TO: Chair and Members
Economic Development and Planning Committee

WARD(S) AFFECTED: WARD 2

COMMITTEE DATE: May 18, 2010

SUBJECT/REPORT NO:
Heritage Permit Application (HP2010-024) Under Part IV of the Ontario Heritage Act for the Installation of an LCD Monitor in the Second Floor Lobby at 71 Main Street West, Hamilton (Hamilton City Hall) (PED10107) (Ward 2)

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

PREPARED BY:
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RECOMMENDATION:
That approval be given to Heritage Permit (HP2010-024), by City of Hamilton Public Works Department, to permit the installation of an LCD monitor in the second floor lobby at 71 Main Street West, Hamilton (Hamilton City Hall), as shown on Appendix “A”, subject to the following condition:

(a) That installation of the monitor, in accordance with this approval, shall be completed no later than June 30, 2010. If the alterations are not completed by June 30, 2010, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

EXECUTIVE SUMMARY

The subject property, located at 71 Main Street West, Hamilton (Hamilton City Hall) (see location map, attached as Appendix “A”), is designated under Part IV of the Ontario Heritage Act by By-law No. 06-011. A Heritage Permit is required for alterations that
affect, or are likely to affect, the property’s heritage attributes, as set out in the designation By-law (see the Reasons for Designation, attached as Appendix “B”). The applicant, City of Hamilton Public Works, has applied for consent to install an LCD monitor in the second floor lobby (see plans, elevations, and photographs, attached as Appendix “C”). The Heritage Permit Review Subcommittee has reviewed this application, and has advised denial of the proposed work. The Hamilton Municipal Heritage Committee reviewed the application at its meeting on April 22, 2010, and has advised denial of the proposed work.

Alternatives for Consideration - See Page 6.

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS** (for Recommendation(s) only)

**Financial:** None.

**Staffing:** None.

**Legal:** This Heritage Permit application has been processed and considered within the context of the applicable legislation, as well as Council’s delegated approval authority.

Section 33(1) of the *Ontario Heritage Act* states that: “No owner of property designated under Section 29 shall alter the property, or permit the alteration of the property, if the alteration is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes that was required to be served and registered under Subsection 29 (6) or (14), as the case may be, unless the owner applies to the Council of the municipality in which the property is situate and receives consent, in writing, to the alteration.”

Section 33(4) of the *Ontario Heritage Act* states that: “Within 90 days after the notice of receipt is served on the applicant under Subsection (3), the Council, after consultation with its municipal Heritage Committee, if one is established,

(a) Shall,

(i) Consent to the application,
(ii) Consent to the application on terms and conditions; or,
(iii) Refuse the application; and,

(b) Shall give notice of its decision to the owner of the property and to the Trust.”
With respect to the delegation of Council’s approval authority, Section 33(15) of the Ontario Heritage Act states that: “The power to consent to alterations to property under this Section may be delegated by By-law by the Council of a municipality to an employee or official of the municipality if the Council has established a Municipal Heritage Committee, and has consulted with the Committee prior to delegating the power.” This power to consent to applications was granted to the Director of Planning by City of Hamilton By-law 05-364. However, Subsection 33(16) of the Ontario Heritage Act further defines the scope of this power as “Council’s power to consent to alterations”. Accordingly, By-law No. 05-364 states that “the delegated powers in Section 1 do not include the power to refuse an application”.

HISTORICAL BACKGROUND (Chronology of events)

The subject property at 71 Main Street West, Hamilton (Hamilton City Hall) (see location map attached as Appendix “A”), was designated under Part IV of the Ontario Heritage Act by City of Hamilton By-law 06-011. Under Section 33 of the Ontario Heritage Act, a permit is required for alterations that affect, or are likely to affect, the property’s heritage attributes, as set out in the designation By-law (see the Reasons for Designation, attached as Appendix “B”). The power to consent to alterations to property designated under the Ontario Heritage Act was delegated by Council to the Director of Planning under City of Hamilton By-law No. 05-364. However, the Ontario Heritage Act and By-law No. 05-364 exclude the power to refuse an application (see Legal Implications). Furthermore, Council resolved on December 14, 2005, that “this delegated authority does not apply, nor is it extended to any proposed decision by the Director of Planning that is not in accordance with the recommendation of the Hamilton Municipal Heritage Committee, or the Heritage Permit Sub-committee, or any of the Conservation District Advisory Committees”.

