TO: Chair and Members
Economic Development and Planning Committee

WARD(S) AFFECTED: WARD 15

COMMITTEE DATE: October 5, 2010

SUBJECT/REPORT NO:
Application for Amendment to the Town of Flamborough Zoning By-law 90-145-Z for Lands Located at 341 Mountsberg Road (Flamborough) (PED10229) (Ward 15)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development Department

PREPARED BY:
Kate Mihaljevic
(905) 546-2424, Ext. 4424

SIGNATURE:

RECOMMENDATION:

That Zoning Application ZAC-09-050, by Keith and Brenda Pickles, Owner, for a modification to the Agriculture “A” Zone, to permit two single-detached dwellings on one parcel of land, for lands located at 341 Mountsberg Road (Flamborough), as shown on Appendix “A” to Report PED10229, be denied for the following reasons:

(a) That the proposal does not conform to the Greenbelt Plan and is not consistent with the Provincial Policy Statement.

(b) That the proposal does not conform to the Rural Land Use policies of the Region of Hamilton-Wentworth Official Plan.

(c) That the concept of two non-farm related single-detached dwellings on one parcel is not principally supported in the Town of Flamborough Official Plan.
EXECUTIVE SUMMARY

The purpose of this application is to permit two non-farm related single-detached dwellings on one parcel of land. The proposal cannot be supported as it does not conform to the Protected Countryside Designation of the Greenbelt Plan; it is not consistent with the Prime Agriculture and Rural Area policies of the Provincial Policy Statement; it does not conform to the Rural Land Use policies of the Regional Official Plan; it is not consistent with the Agriculture Designation of the Flamborough Official Plan; and it does not meet the Council adopted policies of the new Rural Official Plan.

Alternatives for Consideration - See Page 12.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a change in zoning.

HISTORICAL BACKGROUND

The subject lands are currently occupied by two single-detached dwellings. The original dwelling, known as the ‘Elliot Farmhouse’ was built in the 1960’s and is listed in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest. In 2002, the owners applied for a Building Permit to construct a new dwelling on the property. As a condition of the Building Permit, the owners entered into a demolition agreement with the City of Hamilton to remove the original dwelling following the completion of the new single-detached dwelling, and that this was to occur no later than March 28, 2003.

In July, 2007, the City received a request for designation for the ‘Elliot Farmhouse’ in order to retain the single-detached dwelling on the property. The owner commissioned the completion of a Heritage Assessment and submitted it to staff for review. In January, 2008, the Municipal Heritage Committee decided against proceeding with the designation (see Appendix “C”).
While the owner was pursuing designation of the Farmhouse, a Zoning Order was issued on September 14, 2007, as two single-detached dwellings on the subject lands was contrary to the permitted uses under the Zoning By-law. An Order to Comply was issued on May 6, 2008, as construction on the subject lands had not been completed as per the Building Permit requirements.

None of the dwellings are related to any farm operations on the subject lands. As the owner is in violation of their Demolition Agreement, the new dwelling is considered to have been constructed in contravention of the Official Plan and Zoning By-law.

Details of Submitted Application:

**Location:** 341 Mountsberg Road, Flamborough

**Owner/Applicant:** Keith and Brenda Pickles

**Agent:** Amanda Wade (c/o IBI Group)

**Property Description:**
- **Frontage:** 403.4 metres
- **Depth:** 695 square metres
- **Area:** 31.5 hectares

**EXISTING LANDUSE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Uses</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Agricultural</td>
<td>Agriculture “A” Zone</td>
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<tr>
<td>South</td>
<td>Agricultural and Single Family Dwellings</td>
<td>Agriculture “A” Zone</td>
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<td>East</td>
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<td>West</td>
<td>Agricultural</td>
<td>Agriculture “A” Zone</td>
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Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
POLICY IMPLICATIONS

Greenbelt Plan

The subject property is designated “Protected Countryside - Prime Agricultural Area” under the Greenbelt Plan. Policy 3.1.1 states that “the Protected Countryside contains an Agricultural System that provides a continuous and permanent land base necessary to support long-term agricultural production and economic activity…The Agricultural System is made up of specialty crop areas, prime agricultural areas and rural areas…” Policy 3.1.3.1 states that within prime agricultural areas, normal farm practices and a full range of agricultural, agriculture-related, and secondary uses are supported and permitted.

