THE HAMILTON LACAC (MUNICIPAL HERITAGE COMMITTEE) PRESENTS REPORT 06-002 AND RESPECTFULLY RECOMMENDS:

1. Proposed By-Law to Prevent Demolition of Heritage Properties by Decay (Item 5.6)

WHEREAS many Hamilton heritage buildings are deteriorating, due to lack of proper maintenance and enforcement by Property Standards;

AND WHEREAS such inaction leads to 'demolition by decay';
AND WHEREAS the loss of our built heritage weakens the distinctiveness of our community and our sense of attachment to the past;

AND WHEREAS other municipal jurisdictions have by-laws and/or are studying by-laws that would ban demolition through neglect;

THEREFORE BE IT RESOLVED that the Hamilton LACAC (Municipal Heritage Committee) recommends that a by-law to prevent demolition of heritage properties by decay be considered for the City of Hamilton and that Council be advised that staff be directed to conduct the necessary research and analysis with respect to said by-law.

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

(i) Added as Item 6.10 the Heritage Property Fact Sheet for 175 to 177 James Street North, Hamilton (Orange Hall) for the Committee’s information.

(ii) Added as Item 6.11 – Correspondence from Kathy Wakeman respecting the Stoney Creek Historical Society Talk – HMCS Haida

(iii) Added as Item 6.12 – S. Vattay respecting the upcoming Architectural Conservancy of Ontario – Hamilton Region Branch Presentation

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

The Hamilton LACAC (Municipal Heritage Committee) meeting Minutes, dated July 27, 2006 were approved, as amended.

(d) Delegation Request by Mr. Ray Veenstra, Special Project Manager, Maple Reinders Constructors Ltd., requesting to speak to the Hamilton LACAC (Municipal Heritage Committee) respecting the Preliminary Cultural Assessment Report for 562 Dundas Street East, Flamborough Planning & Economic Development Committee – September 5, 2006
Mr. Ray Veenstra, Special Project Manager, Maple Reinders Constructors Ltd. was permitted to appear before the Hamilton LACAC (Municipal Heritage Committee) respecting Item 5.1 – Preliminary Cultural Assessment Report for 562 Dundas Street East, Flamborough.

(e) Preliminary Cultural Assessment Report for 562 Dundas Street East, Flamborough (Ward 15) (Item 5.1)

That the Hamilton LACAC (Municipal Heritage Committee) do not undertake a full Cultural Heritage Assessment, of 562 Dundas Street East, Flamborough, for prospective designation under the Ontario Heritage Act.

(f) Delegation – Mr. Ray Veenstra, Special Project Manager, Maple Reinders Constructors Ltd., respecting 562 Dundas Street East, Flamborough (Item 5.1(a))

Mr. Ray Veenstra, Special Project Manager, Maple Reinders Constructors Ltd., spoke on behalf of his client, Mr. Tom Reidstra, Kerclifte Trust Chairman, Salem Christian Mental Health Association, advising the Committee of the following:

- The Salem Christian Mental Health Association is a non-profit agency, based in Hamilton that has provided mental healthcare services to Hamilton residents for over 30 years.

- The Salem Christian Mental Health Association is in the process of redeveloping the property, which in turn will produce revenue for the Association; thus permitting them to assist additional residents with their services.

- Salem Christian Mental Health Association has been attempting to have the tenants (Mr. Ehler/Ms. Roberts) leave the home for some time, and has now been forced to go through legal proceedings.

- Salem Christian Mental Health Association would like closure with respect to this matter, and is requesting, in writing, confirmation that the property and residence are not currently a heritage site and are not a potential heritage site.

- Salem Christian Mental Health Association has commenced Phases I and II of their own assessment.
(g) Delegation Ms. Sherrey Roberts respecting 562 Dundas Street East, Flamborough (Item 5.1(b))

Ms. Sherry Roberts, tenant at 562 Dundas Street East, Flamborough was permitted to appear before the Hamilton LACAC (Municipal Heritage Committee) respecting Item 5.1 and 5.1(a) – Preliminary Cultural Assessment Report for 562 Dundas Street East, Flamborough.

Ms. Roberts had noted that Mr. Ehler had attempted to purchase and remove the residence from the property in order to save it from demolition; noting several of the reasons she believed the house should be designated.

Ms. Roberts informed Committee that she would be reviewing the matter with her lawyer and would bring forward any new information to Community Planning and Design staff.

