Present: A. French (Chair)
Councillors B. Bratina and M. Pearson
M. Adkins, A. Charlton, R. Simpson, S. Stewart-Greene F. Thorp-Neufeld, S. Wray and G. Zajac

Absent with Regrets
A. Denham-Robinson (Vice Chair), work commitment
Councillor B. McHattie, City Business
K. Wakeman, work commitment
M. Kirk, personal commitment

Also Present: D. Cuming, Acting Manager Community Planning and Design
J. Muller, Cultural Heritage Planner
M. House, Cultural Heritage Planner
M. Keast, Assistant Cultural Heritage Planner
I. Bedioui, City Clerk’s Office

(A) APPOINTMENT OF CHAIR OF THE POLICY SUB-COMMITTEE
(Stewart-Greene/Wray)
That George Zajac be appointed as Chair of the Policy Sub-Committee.
CARRIED

1. CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(a) The last two words of Subsection (b) of Item 5.2, should read “appropriate account” instead of “Publication account”;

(b) The attachment to Item 5.3 included in the agenda, which is the program for the Heritage Property Awards, is actually the draft copy. Copies of the final version have been distributed.
(c) Item 8.1 will be considered in conjunction with Item 3.1, the delegation from Sue Davidson

(d) Copies of an e-mail respecting the Historical Board from Kathy Wakeman, who was unable to attend today, have been distributed and will be added as Item 8.2(a).

(Charlton/Pearson)
That the agenda be approved as amended.            CARRIED

2. DECLARATIONS OF INTEREST (Item 2)
None declared.

3. DELEGATION REQUESTS/PRESENTATIONS (Item 3)

(b) Committee of Adjustment application for severances to the designated property at 245 Garner Road West, Ancaster (Marshall House) (M. House) (Item 8.1)

Meghan House provided an overview of the memo and the Heritage Impact Assessment included in the agenda.

(a) Sue Davidson, respecting revised Heritage Impact Assessment for 245 Garner Road West (See Item 8.1) (Item 3.1)

Sue Davidson addressed Committee and read from a prepared statement a copy of which was provided for the Clerk’s record.

She indicated that the previous owner had purchased the property as a real estate investment and sold most of the land to the Hamilton Wentworth Catholic School Board. The century home with almost an acre of land was severed. She purchased the property with the intention of preserving the building which was in uninhabitable conditions. The restoration costs have doubled and as a solution to obtain the funding required, she has submitted an application to sever the large piece of land to the west of the building.

Sue Davidson indicated that staff advised her that the first assessment report which she submitted and which was completed by Ian MacGillivray, a qualified heritage architect from Toronto, was deficient and did not provide an adequate description and evaluation of options.

A revised report was submitted that provided the following options for which Sue Davidson provided visual examples of each:
– sever the property for two modest sized homes that will not exceed the height of the farmhouse (which is her preference);

– sever the lot for one large home, which in her opinion will visually detract from her property;

– or, leave the property as is which allows the view of the modern school in the background and without the needed funding the building will continue to deteriorate and she may be forced to sell it.

She indicated that staff are not supportive of the second report either as their position is that any construction on the west lawn would adversely affect and compromise the Reasons for Designation.

Sue Davidson noted that the school was allowed to erect a 10 foot mesh fence along the east side of the property after the heritage designation was approved in 2004 and provided a photo showing the location of the fence.

The Committee had the following questions and comments with respect to this issue:

- S. Wray - Was the school constructed before Sue Davidson purchased the property? – Yes, the school was almost completed.

- A. Charlton – Cannot support two severances on the property because the intensification would result in a suburban streetscape. Could consider one severance if house is built off to the side. The Marshall House is quite high and it is unlikely that even a larger home would exceed its height. Putting a driveway to the east of the property would destroy the topography. The heritage impact assessment is not objective and does not provide enough options and it is also threatening (i.e.: that not approving this severance would threaten the future of the building). Sue Davidson’s photos should have been included with the assessment. Suggested the applicant attend a Heritage Permit Review Sub-committee meeting to discuss this issue further.

- M. Adkins – Expressed concerns that this may be another instance where a heritage building will be hidden. Will the house be visible in the future?