In accordance with Policy 3.1.4.1, non-farm residential uses, which are recognized as existing uses by this Plan, are allowed to continue and expand subject to the existing use policies of Section 4.5 of the Greenbelt Plan. The Greenbelt Plan defines an existing use as a legally established use (i.e. complies with zoning). However, the proposal to permit two single-detached dwellings on one parcel does not coincide with the expansion of existing uses policies of the Greenbelt Plan because Policy 4.5.1 states that existing uses lawfully used for such purpose on the day before the Greenbelt Plan comes into force are permitted.

To assist the owners in constructing a new dwelling without undue financial hardship of vacating and demolishing the existing dwelling prior to construction of the new dwelling, the City agreed to permit the building of a new dwelling, while utilizing the existing dwelling in the interim. The building permit was issued for the newly constructed dwelling subject to a Demolition Agreement in order to ensure conformity with the Zoning By-law. As the ‘Elliot Farmhouse’ had not been removed in accordance with the Demolition Agreement, the newly constructed dwelling is not considered to lawfully exist and, therefore, does not conform to the existing use policies of the Greenbelt Plan. As such, the ‘Elliot Farmhouse’ is the only lawfully existing dwelling at the time the Greenbelt Plan came into force and effect.

Additionally, Policy 4.4.1 states that cultural heritage resources are defined as man-made or natural features, including structures, objects, neighbourhoods, landscapes, and archaeological sites that have been identified as significant by the local municipality or the province for being meaningful components of a community’s cultural heritage or identity. The subject land contains a residence known as the ‘Elliot Farmhouse’, and is identified as being of architectural and/or historical interest within Hamilton’s Heritage Volume II. However, in July, 2007, the Municipal Heritage Committee (MHC) decided against proceeding with designation for the ‘Elliot Farmhouse’ (see Appendix “C”). The MHC decision was because the built integrity of the farmhouse has been compromised by contemporary alterations and the integrity of the context of the house has been compromised by the construction of the new house and driveway. Therefore, staff and
the Municipal Heritage Committee are of the opinion that the house is not worthy of designation or it is considered to be a ‘significant' built heritage resource, thus making these policies inappropriate for reviewing the merits of maintaining the ‘Elliot Farmhouse' as a second dwelling on the subject lands.

It is important to note that Policy 4.1.1.1 states that with the exception of those uses permitted under the general policies of Section 4.0 of the Greenbelt Plan, and subject to the Natural System policies of Section 3.2, non-agricultural uses are not permitted in the specialty crop area, as shown on Schedule 2 of the Greenbelt Plan, or within prime agricultural areas in the Protected Countryside, as designated in Municipal Official Plans. Further, notwithstanding this policy or the policies of Section 5.3, Municipal Official Plans may be more restrictive than this Plan with respect to the types of uses permitted within rural areas. Section 5.3 of the Plan requires that municipalities amend their Official Plan(s) to bring them into conformity with the Greenbelt Plan. As a result of this requirement, the Rural Hamilton Official Plan was drafted and approved, with modifications, by the Ministry of Municipal Affairs and Housing on January 7, 2009. The Rural Hamilton Official Plan was subsequently appealed to the Ontario Municipal Board (OMB) and is currently before the OMB. Staff notes, that once the Rural Hamilton Official Plan comes into full force and effect, the subject lands will be designated as “Protected Countryside - Rural Area” on Schedule “B” - Natural Heritage System.

Based on the aforementioned policies, the subject application does not conform to the Greenbelt Plan as the use (an additional single-detached residence on the subject lands) is not an existing use as defined by the Plan. Further, the Plan does not contemplate the intensification of residential uses within the Agricultural System of the Protected Countryside, as proposed by the applicant.