(h) Recommendation to Designate 9 Kinnell Street, Hamilton, Under Part IV of the Ontario Heritage Act (Ward 1) (Item 5.2)

The following recommendations, which were approved by the Hamilton LACAC (Municipal Heritage Committee), will be brought forward to the Planning and Economic Development Committee in the form of a staff report (prepared by the Community Planning and Design staff):

(a) That the designation of 9 Kinnell Street, as a property of cultural heritage value, pursuant to the provisions of Part IV of the Ontario Heritage Act, 1990, be approved.

(b) That the Statement of Cultural Heritage Value and Description of the Heritage Attributes, attached as Appendix A, be approved.

(c) That the City Solicitor be directed to take appropriate action to designate 9 Kinnell Street under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix B.

(i) Recommendation to Designate 317 Dundas Street East, Waterdown (Memorial Hall) under Part IV of the Ontario Heritage Act (Ward 15) (Item 5.3)

The following recommendations, which were approved by the Hamilton LACAC (Municipal Heritage Committee), will be brought forward to the Planning and Economic Development Committee in the form of a staff report (prepared by the Community Planning and Design staff):
(a) That the designation of 317 Dundas Street East, Waterdown (Memorial Hall), as a property of cultural heritage value, pursuant to the provisions of Part IV of the **Ontario Heritage Act**, 1990, be approved.

(b) That the Statement of Cultural Heritage Value and Description of the Heritage Attributes, attached as Appendix A, be approved.

(c) That the City Solicitor be directed to take appropriate action to designate 317 Dundas Street East, Waterdown (Memorial Hall) under Part IV of the **Ontario Heritage Act**, in accordance with the Notice of Intention to Designate, attached as Appendix B.

(j) **Commercial Heritage Improvement and Restoration Program (CHIRP) 2006 Grant Applications (Wards 2, 11 and 12) (Item 5.4)**

The following recommendations, which were approved by the Hamilton LACAC (Municipal Heritage Committee), will be brought forward to the Planning and Economic Development Committee in the form of a staff report (prepared by the Community Planning and Design staff):

(a) That a conditional grant agreement be issued within the terms of the Commercial Heritage Improvement and Restoration Program (CHIRP) for five restoration projects identified in Appendix ‘A’ to this report.

(b) That the applicants be notified that their property taxes must be paid in full, prior to any grant monies being advanced for completed work, and that no grant funds will be paid out until the condition is met and, if the property taxes are not paid in full within one (1) year of the date of the Letter of Understanding, entered into between the City of Hamilton and the applicant, that the grant offer will be considered void and withdrawn.

(c) That the grant portion for the five (5) projects, in the total amount of $95,582.00, be funded from Capital Project Account 58201-812040.

(d) That the Director of Development and Real Estate be authorized and directed to approve increases/decreases to the individual grant amounts approved as long as the overall grant portion for each individual grant does not exceed $20,000 and said grant is in accordance with all program requirements.

(e) That the Director of Development and Real Estate be authorized to approve a maximum extension period of ninety (90) days to the applicants for the completion of the work, over and above the one (1) year period that the applicants are given, which commences the date Council approves the grant.
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(f) That staff be authorized and directed to prepare and execute a Letter of Understanding with the applicants, with such Letter of Understanding being in a form satisfactory to the City Solicitor.

(g) That the former Town of Ancaster By-Law 90-1 designating the Ancaster Old Mill property (CHIRP2006-003) at 548 Old Dundas Road under the Ontario Heritage Act be amended to clarify the existing heritage attributes, as outlined in Appendix ‘B’ to this report.

(h) That the City Solicitor be directed to take appropriate action to amend the designation of 548 Old Dundas Road, Ancaster, under Part IV of the Ontario Heritage Act, in accordance with the written notice of the proposed amendment in Appendix ‘C’ to this report.

(k) Role of Hamilton LACAC (Municipal Heritage Committee) in the Formulation of Recommendations to be forwarded to City Council – Request from Policy Sub-committee (Item 5.5)

The Hamilton LACAC (Municipal Heritage Committee), as an advisory committee of Council, requested that staff provide a written protocol on the role of the Committee in the formulation of recommendations to be forwarded to City Council. The response was requested to include whether or not reports to Council vetted through the committee have to be consistent with, and adequately reflect, the opinions and conclusions of LACAC and/or its relevant sub-committees.

(l) Role of Hamilton LACAC (Municipal Heritage Committee) – Information provided by Clerk’s Office respecting Committee Mandate and Procedures in Response to Item 5.5 (Item 5.5(a))

In response to Committee’s request, in Item 5.5, to provide information respecting the procedures and protocol on the role of the Committee and how they bring forward their recommendations to Council, the Committee Clerk provided the following procedures:

(i) Sub-committees to the Hamilton LACAC (Municipal Heritage Committee (MHC))

(a) If a sub-committee to the Hamilton LACAC (MHC) has a meeting, its minutes are to be forwarded to the Committee Clerk for inclusion in the LACAC (MHC) agenda and will be placed under the heading of General Information.