- Councillor Bratina - The overall setting is the beauty of the house. How will the building be used in 10 to 15 years as a result of the severances? Concerned with the long term effects.
Councillor Pearson – Asked staff to confirm the former Town of Ancaster's position with respect to the amount of land that needed to be retained with the property. She asked for clarification of the land existing on the east side of the property and the proposed severance on the west side of the property.

S. Stewart-Greene feels sympathetic to the homeowner. She recognized that there is some financial gain to be made by the proposed severances but does not want to discourage people from purchasing heritage homes. She feels there needs to be some compromise. This is a very lengthy and expensive process for the owner. Ancaster is full of over-sized homes and it is not what it once was. It would be a positive outcome if the century home were restored.

F. Thorp-Neufeld – The school is not aesthetically pleasing and in her opinion the proposed homes would better enhance the landscape. She is concerned with the space between the heritage home and the proposed homes if two severances were approved but she is not entirely opposed to some kind of severance. She agrees that it is a good idea to filter the proposal through the Heritage Permit Review Sub-Committee.

G. Zagac – Thanked Sue Davidson for her excellent presentation. He asked staff about the set backs. Two lots would be very intense but would be more open to one lot.

A. French – Referring to the Heritage Impact Assessment, he was disappointed that a threat of demolition was indicated if the severance application was not approved, however, he expressed admiration for Sue Davidson for purchasing the property. He referred to page 6 of the report and explained why he is not in favour of the proposal to sever two lots. He noted that a double severance will require the installation of a driveway on the east side of the house where the existing landscape was built in 1850. He noted that the original door has been replaced and advised Sue Davidson that she should have had a heritage permit to change the door.

A discussion followed on the availability of heritage grants and loans and it was noted that if the property is eligible for the City’s grant in order to qualify the applicant must be able to match the funds.

Sue Davidson agreed with the following direction from Committee:

(Adkins/Wray)
That Sue Davidson attend a Heritage Permit Review Sub-Committee meeting to discuss her application to the Committee of Adjustment for
severances to the designated property at 245 Garner Road West, Ancaster and that the Sub-Committee report back to the next Hamilton Municipal Heritage Committee meeting.

CARRIED

4. APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(Pearson/Charlton)
(a) That the Minutes of the Hamilton Municipal Heritage Committee meeting dated January 22, 2009 be approved as presented.

CARRIED

5. BUSINESS ARISING FROM THE MINUTES (Item 5)

(a) Verbal update respecting the Hamilton Municipal Heritage Committee logo (A. French – no copy) (Item 5.1)

Art French advised that the Governance Review Sub-Committee meeting has approved the logo and once it has Council’s approval, the logo may be used subject to the guidelines as set out for the use of secondary logos for promotional/educational purposes.

Frances Thorp-Neufeld suggested that the first letter from the Committee using the new logo should be sent to thank Julie French for her help in developing the logo design.

(b) Committee Year End Report (A. Denham-Robinson) (Item 5.2)

The Chair indicated that he would like to thank Alissa Denham-Robinson, who was unable to attend today’s meeting, for all her work in preparing the Year End Report. He explained that this year the scope of the Doors Open event is expected considerably less than last year therefore, it is suggested that 500 black and white copies of the report be printed instead of the 800 copies printed last year.

A discussion followed with respect to the number of copies required and staff suggested that 500 be printed to start with and more can be printed later if required.
(Wray/Adkins)

(i) That the final version of the Hamilton Municipal Heritage Committee 2008 Year End Report, as circulated with the agenda, be approved;

(ii) That Staff be requested to arrange the printing of 50 colour copies and 500 black and white copies of the 2008 Hamilton Municipal Heritage Committee Annual Report for distribution and that the cost be charged to the appropriate account.

CARRIED

(c) Heritage Recognition Awards Update (A. French) (Item 5.3)

The Chair noted the poster displayed in the meeting room which was prepared by Alissa Denham-Robinson for the Heritage Recognition Awards ceremonies. He referred to his report in the agenda and indicated that he also wished to thank Andrew Robinson and Rudy Neufeld for assisting with the ceremonies.

(d) 2009 Work Plan (A. French) (Item 5.4)

(Adkins/Thorp-Neufeld)

That Item “A” of the Outstanding Business list respecting the 2009 Work Plan be deleted as the plan has been completed and was previously approved.