Provincial Policy Statement

The proposal has been reviewed against the Provincial Policy Statement. Policy 2.3.3.1 states that in prime agricultural areas, permitted uses and activities are: agricultural uses, secondary uses, and agriculture-related uses. Further, Policy 1.1.4.1 a) states that in rural areas located in municipalities, permitted uses and activities shall be related to the management or use of resources, resource-based recreational activities, limited residential development, and other rural land uses. Although there are residential uses in the agriculture area that are not directly associated with agricultural uses, the proposal would permit an additional non-agricultural related residential uses. It is not contemplated in the PPS to intensify residential uses within the Prime Agricultural and Rural Areas.

Additionally, Policy 2.6.1 states that significant built heritage resources and significant cultural resources shall be conserved. The subject lands contain a residence known as the ‘Elliot Farmhouse’ identified as being of architectural and/or historical interest and listed within Hamilton's Heritage Volume II. However, in July, 2007, the
Municipal Heritage Committee decided against proceeding with designation for the ‘Elliot Farmhouse’. The built integrity of the farmhouse has been compromised by contemporary alterations and the integrity of the context of the house has been compromised by the construction of the new house and driveway. Therefore, staff believes that the house is not worthy of designation or considered to be a ‘significant’ built heritage resource, thus making these policies inappropriate for reviewing the merits of maintaining the ‘Elliot Farmhouse’ as a second dwelling on the subject lands.

Based on the policies noted above, the proposal does not conform to the Provincial Policy Statement.

**Hamilton-Wentworth Official Plan**

The subject property is designated as “Rural Area - Prime Agricultural Land” within the Hamilton-Wentworth Official Plan. Policy C-3.2 states that the Rural Area contains a mix of sub-designations (Prime Agricultural Lands, Rural Settlements, Environmentally Significant Areas, and Mineral Aggregate Areas), as well as a variety of existing land uses and activities including residential, commercial, rural industrial, and the primary activity of farming. While in the past these activities have been scattered throughout the rural landscape, the intent of this Plan is to concentrate development in appropriate areas (generally Rural Settlements), limit rural development, and protect agricultural lands. Further, Policy C-3.2.2 states that “agriculture will continue to be the predominant use in the rural areas of the Region…New non-agriculturally related residential uses will not be permitted in the Rural Area except as provided for in Policy D-8 (Land Severance Policies) of this plan…”

To assist the owners in constructing a new dwelling without undue financial hardship of vacating and demolishing the existing dwelling prior to construction of the new dwelling, the City agreed to permit the building of a new dwelling while utilizing the existing dwelling in the interim. The building permit was issued for the newly constructed dwelling subject to a Demolition Agreement in order to ensure conformity with the Zoning By-law. This practise is not in conflict with the Regional Official Plan because the Demolition Agreement is structured such that there is only one habitable dwelling in existence in that once the new dwelling is ready for occupancy the original dwelling is to be demolished. Since the proposal is to permit two, non-farm related, single-detached dwellings on one parcel of land, the proposal does not conform to the Rural Land Use Policies of the Regional Official Plan.

Additionally, Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible, these attributes will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance

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and protection. These policies do not provide for any over-riding exemption over other Official Plan policies.

As noted above, the subject lands contain a residence known as the ‘Elliot Farmhouse’, and are identified as being of architectural and/or historical interest within Hamilton's Heritage Volume II. However, in July, 2007, the Municipal Heritage Committee decided against proceeding with designation for the ‘Elliot Farmhouse’. The built integrity of the farmhouse has been compromised by contemporary alterations, and the integrity of the context of the house has been compromised by the construction of the new house and driveway. Therefore, staff believes that the house is not worthy of designation or considered to be a ‘significant’ built heritage resource, thus making these policies inappropriate for reviewing the merits of maintaining the ‘Elliot Farmhouse’ as a second dwelling on the subject lands.

Based on the aforementioned policies, the subject application does not meet the intent of the Regional Official Plan, as the Plan does not contemplate the intensification of residential uses within the Rural Area.