(b) Recommendations from sub-committees of the Hamilton LACAC (MHC) should also be forwarded to the Committee Clerk for inclusion in the LACAC (MHC) agenda, but as separate items. These
recommendations will be placed on agenda as Discussion Items for the Committees consideration.

(ii) **Minutes and Reports from the Hamilton LACAC (Municipal Heritage Committee)**

(a) When the Hamilton LACAC (MHC) has a meeting and motions or discussion relate only to the Committee or are still in the jurisdiction of the Committee, minutes from this meeting are forwarded to the Committee Clerk for the Planning and Economic Development Committee (P&ED) for inclusion on that agenda, as General Information.

(b) When the Hamilton LACAC (MHC) approves a motion that requires consideration by the P&ED Committee, the Committee Clerk for the LACAC (MHC) Committee prepares a report, on behalf of the LACAC (MHC) Committee, which is sent to the P&ED Committee for consideration.

(c) Once the LACAC (MHC) report has been considered by the P&ED Committee, then the Committee Clerk for the P&ED Committee prepares a report on behalf of that Committee for the consideration of Council.

Once Council has completed its meeting, the Clerk’s Office prepares Council follow up documentation for all items on the Council agenda. This is normally completed within 48 hours of that Council meeting.

**Examples:**

(i) If a letter is to be sent to a Minister on behalf of City Council, the Committee Clerk for that Committee will prepare a letter for the Mayor’s review and signature.

(ii) The General Manager of the respective Department is provided with a Council Follow-up Notice, which informs them of the directives of Council. The General Manager will then disseminate the tasks to the appropriate staff.

The Committee Clerk also provided the Committee’s reporting structure in a flow chart format for their information. Examples of a Hamilton LACAC (MHC) Report, a Planning and Economic Development Committee Report and Council minutes were also distributed to Committee for their reference.
The Committee Clerk also agreed to provide the following additional information for the Committee’s reference:

- Copy of the Committee’s Role/Mandate.
- Staff Report, Standard Committee Report, and Citizen (Advisory Committee Report)
- Electronic copy of the Citizen (Advisory) Committee report format for members use, should it be required.

(m) GENERAL INFORMATION (Item 6)

(i) Policy Sub-committee Minutes, dated August 3, 2006 (Item 6.1)

(ii) Notice of Intention to Designate – 140 Erie Avenue, Hamilton (Item 6.2)

The Notice of Intention to Designate was published in the Hamilton Spectator on July 28, 2006.

(iii) Notice of Intention to Designate – 5 Brock Street North, Dundas (Item 6.3)

The Notice of Intention to Designate was published in the Hamilton Spectator on July 28, 2006.

(iv) Heritage Permit Application (approved) – 900 Woodward Avenue, Hamilton (Ward 4) (Item 6.4)

Correspondence from Tim McCabe, Director of Development and Real Estate, to the Hamilton Museum of Steam and Technology, dated July 7, 2006, approving Heritage Permit Application HP2006-026 for 900 Woodward Avenue, Hamilton.

(v) Heritage Permit Application (approved) – 45 Cross Street Dundas (Ward 13) (Item 6.5)

Correspondence from Tim McCabe, Director of Development and Real Estate, to the owners of 45 Cross Street, Dundas, dated July 7, 2006, approving Heritage Permit Application HP2006-020.
(vi) **Heritage Permit Application (approved) – 38 John Street East, Waterdown (Ward 15)** (Item 6.6)

Correspondence from Tim McCabe, Director of Development and Real Estate, to the owners of 38 John Street, Waterdown, dated July 27, 2006, approving Heritage Permit Application HP2006-028.

(vii) **Endangered Buildings and Landscapes (Item 6.7)**

(a) **Victoria Hall, 68 King Street East, Ontario (NHS, D) – P. Shaker**

   (i) Correspondence from the Ministry of Culture dated August 9, 2006, respecting (CHPIF-06-006) Victoria Hall, 68 King Street East, Hamilton, Ontario; informing the Committee that Parks Canada is proceeding with assessment of the above project proposal submitted to the federal Commercial Heritage Properties Incentive Fund (CHIRP).

Councillor Pearson offered to bring the information forward to the Provincial Lister Block Working Group at its next meeting.

(b) **Treble Hall, 6-12 John Street North, Hamilton (L) – Councillor B. McHattie**

Councillor McHattie advised Committee that he had met with staff and it had been determined that the current asking price for Treble Hall is in the range of $600,000.

