SUBJECT: Hamilton Community Heritage Fund Loan Program Application for 1059 Highway 8, Stoney Creek (Carpenter House) (PED08189) (Ward 11)

RECOMMENDATION:

That approval be given to the Hamilton Community Heritage Fund Loan Program Application, for property located at 1059 Highway 8, Stoney Creek (Carpenter House), as shown on Appendix “A” to Report PED08189, subject to the following:

(a) That a loan commitment of $50,000 be approved in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program for retrofitting of new glass windows into existing frames (nine second-storey windows, and two windows in the dining room on the first storey), repair to external woodwork on all elevations, including soffits and fascia, repainting of external woodwork, repair of built-in copper gutter system, and repair of three chimneys.

(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 and directed to amend the loan agreement provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained.

(d) That the applicant abides by any conditions of the Heritage Permit, as approved by the Director of Planning, as advised by the Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee.
(e) That the applicant agrees to enter into a Heritage Conservation Easement Agreement with the City of Hamilton to conserve and protect the real property at 1059 Highway 8, Stoney Creek.

(f) That the City Solicitor be directed to prepare the necessary documents for the Heritage Conservation Easement Agreement between the owner of 1059 Highway 8, Stoney Creek, and the City of Hamilton.

(g) That Report PED08189 be provided to the City of 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, and loan amounts greater than $15,000 require that the owner enter into a heritage conservation easement as a condition of the loan.

The owner of the subject property (1059 Highway 8, Stoney Creek - see map attached as Appendix “A”) has applied for a $50,000 loan under the program in order to install new wood windows into ten existing frames on the second storey, and two on the first storey located on the west elevation, which make up the dining room bay window, repair the external woodwork on all elevations, including soffits and fascia, repaint the external woodwork, repair the built-in copper gutter system, and repair the masonry on three chimneys (see Figures 2 - 11 in Appendix “B” for images of the current condition of the building). A heritage permit application (HP2008-024) for the proposed work has been submitted, and will be considered under the delegated authority of the Director of Planning, as advised by the Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee.
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 $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 $4,490.00 total).

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 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.

HCHF 2008-001
1059 Highway 8, Stoney Creek (The Carpenter House) (Ward 11)

The Carpenter House is located on the north side of Highway 8 in Stoney Creek, just east of McNeilly Road, and west of Lewis Road (refer to Location Map attached as Appendix “A”). The building located at 1059 Highway 8 is a two and one-half storey brick residence constructed in 1888, and is an exceptional example of a Queen Anne style of architecture popular in the late nineteenth century. The timber-frame roof has a prominent overhang with detailed wood cornice, fascia and soffit, supported and ornamented with brackets in several locations, all painted white. Four brick chimneys with detailed brick patterning punctuate the roofline: one on the east, two on the west, and one centrally located. The 17 windows vary in size, but are generally long and narrow in proportion. Most windows are wood frame with varying configurations, and three have small stained glass inserts along the top. In most cases, the window lintels and sills are stone, painted white, but a few windows on the rear and sides have soldier courses of brick in a slightly arched configuration over the window heads, as opposed to the flat, stone lintels. Smaller basement windows, also with slightly arched heads defined by brick coursing, are cut into the stone foundation (see Figure 1 in Appendix “B” for a historical photograph).

The property was designated under Part IV of the Ontario Heritage Act by the City of Hamilton in 2008 (By-law No. 08-003). The Description of Heritage Attributes references the following:

The south, west, east and north elevations of the building along with the hipped roof with dormer and gables; together with all original construction materials (brick, stone and wood) and all component architectural features and detailing, including the decorative wood porches, the gingerbread trim, soffits, brackets, windows, doors, slate roofing material, and brick chimneys. On the interior, the heritage attributes include the original wood staircase of the main entrance hall.
ANALYSIS/RATIONALE:

Proposed Work

The request for funding is to address conservation work on a number of features and materials, namely windows, woodwork, copper gutters, and masonry. These are described in greater detail as follows:

Windows:

The applicant/owner is proposing to retrofit nine existing windows on the second floor of the building with new-energy efficient glass (Low “E”, Argon gas filled) into the existing historical frames. The second floor windows to be retrofitted are as follows (see Figure 11 of Appendix “B” for photos of existing second floor windows):

- Three windows on the immediate south elevation;
- One window on the south-east elevation;
- One window on the recessed south elevation;
- Two windows on the east elevation, which comprise the bay window; and,
- Three windows on the west elevation, two of which comprise the bay window, and one which is located second from the rear of the building.

Three second-floor windows not to be included in the work are the northern most window on the west elevation, and the two northern most windows on the east elevation.

Also, the owner/applicant will be retrofitting two windows in the dining room on the first storey of the house, located on the west elevation, which make up the bay window on this elevation. These windows will also be retrofitted with new-energy efficient glass (Low “E”, Argon gas filled) into the existing historical frames.