**Town of Flamborough Official Plan**

The subject property is designated “Rural” and “Agriculture” on Schedule ‘B’ - Rural Land Use Plan in the Town of Flamborough Official Plan. The objective of the “Rural” designation is to permit land uses supportive of the Rural Area character and environment, whereby non-farm related residential development may be considered for lands which are not suited for Agriculture use. Similarly, the objective of the “Agriculture” designation is to permit ancillary uses (including residential uses) provided they are compatible, directly related to, and require close proximity to Agriculture uses. This objective is reiterated by Policy B.2.3.

It is important to note that severance policies for both the “Rural” and “Agriculture” designation reflect the preservation and protection of agriculture uses, whereby new or existing dwellings are accessory to farm related operations. Subsections B.2.5 to B.2.11 and Subsections B.3.3 to B.3.9 address the severance policies for these designations and identify the conditions in which residential dwellings in the Rural and Agricultural environment can be provided; more specifically where the residential use is related to an agriculture operation and does not take away from agriculture uses. Similar to the policies of the Regional Official Plan, severances can be considered for surplus farm dwellings and the consolidation of agricultural properties.

In Section E.2, it notes that structures of historical or architectural importance should be preserved. Accordingly, in consultation with the Municipal Heritage Committee, the City may choose to designate buildings of historic significance under the Ontario Heritage Act. In July, 2007, the Municipal Heritage Committee decided against proceeding with designation for the ‘Elliot Farmhouse’ because the built integrity of the farmhouse had
been compromised by contemporary alterations and the integrity of the context of the house has been compromised by the construction of the new house and driveway. Therefore, after consulting with the MHC, staff is of the opinion that the house is not worthy of designation nor is it considered to be a ‘significant’ built heritage resource, thus making these policies inappropriate for reviewing the merits of maintaining the Farmhouse as a second dwelling on the subject lands.

The Official Plan identifies that the only situation where more than one dwelling would occupy a single parcel of land would be in the event of a surplus farm dwelling as a result of a previous farm operation consolidation. The owner has established a second non-farm related dwelling without removal of the existing non-farm related dwelling. This proposal does not reflect any intentions of establishing an agricultural operation, therefore, two single-detached, non-farm related dwellings on one parcel of land does not conform to the Town of Flamborough Official Plan.

**New Urban Hamilton Official Plan**

The subject lands are designated as “Rural” under the Ministerial Approved Rural Hamilton Official Plan currently before the Ontario Municipal Board (OMB).

Policy D.4.1 states that uses permitted in the Rural designation are limited to the uses permitted in Section D.2.0, Agriculture Designation of this Plan, other resource-based rural uses and institutional uses serving the rural community. As per Policy D.2.1, uses permitted in the Agriculture designation are limited to agricultural uses, agricultural-related commercial and agricultural-related industrial uses, and on-farm secondary uses.

Further, Policy F.1.12.2 states “that an existing use, identified as Protected Countryside Area on Schedule A - Provincial Plans, that does not comply to or conform with the land use designations and policies of this Plan and/or the Zoning By-law, that existed prior to the approval of this Plan or any amendments, may continue provided that:

(a) The non-complying use did not conflict with the Official Plan and Zoning By-law in effect at the time the use was established;

(b) The non-complying use has not been interrupted subsequent to the approval of this Plan; and,

(c) The non-complying use was lawfully existing on or before December 15, 2004.”

It is important to note that there are currently no approved Cultural Heritage Policies included in the Plan.
The proposed Zoning By-law Amendment application does not conform to the Ministerial Approved Rural Hamilton Official Plan as the Plan, as the newly constructed dwelling is not an existing use as defined by the Plan, nor is it a permitted use under the Rural designation.

**RELEVANT CONSULTATION**

The following Departments and Agencies had no concerns or objections:

- Source Water Protection, Public Works Department.
- Traffic Engineering Section, Public Works Department.
- Urban Forestry, Public Works Department.
- Halton Conservation Authority.