The applicant has applied for consent to install a 52-inch LCD monitor in the second floor lobby at Hamilton City Hall (see plans, elevations, and photographs attached as Appendix “C”). The double-storey mezzanine with clerestory, wood panelling and terrazzo flooring are included in the Reasons for Designation as designated features.

The Heritage Permit Review Subcommittee of the City of Hamilton Municipal Heritage Committee reviewed this alteration on January 27, 2010, and February 3, 2010, and advised approval of an LCD monitor in the second floor lobby space on the condition that it would be a 42-inch ceiling-mounted LCD display monitor located in the area between Council Chambers and the main lobby. This conditional approval was issued as HP2010-004 and comprised several other audio visual items. The applicant indicated
that the conditions of approval were not suitable and has reapplied for the monitor as originally submitted.

The Heritage Permit Review Subcommittee considered the current application on March 3, 2010, and March 10, 2010, and advised denial of the proposed alterations due to the displacement effects to the terrazzo flooring (i.e. fasteners) and the disruption effects to the lobby space. The Hamilton Municipal Heritage Committee reviewed the application at its meeting on April 22, 2010, and has advised denial of the proposed work.

### POLICY IMPLICATIONS

**Ontario Heritage Act**

See Legal Implications.

### RELEVANT CONSULTATION

Pursuant to Subsection 28(1) of the Ontario Heritage Act, the City of Hamilton Municipal Heritage Committee (MHC) advises and assists Council on matters relating to Part IV and Part V of the Ontario Heritage Act. At its meetings of March 3, 2010, and March 10, 2010, the Heritage Permit Review Subcommittee of the City of Hamilton Municipal Heritage Committee considered this application and recommended to the Hamilton Municipal Heritage Committee and Council that the subject application be denied due to adverse impacts to the terrazzo flooring and the disruption of the character of the second floor lobby space. The Hamilton Municipal Heritage Committee reviewed the application at its meeting on April 22, 2010, and has advised denial of the proposed work.

### ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

**Heritage Considerations**

According to the Ontario Heritage Act, Section 33(1), no owner of property designated under Section 29 of the Act shall alter the property, or permit the alteration of the property, if the alteration is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes, unless the owner applies to the Council of the municipality in which the property is situate and receives consent, in writing, to the alteration.
The Council, after consultation with its Municipal Heritage Committee may, under Section 33(4):

(a) Consent to the application;

(b) Consent to the application, subject to such terms and conditions as may be specified by the Council; or,

(c) Refuse the application.

If Council refuses to approve the application, the owner can appeal the matter to the Conservation Review Board.

The applicant is proposing to install one 52-inch LCD display monitor to be floor-mounted in the second floor lobby (see plans, elevations, and photographs, attached as Appendix “C”). The metal floor-mounted stand will be painted black and will stand approximately 8 inches from the wall surface. The base of the stand will be secured to the existing terrazzo floor with seven \(\frac{3}{8}\)-inch diameter bolts and one 2-inch diameter core for data and electrical conduit.

Key factors that are considered in the evaluation of any change affecting a heritage building, or its setting, are consideration of “displacement effects” (those adverse actions that result in the damage, loss, or removal of valued heritage features) and “disruption effects” (those actions that result in detrimental changes to the setting or character of the heritage feature).

**Displacement**: The installation of the monitor stand requires seven \(\frac{3}{8}\)-inch diameter fasteners into the existing terrazzo floor, and one 2-inch opening in the terrazzo floor for electrical and data conduit. This displaces heritage fabric included in the Reasons for Designation. However, the installation of the monitor will not impact the wood paneling, and any damage to the terrazzo may be acceptably repaired if the monitor stand is removed in the future. Therefore, staff is of the opinion that the proposed LCD display monitor will produce minimal displacement effects, and will have less impact than the previous Council approved Heritage Permit application for kiosk installation.

**Disruption**: The installation of the floor-mounted LCD display monitor introduces a new feature into the second floor lobby space where there are several heritage features and materials that have been identified in the Reasons for Designation. However, staff is of the opinion that the proposed design of the LCD display monitor will produce minimal disruption to the character of the lobby space.

Accordingly, staff recommends that Heritage Permit Application HP2010-024 be approved.
ALTERNATIVES FOR CONSIDERATION:
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

1. Refuse the heritage permit application.

Council may deny this application, and there would be no floor-mounted LCD monitor installed in the second floor lobby of Hamilton City Hall. This alternative would result in less impact to the designated heritage features of the property. However, this alternative is not recommended, as it does not meet the applicant’s objective to ensure an enhanced level of service to the public.

