Present: A. Denham-Robinson, Chair
M. Kirk, K. Wakeman, Vice Chairs
Councillors B. McHattie, M. Pearson, L. Ferguson

Also Present: D. Cuming, Senior Project Manager, Heritage and Urban Design
J. Muller, Cultural Heritage Planner
M. House, Cultural Heritage Planner
A. Mikkila, Assistant Cultural Heritage Planner – Student
C. Newman, Legislative Assistant, City Clerk’s Office

1. CHANGES TO THE AGENDA (Item 1)

6. HERITAGE PERMIT APPLICATIONS

6.1 Heritage Permit Application HP2011-010 Under Part V of the Ontario Heritage Act for Erection of Structures at 908 Beach Boulevard (Hamilton) (Ward 5) (copy included with agenda)

6.2 Delegated Approvals:

6.2.1 Heritage Permit Application (Construction of an addition to the rear of the existing house) 1044 Beach Boulevard (Hamilton) Hamilton Beach Heritage Conservation District (Ward 5)
10. GENERAL INFORMATION

10.6 Nominations for the Ontario Medal for Good Citizenship

(Kirk/Nowak)
That the agenda be approved, as amended. CARRIED

2. DECLARATIONS OF INTEREST (Item 2)

Walter Furlan indicated a conflict of interest with respect to item 9.1(b) Auchmar as he is performing restoration work at the location.

3. APPROVAL OF MINUTES (Item 3)

(a) Hamilton Municipal Heritage Committee Minutes dated April 21, 2011 (Item 3.1)

The Committee indicated to the Clerk a number of clerical errors with respect to HMHC Sub-Committee appointments which needed correction.

(Adkins/Rosart)
That the Minutes of the April 21, 2011, meeting of the Hamilton Municipal Heritage Committee be approved, as amended. CARRIED

4. BUSINESS ARISING FROM THE MINUTES (Item 4)

None

5. DELEGATION REQUESTS/DELEGATIONS/PRESENTATIONS (Item 5)

(a) (i) Len Medeiros owner of 104 King Street West (Former Dundas Post Office), respecting the recommendation of heritage designation. (item 5.1(a))

(ii) Ontario Superior Court of Justice Divisional Court decision re: Tremblay v. Lakeshore (Town) (item 5.1(b))

(iii) Recommendation to Designate 104 King Street West (Dundas) (Former Dundas Post Office) Under Part IV of the Ontario Heritage Act (Ward 13) (Tabled at HMHC meeting on April 21,
2011) (item 5.1(c))

Due to the relation of topics, items 5.1(a) to 5.1(c) were discussed as a group rather than taken individually. Meghan House addressed the Committee with the assistance of a PowerPoint presentation. Her comments included but were not limited to the following:

The Court ruling of Tremblay v. Lakeshore found that requiring the consent of the owner for heritage designation is not consistent with the Ontario Heritage Act. Both Committee and Council need to consider all factors before making a decision. The decision to designate is based on the heritage value of the property and whether or not it fulfills the criteria set out by the Ontario Heritage Act.

Heather and Len Medeiros, owners of 104 King Street West, were asked to address the Committee respecting the pending heritage recommendation. Ms. Medeiros indicated that they are not familiar with the heritage designation process. The owners want to improve the condition of the building, but permits have been difficult to attain, and they fear that the heritage designation will further complicate matters. The owners indicated that they have the very best of intentions for the property and that they have improved the building considerably since taking ownership.

Councillor Ferguson asked the owners if they were opposed to the designation. Mr. and Mrs. Medeiros indicated that they are not opposed to the designation. They felt that there has been a lack of communication between heritage staff and the owners. Councillor McHattie agreed that there has been a disconnect between the property owner and the City, and that the problems appear to have been with the Building Department and not Heritage.

The Committee indicated that this situation is very similar to the Lister Block and Hi-Rise Developments, where the relationship at first was adversarial, but eventually became very productive.

Staff indicated that Mr. and Mrs. Medeiros have been notified on several occasions of the status of the designation process.

Councillor Ferguson indicated consultation should take place with the ward Councillor, building owners and City staff to discuss the heritage designation.

(Pearson/Sinclair)
That the presentation by Len Medeiros and Heather respecting the former Dundas Post Office, 104 King Street West, be received. CARRIED

(Adkins/Rosart)
That the information respecting Ontario Superior Court of Justice Divisional Court decision re: Tremblay v. Lakeshore, be received. CARRIED

(Ferguson/Nowak)
That the Mr and/or Mrs. Medeiros, Heritage Planning Staff, Councillor Powers and Michael Adkins representing the Heritage Permit Review Sub-Committee meet to discuss the pending designation of 104 King Street West, Dundas under Part IV of the Ontario Heritage Act and report back to the Committee. CARRIED

Ms. Kathy Wakeman indicated that she would like to be marked as opposed to the preceding motion.