The work will be undertaken according to the following provisos:

- The glazing will be re-installed into the existing wooden frames and, where possible, the original sashes will be re-used. If new sashes are needed (i.e., old ones cannot be re-used), they will be replaced in-kind with wood to match the original;

- Four windows slated for retrofitting are not original to the house (on the first storey: the north west facing bay window; on the second floor: the west most window on the south elevation, the second window from the rear on the west elevation, and, the south east facing bay window on the east elevation). Storm windows are currently being used in these windows, however, they will replaced with a more traditional, single-hung (one over one) window in order to match historical photos of the house;
• The window on the recessed south elevation will be specially designed to retain the stained glass portion at the top section of the window; and,

• Where possible, the original stops are to be re-installed inside.

Woodwork and Copper Gutter System Repair:

The applicant/owner is proposing restoration of the fascia, soffits, and built-in copper gutter system on all elevations of the house. The proposed work subject to this loan application comprises the following:

• Remove all rotten wood and old copper flashing;

• Repair minor wood damage with marine fibreglass filler;

• Replace missing and removed wood with replicated pieces;

• Sand smooth all sound painted wood in the work area;

• All wood in the area of work will receive a coat of primer, and two coats of external finish paint;

• Two courses of slate roofing will be removed for copper installation, and will be re-installed when finished (broken or damaged slate will be replaced in-kind);

• Built-in copper gutter systems will be installed over membrane with through leaders for down pipes; and,

• Copper down pipes will be reinstalled in the original locations.

Masonry:

The applicant/owner is also proposing masonry work on three of the building’s four chimneys (see Figures 8 - 10 in Appendix “B”). The proposed masonry work subject to this loan application comprises the following:

• Two chimneys (one on west elevation, one on east elevation) will receive the following treatment:
  - Rebuild corbelled coursing to the top of both chimneys;
  - Cut out and replace any spalled brick;
  - Repoint both chimneys from roof line up; and,
  - Install concrete cap to both chimneys.
Middle chimney:

- Install concrete cap.

All elements of the proposed work are subject to review and approval through the heritage permit application process (Heritage Permit Application HP2008-024) and must be approved, with any required conditions, by the Director of Planning, as advised by the Heritage Permit Review Sub-committee of the City of Hamilton Municipal Heritage Committee.

The proposed retrofit of the windows and restoration of the fascia, soffit, built-in copper gutter system, and chimney masonry is consistent with accepted principles and practice of the conservation and management of heritage fabric and, therefore, meets the intent and eligibility criteria of the Hamilton Community Heritage Fund Loan Program. Staff is recommending approval of this loan.

The original agreement between the City and 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. The proposed work affects specific elements of the property, which are contained in the Description of Heritage Attributes, as outlined in the Designating By-law: 08-003. While the By-law does afford protection to the designated features, staff is recommending that the City of Hamilton require a Heritage Conservation Easement Agreement between the owner and the City to protect the financial investment in this heritage building.

**ALTERNATIVES FOR CONSIDERATION:**

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 protection 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 2008 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.

A Heritage Conservation Easement Agreement between the property owner and City will secure the financial investment in the conservation of the heritage features outlined in the Description of Heritage Attributes in the designating By-law. The Easement will be registered on title with the property.

POLICIES AFFECTING PROPOSAL:

For HCHF application 2008-001, Subsection E.5 - Historic and Architectural Resources of the former City of Stoney Creek Official Plan is relevant to the application and has the following objective:

Section 5.1.1 - To preserve, enhance and/or rehabilitate, where feasible, those resources of HISTORIC AND ARCHITECTURAL merit and to promote the interest of the residents in the heritage of their City. It is further intended that appropriate measures be established to ensure that these resources will be recovered for active use and be instrumental in setting the visual amenity of Stoney Creek.

RELEVANT CONSULTATION:

Pursuant to Subsections 28(1) and 33(4) of the Ontario Heritage Act, the City of Hamilton Municipal Heritage Committee advises and assists Council on matters relating to Part IV and Part V of the Ontario Heritage Act. The City of Hamilton Municipal Heritage Committee is being consulted on the heritage permit application (HP2008-024) through its Heritage Permit Review Sub-committee. The City of Hamilton Municipal Heritage Committee shall be advised of this loan by copy of this report and recommendations at its September 24, 2008 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 preservation of the existing building and its 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.

:LC
Attaches. (2)
Figure 1: Historical photograph of the Carpenter House, 1059 Highway 8, Stoney Creek, from the Canadian Horticulturalist, 20:4 (1897): 126.
Figure 2: Current condition of 1059 Highway 8, Stoney Creek, Front (south elevation)

Figure 3: Southeast side elevation
Figure 4: Rear (north elevation)

Figure 5: Northeast side elevation (taken from the rear of the property)
Figure 6: Northwest elevation (taken from the rear of the property)

Figure 7: Eave on west elevation.
Figure 8: Northern chimney on west elevation

Figure 9: Southern chimney on west elevation

Figure 10: Chimney on the east elevation
Figure 11: Second storey windows

Three windows on the immediate south elevation (left window is not original)

(from left to right) Window on the south-east elevation, and window on the recessed south elevation (will retain stained glass portion)

North-east bay window
South-east bay window

North-west bay window
South-west bay window
West façade window (not original)
Figure 12: First storey westerly bay windows

North west bay window (not original)  South west bay window