SUBJECT: Hamilton Community Heritage Fund Loan Program Application (HCHF2009-001) for 957 Governor’s Road, Dundas (PED09064) (Ward 13)

RECOMMENDATION:

That approval be given to Hamilton Community Heritage Fund Loan Program Application (HCHF2009-001), for property located at 957 Governor’s Road, Dundas, as shown on Appendix “A” to Report PED09064, subject to the following:

(a) That a loan commitment of $5,145 be approved, in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program, for replacement of the asphalt roof on the designated building in kind.

(b) That the Mayor and Clerk be authorized and directed to execute the loan agreement and security documentation with respect to (a), in a form satisfactory to the City Solicitor.

(c) That the General Manager of the Planning and Economic Development Department be authorized to amend the loan agreement, provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained.

(d) That Report PED09064 be forwarded to the Hamilton Municipal Heritage Committee for information.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The Hamilton Community Heritage Fund was established by the former City of Hamilton during the mid-1980's. In 2001, Council authorized that this fund be made available to all eligible heritage property owners within the newly amalgamated municipality. The original maximum loan amount was set at $20,000, but an increase of the maximum loan amount to $50,000 was authorized by Council in 2005 (Report PED05091). The loan is only available to properties designated under the Ontario Heritage Act.

The owner of the subject property located at 957 Governor’s Road, Dundas (see location map attached as Appendix “A”), has applied for a $5,145 loan under the program in order to re-shingle and repair the roof on the original residence and original portion of the driveshed outbuilding.

BACKGROUND:

Hamilton Community Heritage Fund

The former City of Hamilton established the Hamilton Community Heritage Fund in 1985 (By-law No. 85-120) as part of the Province of Ontario's Building Rehabilitation and Improvement Campaign, commonly referred to as the “BRIC” program. The grant agreement entered into by both parties (the Province of Ontario and the former City of Hamilton) established a fund that originally comprised of $441,666.67. Of this total amount, $250,000 (57%) was from the Province, and $191,666.67 (43%) was from the former City of Hamilton.

The intent of the Hamilton Community Heritage Fund, as established by the grant agreement, was to establish a permanent fund for the purpose of investing in architectural conservation. Specifically, the fund was to be used:

- For loans for the purchase and/or conservation of heritage property.
- To guarantee loans for the purchase and/or conservation of heritage property.
- For grants to owners of designated heritage property for the conservation of that property.

Heritage property was defined in the agreement as a property designated under the Ontario Heritage Act. The former City of Hamilton operated the fund solely for the purpose of low or no-interest loans. Since 1985, approximately 55 loans have been approved, accounting for approximately $480,000. The balance of the fund now stands at approximately $777,550 with minimal amounts of three loans still outstanding (approximately $4,490 total), and four approved, but not yet disbursed, loan commitments totalling $165,000).
The Hamilton Community Heritage Fund was originally established as a revolving fund, with the former City of Hamilton offering low-interest loans for eligible conservation work on buildings designated under the Ontario Heritage Act. As interest rates declined during the 1990’s, the program was revised to permit interest-free loans, and the former City of Hamilton continued to offer loans of up to $20,000, repayable over a ten-year period and secured by a lien. The agreement with the Province of Ontario stipulated that loans of $15,000 or more required a Heritage Conservation Easement Agreement between the property owner and the City.

After municipal amalgamation, Council agreed to maintain the Hamilton Community Heritage Fund Program as a permanent reserve to provide loan assistance to all designated heritage properties within all of the former municipalities (Report PD00151(a), Item (f)). In 2005, Council approved an increase in the loan amount to $50,000 (Report PED05091), and under the current terms of the program, the loan is registered as a mortgage on the property and repayable over a period of up to ten years with no accumulated interest.

The current terms of the program, approved by Council in 2005, stipulate that to be eligible for a loan the property must be designated either individually under Part IV of the Ontario Heritage Act, or as part of a Heritage Conservation District under Part V of the Ontario Heritage Act. Funding is available only for work that conserves or restores the historic fabric and significant architectural elements of a building. Interior features are only eligible for funding if specifically mentioned in the Reasons for Designation or Description of Heritage Attributes of a property designated under Part IV of the Ontario Heritage Act. Routine maintenance and repair is not eligible.

**957 Governor’s Road, Dundas**

The subject property was designated under Part IV of the Ontario Heritage Act in 2004 (By-law 04-267). The original 11 hectare (26 acre) property was severed by sale in 1822, and a farmstead complex constructed thereafter (ca. 1840), associated with the Templar family. Property ownership was transferred to the Heslop family in 1848, which retained it until 1913. Subsequent sales and severances have reduced the lot to its current size, at 2.34 hectares (5.78 acres).

The former farmhouse located on this property is of architectural value as a vernacular interpretation of the Regency Style, and is a rare surviving example of pre-Confederation, masonry, farmhouse construction. Originally a one-storey dwelling with hipped roof and chimneys on the side elevations, the foundations on the front and side brick elevations (south and east/west respectively) are tooled stone with a plinth, and all elevations have cut-stone quoins. The rear (north) elevation is rubble construction, originally the common wall of an attached barn that was destroyed by fire in the 1960’s. The original exterior facades are symmetrical, and the house has a classically-based main entrance, referring to the Regency Style. The addition of front and rear gabled dormers ca. 1914 added a half-storey to the original farmhouse.
The original front entrance has trilights and four-light transom with heavy wood frames and panels. The surround has a tooled stone lintel, sill, and pilasters on both sides. Most windows in the house are rectangular with tooled stone lintels and sills and wood frames, with six-over-six double-hung sashes at the ground floor, while the rear façade has two windows with twelve-over-eight sashes. Both gables have four one-over-one windows. Each elevation has two three-pane hopper windows and stone lintels. Essentially all original features and hardware are included in the reasons for designation.