6. HERITAGE PERMIT APPLICATIONS (Item 6)

(a) Delegated Approvals:

(i) Heritage Permit Application HP2011-010 Under Part V of the Ontario Heritage Act for Erection of Structures at 908 Beach Boulevard (Hamilton) (Ward 5) (copy included with agenda) (Item 6.1)

Meghan House addressed the Committee with the assistance of a PowerPoint presentation. Her Comments included but were not limited to the following:

- The property is a vacant lot located in the Hamilton beach Heritage Conservation District, and there are guidelines regarding appropriate construction and maintaining the integrity of the area.
- Staff described the proposed new house and garage and outlined the recommendations of the staff report.
- The Heritage Permit Review Sub-committee recommended approval of the application subject to further review of the cladding material.

The Committee discussed the staff report. There comments included but were not limited to the following:
Kathy Wakeman asked staff if the owners are asking for leniency with respect to the construction of the home. Staff indicated that the owner would like to use vinyl cladding rather than another material. Mr. Cuming indicated that other home owners in the district have asked for the same consideration and have been turned down.

Tyler Stewart a representative of the home owner and employee of Quality Homes was in attendance to answer any questions for the Committee. The Committee inquired about the cost difference between vinyl product versus another material. Mr. Stewart stated that the cost difference is approximately $16,000.

Mr. Cuming indicated to the Committee that the Beach Boulevard area was designated by the former City of Hamilton. At the time there was a significant number of vacant lots. When the City designated the area it was stated to buyers of vacant lands that they would have to comply with the certain standards.

The Committee felt that the owners were aware of the building demands when undertaking the project.

(McHattie/Kirk)
That Heritage Permit Application HP2011-010 be approved for the erection of a new single-detached residence and detached garage, on the designated property at 908 Beach Boulevard (Hamilton Beach Heritage Conservation District), (Hamilton), subject to the following conditions:

(a) That the specifications of the cladding materials for the new house and garage shall be submitted, to the satisfaction and approval of the Heritage Permit Review Sub-Committee and Planning staff, prior to submission as part of any application for a Building Permit;

(b) That the dimensions and surfacing materials for the new driveway and any walkways, patios, or other hard-surface areas shall be submitted, to the satisfaction and approval of Planning staff, prior to installation;

(c) That the dimensions design, and materials for any new fencing and gate shall be submitted, to the satisfaction and approval of Planning staff, prior to installation;

(d) That as many existing trees as possible shall be retained, and/or that one to three new trees of a maximum calliper of 55mm and of a species consistent with the City of Hamilton’s Tree Species and Recommended
Use Index shall be planted within one year of occupancy of the new dwelling;

(e) That a Tree Management Plan, Tree Protection Plan, Landscape Plan, and/or other plan depicting the removal, retained, and new trees, including the calliper size, locations, and species shall be submitted, to the satisfaction and approval of Planning staff, prior to any grading or tree removals;

(f) That detailed elevation drawings for the new garage, consistent with the submitted concept drawing, shall be submitted, to the satisfaction and approval of Planning staff, prior to submission as part of any application for a Building Permit;

(g) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of Planning staff, prior to submission as part of any application for a Building Permit;

(h) That construction and site alterations, in accordance with this approval, shall be completed no later than May 31, 2013. If the construction and site alterations are not completed by May 31, 2013, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issues by the City of Hamilton. CARRIED

6.2 Delegated Approvals:

6.2.1 Heritage Permit Application (Construction of an addition to the rear of the existing house) 1044 Beach Boulevard (Hamilton) Hamilton Beach Heritage Conservation District (Ward 5)

(Adkins/Lei)
That heritage permit application 6.2.1, be received. CARRIED

7. HERITAGE PROPERTY DESIGNATIONS

8. DISCUSSION ITEMS (Item 8)

(a) Billy Green 13 (verbal update – M. Adkins) (item 8.1)

Mr. Adkins indicated to Committee that the race is set for May 11, 2013. Mr. Adkins stated that he has obtained donations and sponsorship. Transportation for runners will be an issue that will be addressed very soon. The race should
occur with little to no cost to the City.

(Kirk/Nowak)
That the update respecting the Billy Green 13, be received.  
CARRIED

9. Buildings and Landscapes

(a) Endangered Buildings and Landscapes:

(i) Treble Hall, 6-12 John Street North, Hamilton (L) – M. Adkins

Mr. Adkins indicated that he has spoken to the property owner who has offered to allow him to see the property on a regular basis. The property is currently being renovated.

(Adkins/Ferguson)
That Treble Hall be moved from Endangered Buildings and Landscapes to a Heritage Property Update.  
CARRIED

(ii) Auchmar Gate House, 71 Claremont Drive, Hamilton (L)(R) – M. Adkins

Mr. Adkins indicated that the wet weather has taken a toll on the building. Mr. Cuming indicated he had spoken to a citizen who had spoken to current owner and been advised that the current owner intends to retain the property, but not the building.