CARRIED

(e) Clerk’s memo regarding the following Notice of Motion: (I. Bedioui) (Item 5.5)

Councillor Pearson presented the following Notice of Motion:

Re: Federal Financial Tax Incentives for Owners of Heritage Properties

WHEREAS according to the Heritage Canada Foundation, Canada has lost more than 20% of its pre-1920 heritage buildings to demolition over the past 30 years;

AND WHEREAS the Heritage Canada Foundation has stated that urgent action is needed to stop the demolition of Canadian Landmarks, to restore and re-use them, and to acknowledge their value as a reminder of our origins and cultures;
AND WHEREAS heritage buildings are also a valuable economic development resource, supporting re-urbanization initiatives and tourism, stimulating adjacent development, increasing property values, as well as providing environmental benefits by way of reducing landfill, preserving natural resources and promoting sustainability;

AND WHEREAS there are currently no federal financial incentives to encourage private sector investment in the rehabilitation of heritage properties;

NOW THEREFORE BE IT RESOLVED

(a) That the Council of the City of Hamilton endorses the resolutions by the Heritage Canada Foundation and the Federation of Canadian Municipalities (FCM) and requests the Federal Ministers of Finance and the Environment to establish tax incentives which would encourage private sector investment in the rehabilitation of heritage properties;

(b) That this motion be forwarded to local Members of the Legislative Assembly, local members of Parliament, and area municipalities for their support;

(c) That the Association of Ontario Municipalities be requested to support the work of the Heritage Canada Foundation and the Federation of Canadian Municipalities by endorsing this resolution at its Annual Convention.

6. HERITAGE PERMIT APPLICATIONS (Item 6)

(a) Delegated Approvals (Item 6.1):

(i) Heritage Permit Application (addition) 24 Napier Street North, Dundas – Stone Cottage, By-law No. 3458-84 (Ward 13) (Item 6.1.1)

(ii) Heritage Permit Application (Investigation, documentation, cleaning, and protection and/or removal and storage of heritage elements) 28 – 40 James Street North, Hamilton – Lister Block By-law No 96-175 (Ward 2) (Item 6.1.2)
(Charlton/Adkins)
That Items 6(a)(i) to (ii) be received.

CARRIED

(b) Staff Reports/Recommendations (Item 6.2):
None

7. HERITAGE PROPERTY DESIGNATIONS (Item 7)
None

8. DISCUSSION ITEMS (Item 8)
(a) Letter dated February 13, 2009 from Jason Ryan, Heritage Presentation Coordinator and Staff Liaison to the Hamilton Historical Board, respecting appointment of Hamilton Municipal Heritage Committee liaison to the Hamilton Historical Board (Item 8.2)

(i) E-Mail from Kathy Wakeman volunteering to be the liaison for the Hamilton Municipal Heritage Committee to the Hamilton Historical Board. (Added Item 8.2(a))

(Wray/Thorp-Neufeld)
That Kathy Wakeman be appointed as the liaison of the Hamilton Municipal Heritage Committee to the Hamilton Historical Board.

CARRIED

9. Buildings and Landscapes
(a) Endangered Buildings and Landscapes:

(i) Treble Hall, 6-12 John Street North, Hamilton (L) – Councillor B. McHattie
No updates.

(ii) Lister Block, 28-40 James Street North, Hamilton (D) – Councillor B. McHattie
Chair French indicated that the work seems to be progressing.
(iii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – G. Zajac
No updates.

(iv) Auchmar Gate House, 71 Claremont Drive, Hamilton (L) – M. Adkins
Michael Adkins indicated that stones have been removed from the outside and the property seems to have been cleaned up.

(v) St. Marks, 120 Bay Street South, Hamilton (D) – S. Stewart-Greene
Councillor Bratina provided a brief background respecting this property. He indicated that supporters had worked hard to retain it within the City’s inventory in order that the Durand Neighbourhood Association could determine an appropriate community use for the property. In the meantime, the building needed to be secured. Councillor Bratina had requested that the budget for the mothballing be pre-approved but his request was turned down and during budget deliberations, the budget was not approved therefore there is no money to preserve the building. The next step is for a report to be prepared by the Real Estate Division with recommendations regarding this property.

(vi) Tivoli, 108 James Street North, Hamilton (D) – Councillor B. McHattie
No updates.