**Heritage Planning Section, Planning and Economic Development Department:**

Heritage staff has reviewed the application and the Planning Justification Report submitted by the applicant. The Provincial Policy Statement states that “significant built heritage resources…shall be conserved”. The owners retained a heritage consultant (Chapple Heritage Services) to research the historical significance of the property and the property was evaluated according to the Provincial criteria for designation under the Ontario Heritage Act. However, the property has not been evaluated using the City’s criteria for designation, which further refines the Provincial criteria and requires that the integrity of the property be assessed. The built integrity of the farmhouse has been compromised by contemporary alterations and the integrity of the context of the farmhouse has been compromised by the construction of the new single-detached dwelling and driveway. Therefore, staff is of the opinion that the farmhouse is not worthy of designation or considered to be a ‘significant’ built heritage resource.

**PUBLIC CONSULTATION**

In accordance with the new provisions of the Planning Act and the Public Participation Policy approved by Council, 41 Notices of Complete Application and Preliminary Circulation were sent to property owners within 120 metres of the subject property on June 23, 2010, requesting public input on the application. To date, no comments have been received.

Further, a Public Notice sign was posted on the property on July 20, 2010, and Notice of the Public Meeting was given in accordance with the requirements of the Planning Act.
ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposal cannot be supported for the following reasons:

   (i) The proposal is not consistent with the Greenbelt Plan or the Provincial Policy Statement.

   (ii) The proposal does not conform to the Hamilton-Wentworth Official Plan, the Flamborough Official Plan, or the Council adopted and Ministry approved new Rural Hamilton Official Plan.

   (iii) The proposal does not represent good planning.

2. The Rural and Agricultural Land Use policies of the Town of Flamborough Official Plan do not preclude new residential dwelling units (farm or non-farm related) to be established on existing vacant lots of record which currently permit residential uses as prescribed by the Zoning By-law. Therefore, as prescribed by the Greenbelt Plan, the Regional Official Plan, and the Local Official Plan policies, new residential dwelling units in the rural area shall be directed to Rural Settlement Areas or constructed on existing lots of record outside Settlement Areas where zoning, which permits a Single-Detached Dwelling, is currently in place. Furthermore, consideration to recognize an existing or establish a new second single-detached dwelling on a parcel of land will only be given in cases where the second dwelling is solely intended to serve an agriculturally related purpose, such as a farm help house. Additionally, at the City’s discretion to mitigate undue financial hardships, construction of a new dwelling on a parcel of land where a dwelling currently exists may be considered where a Demolition Agreement is in place to remove the existing dwelling following the construction of the new one.

The owners of the subject lands entered into a Demolition Agreement on April 25, 2002, which was subsequently registered on Title as Instrument Number WE92163 on May 1, 2002. Upon execution of this Agreement, the owners agreed to demolish the existing dwelling within 30-days of completing the new dwelling, being no later than March 28, 2003. Should the owners default on any works required under this Agreement, the City may use the $20,000 in securities provided by the owner to complete the demolition works on the owner’s behalf.

In September, 2003, the Building Inspector was informed by the owner that they were seeking alternatives to retaining the existing dwelling instead of demolishing the dwelling. The Building Inspector granted the owners an opportunity to investigate these options, which subsequently resulted in the owners’ designation request to the Municipal Heritage Committee. In December, 2008, the City commenced a legal proceeding regarding the default of the Demolition Agreement.
Agreement; that legal proceeding has been delayed subject to the outcome of the owner’s Zoning By-law Amendment Application. The owners have also filed an appeal to the OMB for the new Hamilton Rural Official Plan with regards to the lack of policies which address permitting two single-detached dwellings on one parcel where one dwelling is of historical interest or significance.

The owners have constructed a second dwelling after having entered into a Demolition Agreement to remove the existing dwelling known as the ‘Elliot Farmhouse’. Since the second dwelling has not been removed, the new dwelling is considered to be illegally established in the Zoning By-law. Further, neither dwelling is related to an agricultural operation. Provincial policy documents and Municipal Official Plans prescribe that agricultural and rural areas are to be protected from development pressure. Therefore, two single-detached dwellings, not related to an agricultural operation, on a parcel of land, are considered to be in contravention of these documents.