2. Approve the heritage permit with additional conditions.

Council may approve this application, with conditions, respecting the design and/or location of the display monitor. Conditional approval may produce an alternative that results in less impact to the designated heritage features of the property, but may not meet the applicant’s objectives.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)


**Skilled, Innovative & Respectful Organization**

- More innovation, greater teamwork, better client focus.
- An enabling work environment - respectful culture, well-being and safety, effective communication.
- Council and SMT are recognized for their leadership and integrity.

**Financial Sustainability**

- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative, and cost effective manner.
Growing Our Economy

- Newly created or revitalized employment sites.
- Competitive business environment.
- An improved customer service.

Healthy Community

- Plan and manage the built environment.
- An engaged Citizenry.

APPENDICES / SCHEDULES

Appendix “A”: Location Map
Appendix “B”: Schedule “B” to By-law No. 06-011
Appendix “C”: Plans, Elevations, and Photographs

:MH
Attachs. (3)
71 Main Street West (Hamilton City Hall Complex)
City of Hamilton

REASONS FOR DESIGNATION

Cultural Heritage Value
The civic complex, located at 71 Main Street West, comprising Hamilton City Hall and surrounding landscaped grounds, possesses cultural heritage value, expressed in historical associations with the development of municipal administration, the 1950’s urban renewal movement, evolution of City Hall architecture in the City of Hamilton, as well as its association with notable individuals including elected representatives of all levels of municipal, provincial, and federal government, visiting dignitaries, and celebrities. Hamilton City Hall was built in 1960, by Pigott Construction Co., to a design by Stanley Roscoe, Canada’s first municipally-employed architect, and was Roscoe’s most significant work during his tenure as a City architect. City Hall is one of the few intact examples of modern civic architecture in Canada. The entire civic complex has value as a cultural heritage landscape.

The Reasons for Designation apply to the City Hall complex, together with all elevations, and the roof of the main administration building, including all facades, entranceways and windows, together with construction materials of steel, aluminium, marble, Italian glass tile, wood, building techniques, specific interior features, and features of the landscaped grounds as follows:

City Hall

North (Front Facade):

- Irregular, v-shaped rectilinear plan.
- Flat roof and roofline.
- Ramps and stairs approaching the front entrance.
- Glass curtain walls.
- All marble cladding.
- Council Chamber, together with twelve marble-clad stilts, glass curtain wall, metal balustrade, geodesic dome skylight, and Italian glass mosaic tiles on the underside of the Chamber.
- Spandrels with Italian glass mosaic tiles between the first and second storeys.
- Front entrance with glass doors, transoms, and surrounds, and “IN” and “OUT” inlaid on the terrazzo floor in front of the doors.
West (Side) Elevation:

- All marble cladding.
- Windows and metal mullions on the first and second storeys.
- Spandrels with Italian glass mosaic tiles between the first and second storeys.
- Connection between the main building and the Council Chamber, together with glass and metal mullions.
- Clock and lettering spelling “City Hall” located at the upper right corner of the main office tower.

South (Rear) Elevation:

- Irregular rectilinear plan.
- Service tower with marble cladding and glass curtain wall.
- Canopy over the rear entrance, together with flat roof, three metal roof supports, and Italian glass mosaic tile ceiling.
- Italian glass mosaic tiles above the ground floor entrance.
- All marble cladding.
- Glass curtain walls.
- Built-in canopies on the five-storey office tower.
- Elevated driveway and pedestrian bridge connecting Hunter Street and parking lot with the second level rear entrance of the building.
- First and second storey entrances with glass doors, transoms, surrounds, and letters spelling “IN” and “OUT” inlaid on the floor in front of the doors.