(vii) Book House, 167 Book Road East, Ancaster (L) – A. Charlton
No updates.

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

(ix) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – A. Charlton
No updates.

(x) 46 - 52 James Street North (D) – S. Stewart-Greene
No updates.
(b) Buildings and Landscapes of Concern

(i) Federal Building, 150 Main Street West (L) – M. Adkins
   No updates.

(ii) 2 Hatt Street, Dundas (L) – F. Thorp-Neufeld
   Frances Thorp-Neufeld advised that the owners of the building were delighted with the recognition they received from the Heritage Awards and the Year End Report and felt that they have been rewarded for their investment.

   (Thorp-Neufeld/Charlton)
   That 2 Hatt Street, Dundas be removed from Buildings and Landscapes of Concern list.
   CARRIED

(iii) Dundas Post Office, Dundas (L) – F. Thorp-Neufeld
   Frances Thorp-Neufeld indicated she has spoken to the area MP who indicated that the Federal Government will probably declare the Post Office as surplus property by 2010 and she is currently working with staff to have the building designated.

   (Thorp-Neufeld/Adkins)
   That the Desjardins Canal be added to the Buildings and Landscapes of Concern list.
   CARRIED

(Thorp-Neufeld/Adkins)
That staff be requested to carry out a cultural heritage assessment of the Desjardins Canal, Dundas to determine whether the property is worthy of designation and present their recommendations to the Economic Development and Planning Committee for consideration.
   CARRIED

(Adkins/Bratina)
That Heritage staff be requested to prepare a cultural assessment of the East End Reservoir to determine whether the property is worthy of designation and present their recommendations to the Economic Development and Planning Committee for consideration.
   CARRIED
(iv) **Old Lyric Theatre, 14 Mary Street, Hamilton (D) – R. Simpson**

Richard Simpson noted that a window is missing on the second storey.

Councillor Bratina explained that sometimes windows are removed for ventilation. He also stated that the owner has made a significant deposit with the City to proceed with the condominium project which will retain the façade and which is scheduled to start in the Spring.

(v) **795 Old Highway 8, the former Rockton Hotel Livery Stable (L) – S. Wray**

Sylvia Wray has indicated that she has been advised by Frank Albrecht, a senior property officer/appraiser with the City that the property will be put up for sale. There has been some interest expressed by a store owner located across from the property.

Councillor Bratina announced that there will be a brief ceremony held soon to highlight the restoration of the Old Foster Buildings at 66-68 King Street East. These buildings were in deteriorated condition and have been subject to extensive restoration. Most of the units are now rented. The restoration was undertaken by a private investor from Shanghai with the aid of City residential grant and loan programs and highlights the fact that restoration can be completed in an economical feasible manner.

10. **GENERAL INFORMATION**

(a) Minutes of the Joint Plaquing Sub-Committee Minutes of December 2, 2008 (Item 10.1)

(b) Minutes of the Joint Plaquing Sub-Committee Minutes of January 6, 2009. (Item 10.2)

(c) Information Update respecting the Status of Little Africa Commemorative Plaque. (Item 10.3)
(d) Response from the City Hall Renovations Steering Committee respecting the letter from the Hamilton Municipal Heritage Committee dated December 8, 2008 (copy also attached) regarding alterations to the exterior of Hamilton City Hall. (Item 10.4)

(e) Hamilton Community Heritage Fund Loan Program Application for 153 St. Clair Avenue, Hamilton (St. Clair Avenue Heritage Conservation District) (PED08264) (Ward 3) (Approved by Council November 26, 2008) (Item 10.5)

(f) Copy of a letter to Elizabeth Manganelli from Alexandra Rawlings, Co-Ordinator of the Economic Development and Planning Committee respecting withdrawal of the heritage designation of the Mark Preece Family House, 191 Barton Street East. (Item 10.6)

(Charlton/Pearson)
That Items 10(a) to 10(f) be received for information.

CARRIED

11. ADJOURNMENT

(Pearson/Adkins)
There being no further business, that the meeting be adjourned at 1:15 p.m.

CARRIED

Respectfully submitted,

Art French, Chair
Hamilton Municipal Heritage Committee

Ida Bedioui
Legislative Assistant
Hamilton Municipal Heritage Committee
February 26, 2009