Furthermore, the Regional Official Plan does not permit new non-agriculturally related dwellings in the Rural Area. The proposal would require an amendment to the Official Plan regarding these policies. Similarly, the Town of Flamborough Official Plan does not speak to the number of dwellings permitted on a single parcel, therefore, an Official Plan Amendment would be required to address this particular proposal and provide staff with the opportunity to properly assess the merits of this application and formulate appropriate policies on a site-specific basis, should it be the opinion of staff that the proposal could be supported. As the applicant has not submitted applications for a Regional Official Plan or Local Official Plan Amendment, this proposal cannot be approved.

3. The subject lands are located in the Agriculture “A” Zone in the Town of Flamborough Zoning By-law. A Single-Detached Dwelling and one Help House are permitted within the Agriculture “A” Zone. Further, Section 5.4.1 of the General Provision Section of the Zoning By-law explains that a maximum of one dwelling per lot in a zone where a dwelling is a permitted use, except where more than one dwelling per lot exists, is specifically permitted. Further, in Section 3 of the Zoning By-law, a Help House is defined as being a single-detached dwelling, mobile home, or bunk house accessory to, and located on, the same lot as a full-time operating farm. Since the subject lands are not used as a full-time farm operation, neither dwelling can be deemed to be accessory to an agricultural use. Therefore, as per Section 5.4.1, two dwellings are not permitted on the subject lands.

Additionally, on reviewing their request, staff notes that designation and retention of the original single-detached dwelling may be feasible if it is re-classified as an accessory building or structure as the heritage values embodied by the existing building are not vested in the building’s use as a ‘dwelling’. This could be
accomplished by removal of all food preparation and sanitary facilities present in
the structure. Retaining the structure would then require a minor variance
instead of a rezoning, and meet the stated objectives of the owner’s request to
retain the original farmhouse.

4. Policy D-8 of the Regional Official Plan refers to Land Severance policies, more
specifically with regards to this proposal, Policy D-8.3 addresses Prime
Agriculture Lands. When considering lot creation on Prime Agricultural Lands,
consent can only be granted for farm related residential purposes where an
existing farm house is being severed from an existing farm operation, which will
be consolidated with an adjoining parcel. Further, with regard to Policy C-2.1.1.5,
preventing the unnecessary division of farm units and protecting lands
from development where viable farm operations could be established, is
required.

5. The Greenbelt Plan, the Provincial Policy Statement, and the Regional Official
Plan contain policies which address the protection and preservation of properties
and structures of historical significance. However, these policies also direct
municipalities to better define the significance through establishing their own
review processes. The ‘Elliot Farmhouse’ was reviewed for heritage value when
it was included on the City of Hamilton’s Inventory of Buildings of Architectural
and/or Historical Interest. The owner submitted a request for designation which
required a further review of the significance of the structure. On review of a third-
party Heritage Assessment of the farmstead, prepared by Nina Chapple
(Chapple Heritage Services) and dated September 7, 2007, the Municipal
Heritage Committee decided against proceeding with designation of the subject

Since staff has undertaken the appropriate review of the ‘Elliot Farmhouse’ and
determined that its significance does not warrant designation, the policies to
preserve heritage features in the Greenbelt Plan, the Provincial Policy Statement,
and the Regional Official Plan are not applicable to this proposal. The farmhouse
can be recognized as an existing dwelling, whereas the merits of retaining the
new dwelling should be the subject of this proposal.

**ALTERNATIVES FOR CONSIDERATION:**

If the application is denied, then the applicant has the option of utilizing the subject
lands as prescribed by the Agriculture “A” Zone by removing one of the structures or
converting one of the single family dwellings to an accessory structure.
CORPORATE STRATEGIC PLAN


**Healthy Community**

- Plan and manage the built environment.