East (Side) Elevation:

- All marble cladding.
- Windows and metal mullions on the first and second storeys.
- Spandrels with Italian glass mosaic tiles between the first and second storeys.
- Clock and lettering spelling “City Hall” located at the upper right corner of the main office tower.
Interior:

- Cantilevered staircase connecting the first and second floors, together with aluminium treads and open risers, handrail, balustrade, and teak wood finish underneath.
- Double-storey mezzanine with clerestory.
- Double-storey glass partitions and doors with hardware.
- Exposed stilts supporting the upper six storeys.
- Domed skylight in the Council Chamber.
- Original continuous ceiling lighting on the second floor.
- Original metal lettering and clocks throughout the first and second floors.
- Italian glass mosaic tile walls throughout all eight floors of the building.
- Four murals in various locations throughout the second floor.
- Walnut and/or teak wood panelling and doors with hardware in various locations throughout the first and second floors.
- All Italian glass mosaic tile walls in the elevator area on all floors between the ground and eighth storeys.
- Enclosed fire stairs with aluminium treads, risers, and handrails.
- Continuous vertical balustrading from the ground floor to the eighth floor, as well as each floor indicated with aluminium lettering.
- Terrazzo floors on the first and second storeys, and “IN” and “OUT” inlaid on the floor at each entrance.
- All metal lettering on washroom and janitor room doors on all floors between the ground and eighth floors.

Landscaped Grounds

Front (North):

- Forecourt, together with former reflecting pool, walkways, existing multiple levels and topography, retaining walls, coniferous and deciduous trees.
- Grassed lawn and sycamore trees at the northwest corner of the property.
- Public art installation at the northwest corner of the property.
Side (West):

- Existing multiple levels and topography, together with all retaining walls, walkways, paved open spaces, grassed lawns, sycamore, willow and coniferous trees.
- All public art installations in situ.

Rear (South):

- Elevated vehicular and pedestrian bridge with metal railings supported by concrete piers, connecting Hunter Street and parking lot with the rear second level entrance of the City Hall building.
- Staircases connecting the ground floor with the driveway and pedestrian bridge.
- Garage structure, together with overhang, rubble granite, and glazed yellow brick walls.
- Existing multiple levels and topography, together with retaining walls of rubble granite.
- Grassed lawn with willow and coniferous trees at the southwest corner of the property.
- Landscaped area on the east side, together with all walkways, paved and grassy open spaces, terraces, and deciduous trees.
- Metal railings surrounding the second-level parking lot, and from the parking lot down the hill to MacNab Street.

Side (East):

- Existing multiple levels and topography, together with retaining walls and stairs.
- Paved open spaces, together with walkways.
- Grassed lawns.
- All deciduous trees.
**WHAT YOU NEED TO KNOW**

**ABOUT PF1**
Disassembles with one tool. Designed with lightweight aluminum and steel, its unique flat angled base makes corner positioning easy. Universal interface bracket sold with PF1U; custom interface brackets sold separately with PF1.

**OTHER PRODUCT OPTIONS**

- **PF2**
  Dual Back-to-Back Floor Stand

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**TECHNICAL DRAWINGS**

**CENTRIS® FINGERTIP TILT**
Effortlessly adjust display using Centris fingertip tilt technology. Screen angle stays set until you decide to readjust.

**TELESCOPING HEIGHT ADJUSTMENT**
Integrated knob provides tool-less telescoping adjustment from 4 ft (120 cm) to 7 ft (210 cm).

**Q-LATCH® MOUNTING SYSTEM**
Flat panel secures to mount with a latching flag. Easy to connect/disconnect - no tools needed.

**PORTRAIT/LANDSCAPE CAPABILITY**
Mounts in either portrait or landscape position.

**CABLE MANAGEMENT**
Flexible covers hide cables for a clean installation.

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**SPECIFICATIONS**

<table>
<thead>
<tr>
<th>Dimensions* (HxWxD)</th>
<th>94&quot; x 36&quot; x 30&quot; (238.8 x 91.4 x 76.2 cm)</th>
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<tbody>
<tr>
<td>Height</td>
<td>4 - 7' (120 - 210 cm)</td>
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<tr>
<td>Tilt</td>
<td>±15°</td>
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<tr>
<td>Weight Capacity</td>
<td>200 lbs (90.7 kg)</td>
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<tr>
<td>Colors</td>
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* Dimensions do not include interface bracket.

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**RECOMMENDED ACCESSORIES**

- **PAC710**
  Accessory Shelf

- **PAC720**
  Dual Display Accessory

- **PAC717**
  Literature Shelf

For a complete list of cart & stand accessories see page 88 - 89.
Attaching Stand to Floor

The floor stand may be attached to the floor for a more permanent installation.

1. Attach the floor stand to the floor using 5/16" or 3/8" fasteners (not provided) which are appropriate for the floor's construction. (See Figure 16)