The Committee discussed the possibility of moving the home off the property if the owner were agreeable. Councillor Pearson indicated that this had been done before in Stoney Creek with the Nash-Jackson House. Staff indicated that the Culture Division has previously studied the condition of the house.

(Wilson/Mchattie)
That the Culture Division perform a review of the relocation of Gate House at Auchmar in consultation with the Building Department and report back to the July HMHC meeting.  
CARRIED

(iii) St. Marks, 120 Bay Street South, Hamilton (D) – M. Kirk

The building is secure but the winter weather has been hard on the bricks on the lower half of the building.

Ms. House indicated that a heritage permit application has been
submitted to request permission to remove the Sunday School portion, stabilize the Sanctuary, remove vegetation and repair masonry.

(iv) Tivoli, 108 James Street North, Hamilton (D) – B. McHattie
No update

(v) Book House, 167 Book Road East, Ancaster (L) – W. Arndt
No update

(vi) The Royal Connaught Hotel, 112 King Street East, Hamilton (L) – M. Adkins
No update

(vii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – W. Rosart
No update

(viii) (Thomas Building) – 46 – 52 James Street North, Hamilton (D) – R. Sinclair
No update

(ix) All Saints Church, 15 Queen Street South, Hamilton (L) – A. Denham-Robinson
No update

(x) Grove Hall, Hickory House, Gateview, Century Manor and surrounding landscape, 100 West 5th Street, Hamilton (L)(R)(D) – C. Lei

Ms. Lei brought to the attention of Committee evidence of vandalism present at Century Manor. Pictures were distributed to Committee members identifying the vandalism to the building. Staff indicated that the property is currently owned by the Ontario Realty Corporation (ORC). The Committee discussed the matter and possible action that could be taken.

(Adkins/Lei)
That the Hamilton Municipal Heritage Committee send a letter to the Ontario Realty Corporation (ORC) to request information regarding the condition and maintenance of the designated heritage building known as Century Manor and the long term plan for the conservation of the westerly portion of 100 West 5th Street property.

CARRIED

(xi) Erland Lee Home and Museum, 552 Ridge Road, Stoney Creek – K. Wakeman

No update

(xii) Federal Building, 150 Main Street West (L) – M. Adkins

Mr. Adkins indicated that the building is to be demolished before summer. Mr. Rosart indicated that the owner is interested in saving the front façade.

(b) Buildings and Landscapes of Concern:

(i) Desjardins Canal, Dundas, Hamilton (R) – S. Nowak

No update

(c) Heritage Properties Update:

(i) Auchmar, 88 Fennell Avenue West, Hamilton (D) – C. Lei

• Hamilton Spectator “A big house with a big problems”

No update

(ii) Lister Building, 28-44 James Street North, Hamilton (D) – B. McHattie

No update

10. GENERAL INFORMATION

(a) Ontario Heritage Trust: Heritage Community Recognition Program, Young Heritage Leaders Program and Community Leadership Program (item 10.1)
The Committee discussed nominating former HMHC members Art French, Ann Charlton, and Sylvia Wray for the Community Recognition Program.

(Adkins/Nowak)
That nominations for the Ontario Heritage Trust: Heritage Community Recognition Program, Young Heritage Leaders Program and Community Leadership Program be brought back to the next HMHC meeting. CARRIED

(b) Hamilton Spectator "Century-old downtown building to be torn down" (30 King Street East, Hamilton) (item 10.2)

(Adkins/Nowak)
That the Hamilton Spectator article "Century-old downtown building to be torn down", be received. CARRIED

(c) Hamilton Spectator "25 good things - City creates bold plan to build buzz and business" (Treble Hall/Lister Building) (item 10.3)

(Adkins/Nowak)
That the Hamilton Spectator article "25 good things - City creates bold plan to build buzz and business", be received. CARRIED

(d) Committee Meeting dates for 2011 (item 10.4)

(Adkins/Nowak)
That the Committee meeting dates for 2011, be received. CARRIED

(e) Social Science Links – McMaster University Social Science Newsletter (item 10.5)

(Adkins/Nowak)
That the article Social Science Links McMaster University Social Science Newsletter, be received. CARRIED

(f) Nominations for the Ontario Medal for Good Citizenship (item 10.6)
(Adkins/Nowak)
That nominations for the Ontario Medal for Good Citizenship be brought back to the next HMHC meeting. CARRIED

11. NEW BUSINESS

None

12. ADJOURNMENT

(Nowak/Pearson)
That the Hamilton Municipal Heritage Committee meeting, be adjourned at 2:05 p.m. CARRIED

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Christopher Newman
Legislative Assistant,
City Clerk’s Office
May 19, 2011