Councillor McHattie will be meeting with Tom Redmond, Director of Building and Licensing, on September 6, 2006 to discuss property standards matters, as they pertain to Treble Hall.

(c) **Red Hill Creek Valley, Hamilton (L, ND) – Councillor M. Pearson**

No update at this time.

(d) **Lister Block, 28-40 James Street North, Hamilton (D) – D. Dent**

   (i) Correspondence from Michel Audy, Executive Secretary, Historic Sites and Monuments Board of Canada, dated November 16, 1998 respecting the Lister Block.

Councillor Pearson offered to bring the information forward to the Provincial Lister Block Working Group at its next meeting.

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(e) **Auchmar, 88 Fennell Avenue West, Hamilton** (D) – D. Dent

Staff has been informed that the Province feels that there is no reasonable significance, from their standpoint, to designate Auchmar as a National Historic site.

(f) **Gate House at Auchmar, 71 Claremont Drive, Hamilton** – M. Stark

The house is currently undergoing some repairs (eaves troughs).

(g) **Smart-Turner Building, 191 Barton Street E. (ND, L)** – D. Dent

The Committee was advised by Councillor Pearson that the owners are pursuing funding, through trillium association, for the repair of the roof, and noted that the owners are very aware of the issue and are taking steps to maintain building.

(h) **St. Marks, 120 Bay Street South, Hamilton** (D) – D. Dent

Staff reiterated the steps that were noted in their memo to the Hamilton LACAC (MHC), dated July 18, 2006 – Item 5.3(h)(i) in July 27, 2006 Committee agenda.

There is no additional information to provide at this time.

(i) **Tivoli, 108 James Street North, Hamilton** – Councillor B. McHattie

Councillor McHattie advised that Councillor Bratina is still working on the matter. An update will come forward when additional information is available.

(j) **Adam Book House, 167 Book Road East, Ancaster** – A. Charlton

John O’Brian, from the Catholic Dioceses of Hamilton, contacted A. Charlton to inform her that she could have access to the inside of the Adam Book House. Once she has had a chance to view the home, she will report her findings to the Committee.

(k) **2 Hatt Street, Dundas** – F. Neufeld

No update.
At the Committee’s request, at the July 27, 2006 meeting, staff provided photographs of the property at 22 Robinson Street, Hamilton. The carved stone structures are possibly remnants from a mid-nineteenth century house, known as the Arkledun, which was perhaps designed by the architect William Thomas.

This Heritage Permit Tracking Sheet illustrates the heritage permits that were requested, during 2006, and their current status (approved, denied, withdrawn, etc.)

As per the Committee’s request, the Heritage Property Fact sheet for 175 to 177 James Street North, Hamilton (former Orange Hall) was provided for information.

Councillor Bratina’s office was also provided with this information for his reference.

Stoney Creek Historical Society welcomes guest speaker Mr. Bill Green to their September 6th, 2006 meeting. Mr. Green, Executive Director of the Friends of HMCS Haida, will be giving a short talk on the history of Canada’s famous warship in the Council Chamber of the Stoney Creek Municipal Building, 777 Highway #8, Stoney Creek, at 7:30 pm that Wednesday evening. He will show historic photos and slides of the destroyer during its service. Social time and refreshments will follow. Admission is free. For more information, contact 905-662-2248.

S. Vattay was provided with copies of posters by the ACO that advertise the upcoming ACO presentation of “Hamilton’s Industrial Architecture”. The presentation will take place from September 2 through October 22, 2006, at the Art Gallery of Hamilton, Jean and Ross Fisher Gallery. Additional information may be found on their web site at www.architecturehamilton.com.
Members of the Committee were asked if they would be interested in hanging a copy of the poster in a place that could be viewed by the public.

Items 6.1 through 6.12 were received.

**OTHER BUSINESS (Item 7)**

D. Dent noted that a magazine (that was circulated to members) described the restoration of 100 Hunter Street East (the former Health building) as now going to be four storeys high. She inquired if there were urban design guidelines for the downtown core.

Community Planning and Design staff advised that this building was designed by Stanley Roscoe who designed the building in international style. The building is listed as a heritage building; however, the former City of Hamilton attempted to surplus the property. When development did not go through, the property was acquired by Blair Blanchard to be used for office space.

Committee was also advised that there was debate, at the time, as to how the building should be reused. Stucco and an additional floor had been added, as well as a new entrance way at the front of the building.

Generally, it is a good news story for the Downtown Core and good adaptive reuse for the building.

**ADJOURNMENT (Item 8)**

There being no further business, the Committee adjourned at 2:14 p.m.