1996.
under Section 41 of the Ontario Heritage Act. Under Section 42 of the Ontario Heritage Act, a permit is required for the demolition of any building or structure within a Heritage Conservation District. Only the Council of the Municipality may issue such permits.

The subject property located at 38 John Street East, as shown on Appendix ‘B’ to Report PED06134, contains a one-and-a-half storey residence with a detached garage located behind the rear building line of the house. This application has been considered in the context of the HCD guidelines. The guidelines prepared for the Mill-John-Union-Griffin HCD, and approved by the former Town of Flamborough, deals with the identification and conservation of heritage resources.

**ANALYSIS/RATIONALE:**

The existing detached garage is a one-storey frame building of unknown construction date. It is built in a vernacular style, with a front-gable, board and batten siding, and coach house doors. The garage is in poor physical condition, with deteriorated framing, cladding and foundation (see Appendix ‘A’). It is not operable as a garage owing to its condition, and requires substantial reconstruction to return it to use.

Located behind the rear house-line and fencing, it does not play a prominent role in the streetscape. While the demolition of heritage structures is generally to be avoided within the HCD, the condition of the garage and its limited contribution to the streetscape make it a low priority for retention.

A replacement garage is not currently proposed. If in the future such an application is submitted, a heritage permit will be required. The design and location of a replacement garage must be in keeping with the building fabric and cultural heritage landscape, including a modest size, location similar to the existing garage, and the use of materials sensitive to the remaining heritage context.

**ALTERNATIVES FOR CONSIDERATION:**

The applicant has consulted with staff regarding the proposed demolition. Based on the condition of the garage and its minor contribution to the HCD, this application is recommended for approval.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - Not applicable.

Staffing - Not applicable.

Legal - Not applicable.
POLICIES AFFECTING PROPOSAL:

Subsection E.2 – Heritage Preservation of the former Town of Flamborough’s Official Plan provides for the management of the wealth of local heritage resources. The policies also provide for the designation of heritage conservation districts under Part V of the Ontario Heritage Act and for the preparation of criteria to regulate design. Alterations, additions, new construction and demolitions within the Mill Street HCD are guided by the Heritage Conservation District Plan Guidelines. The subject permit application is considered to be in keeping with these guidelines.

RELEVANT CONSULTATION:

The former Town of Flamborough established the Mill Street District Advisory Committee to advise Council on heritage permits under Part V of the Ontario Heritage Act. This advisory committee, comprising property owners located within the district, was re-established by the new City of Hamilton in 2001. The Mill Street District Advisory Committee reviewed this application with the applicant on March 21, 2006. The Committee did not object to the proposed demolition and recommended that the application be approved.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

- Community Well-Being is enhanced. ☑ Yes ☐ No
  The streetscape is subject to minimal impact, and a dilapidated structure is being removed.

- Environmental Well-Being is enhanced. ☑ Yes ☐ No
  Consumption of all natural resources is reduced.

- Economic Well-Being is enhanced. ☑ Yes ☐ No
  Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No
Yes, as noted above. These are complementary benefits.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
The creation of a respectful, desirable and supportive workplace through the practice of effective and consistent process to ensure quality work and product.

:JM
Attachs. (2)