Interior features are also largely intact, and those original elements that remain are also identified in the reasons for designation, including flooring, wainscoting, doors, surrounds, main-floor ceilings and medallion, columns and pilasters, fireplace mantles, hardware and the staircase. The original elements of the detached outbuilding with gable roof, clapboard siding, double wood doors, hardware and four-panel, single-sash window are included in the reasons for designation.

ANALYSIS/RATIONALE:

Proposed Work (HCHF2009-001)

The proposed work comprises (refer to photos attached as Appendix “B”):

- Re-shingling the roof of the residential building, including:
  - Removal of existing shingles;
  - Re-nailing roof deck and repair of damaged deck;
  - Replacing/installing all vents, plumbing gaskets, chimney flashing, pre-painted valleys and drip-edge; and,
  - Installing 30-year shingles.

The proposed work entails replacement of material in kind, and does not require a Heritage Permit. The roof is a component of the designated buildings critical to their overall integrity and the heritage values identified in the reasons for designation. Accordingly, the proposed shingling of the roof of the original residential building and original outbuilding are important to the conservation of the designated property, and particularly interior heritage attributes. In addition, the proposed construction methods are consistent with accepted principles and practice of the conservation and management of heritage fabric. Therefore, the proposed work meets the intent and eligibility criteria of the Hamilton Community Heritage Fund Loan Program, and staff recommends approval of the requested loan.
This request for financial assistance, in the form of an interest free loan, may either be approved or denied.

Denial of this application would not promote the appropriate conservation and management of the significant heritage features of the property, and would not meet the City’s “Triple Bottom Line”.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial:** Funding is provided under the terms of the Hamilton Community Heritage Fund Loan Program, as approved by City Council on September 14, 2005. Loans issued in 2009 are to be funded from Reserve Fund 102049 Community Heritage Fund. Staff of Finance and Administration has advised that the current balance of the Reserve Fund is $777,550.89, and has confirmed the availability of funds regarding the financing of the proposed HCHF loan.

**Staffing:** Administration of this loan can be accommodated within the Community Planning and Design Section (Heritage and Urban Design) of the Planning and Economic Development Department, as well as within the Corporate Services Department.

**Legal:** Review of all documentation associated with the loan will be appropriately undertaken by the City Solicitor to protect the City’s interests. In certain cases, as projects move forward, it is sometimes necessary to make minor amendments to previously approved loan commitments and agreements. Therefore, staff is recommending that the General Manager of Planning and Economic Development be authorized (with the input from the General Manager of Finance and Corporate Services and the City Solicitor) to amend loan commitments/agreements without further Council approvals, provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained.

**POLICIES AFFECTING PROPOSAL:**

For the subject application (HCHF2009-001), the following policies apply:

The former Town of Dundas Official Plan, *Section 2.4 - Historic and Architectural Resources* promotes the preservation, restoration or appropriate re-use of historic and architecturally significant landmarks, buildings and districts throughout the Town (2.4.2.1), and the role that these buildings and districts play in supporting a healthy business and living environment in the Town (2.4.2.2).
RELEVANT CONSULTATION:

Pursuant to Subsections 28(1) and 33(4) of the *Ontario Heritage Act*, the Hamilton Municipal Heritage Committee advises and assists Council on matters relating to Part IV and Part V of the *Ontario Heritage Act*. The Hamilton Municipal Heritage Committee shall be advised of the decision regarding this loan by copy of this report and recommendations at its April 23, 2009, meeting.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and 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
Arts, culture, archaeological and cultural heritage are supported and enhanced.

This initiative promotes the conservation of Hamilton’s heritage. Protecting cultural heritage strengthens the community’s identity and distinctiveness.

**Community Well-Being is enhanced.** ☑ Yes ☐ No
Conservation of existing built heritage infrastructure is being supported.

**Environmental Well-Being is enhanced.** ☑ Yes ☐ No
Human health and safety are protected through the appropriate repair and maintenance of property.

Consumption of natural resources is being reduced through the conservation of the existing building and its built features.

**Economic Well-Being is enhanced.** ☑ Yes ☐ No
Investment in the City’s building stock and skilled labour market is encouraged.

**Does the option you are recommending create value across all three bottom lines?** ☑ Yes ☐ No
Cultural heritage resources are conserved and enhanced, resulting in strengthened community identity.

**Do the options you are recommending make Hamilton a City of choice for high performance public servants?** ☑ Yes ☐ No
This initiative demonstrates the City’s commitment to implementing Council approved cultural heritage policies.

:JM

Attachs. (2)
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: 957 Governors Road
Date: January 28, 2009

Appendix "A"
Scale: N.T.S.
Planner/Technician: JM / NH

Subject Property

- 957 Governor's Road, Dundas

Ward 13 Key Map
N.T.S.
Appendix “B” to Report PED09064
(Page 1 of 2)

957 Governor’s Road – South (front) Elevation

957 Governor’s Road – North (rear) elevation
957 Governor’s Road – South-west quarter-angle

957 Governor’s Road – Out-building