**APPENDICES / SCHEDULES**

- Appendix “A”: Location Map
- Appendix “B”: Concept Plan
- Appendix “C”: Minutes of the Municipal Heritage Committee

:KM
Attachs. (3)
Appendix “B” to Report PED10229 (Page 1 of 1)
MINUTES
HAMILTON LACAC (Municipal Heritage Committee)
Thursday, January 24, 2008
12:00 p.m., Room 207, 2nd Floor
Hamilton Convention Centre
1 Summers Lane

Present: A. French (Chair), A. Denham-Robinson (Vice Chair), D. Dent (Past Chair) Councillor B. Bratina, M. Adkins, L. Brown, A. Charlton, M. Kirk, B. Manson, F. Thorp-Neufeld, K. Wakeman, and S. Wray

Absent with Regrets: Councillor, B. McHattie, medical reasons
Councillor M. Pearson, City Business
P. Hartnett, vacation
S. Stewart-Greene, medical reasons

Also Present: P. Mallard, Director of Planning
D. Cuming, Acting Manager, Community Planning & Design
S. Vattay, Cultural Heritage Planner, Community Planning & Design
M. House, Cultural Heritage Planner, Community Planning & Design
T. Bradt, Assistant Cultural Heritage Planner
A. Fletcher, Manager, Strategic Services, Special Projects
J. Thompson, Acting Senior Project Manager
C. Connor, Secretary-Treasurer, Committee of Adjustment
L. Brooks, Development Planner II
D. Fisher, Assistant City Solicitor
I. Bedioui, Legislative Assistant, Clerk’s Office

The meeting was called to order.

A. Election of Chair for 2008
(Charlton/Wray)
That Art French be elected Chair of the Hamilton LACAC (Municipal Heritage Committee) for 2008

CARRIED
6. HERITAGE PERMIT APPLICATIONS
   (a) Delegated Approvals (Item 7.1):
      (i) Heritage Permit Application, 41 Mill Street South, Waterdown (Mill Street Heritage Conservation District) (Ward 15) (Item 7.1.1)
      (ii) Heritage Permit Application, 68 King Street East, Hamilton – Victoria Hall (Ward 2) (Item 7.1.2)
      (iii) Heritage Permit Application, 60 Main Street, Dundas – Dundas Town Hall (Ward 13) (Item 7.1.3)
   (b) Staff Reports/Recommendations (Item 7.2):
      None
      (Wakefield/Wray)
      That the aforementioned items be received for information.
      CARRIED

7. HERITAGE PROPERTY DESIGNATIONS
   (a) Request to Designate 341 Mountsberg Road, Flamborough Item 7.1, August 23, 2007 (Item 8.1)
      Sharon Vattay provided an overview of the Report and advised that the following Planning staff were in attendance to assist Committee:

      Jason Thompson, Acting Senior Project Manager, Carol Connor, Secretary-Treasurer, Committee of Adjustment, and Laurielle Brooks, Development Planner II. Laurielle Brooks responded to questions posed by the Committee.

      (Kirk/Charlton)
      That due to the outstanding demolition order Hamilton LACAC (Municipal Heritage Committee) supports the recommendation to no longer pursue designation of the property at 341 Mountsberg Road, Flamborough, and that the Committee of Adjustment and the property owner be advised accordingly.
      CARRIED
Hamilton LACAC (Municipal Heritage Committee)
January 24, 2008
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9.4 Cultural Heritage Landscapes Inventory Management Plan – project update (M. House, no copy)

9.6 Education Sub-Committee Items

9.7 Communications Review Sub-Committee (Ad-hoc) Report (B. Manson)

10.1 Letter from Gordon Birk, Chair, Heritage Dinner Committee, The Head-of-the-Lake Historical Society dated December 1, 2007 respecting the 19th Annual heritage Dinner.

10.2 Letter from Walter Peace, Ph.D., Chair, Hamilton Historical Board respecting the Board’s support of Hamilton LACAC (Municipal Heritage Committee)’s efforts to protect Auchmar.

10.3 Update of Hamilton LACAC (Municipal Heritage Committee) Handbook (S. Vattay-verbal, no copy)

11. ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Respectfully submitted,

Art French, Chair
Hamilton LACAC
(Municipal Heritage Committee)

Ida Bedioui,
Legislative Assistant
Hamilton LACAC
(Municipal Heritage Committee)
January 24, 2008