



City of Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE REVISED

Meeting #: 20-004

Date: August 20, 2020

Time: 9:30 a.m.

Location: Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. July 3, 2020

5. COMMUNICATIONS

5.1. Correspondence from Susan Noordyk, and Staff Response respecting a Heritage Plaque for 91 John Street

Recommendation: Be received.

*5.2. Correspondence from Jim MacLeod, Vice President, Ancaster Village Heritage Community, respecting Demolition Control in the City of Hamilton

Recommendation: Be received and referred to Item 10.4 for consideration

6. DELEGATION REQUESTS

- *6.1. Jack Dennison, Property Owner, respecting Designation of 1389 Progreton Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the Ontario Heritage Act (PED20125) (Ward 15)

7. CONSENT ITEMS

- 7.1. Heritage Permit Review Sub-Committee Minutes - February 18, 2020
- 7.2. Education and Communications Working Group Meeting Notes - February 5, 2020
- 7.3. Education and Communication Working Group Meeting Notes - March 4, 2020
- 7.4. Education and Communication Working Group Meeting Notes - July 22, 2020
- 7.5. Heritage Permit Applications -Delegated Approvals
 - 7.5.a. Heritage Permit Application HP2020-013: Replacement of the existing flat, mansard style roof and front dormers for the designated property at 158 James Street South (Ward 2) (By-law No. 86-21)
 - 7.5.b. Heritage Permit Application HP2020-015: Proposed repointing of the brick porch at 216 St. Clair Boulevard, Hamilton (Ward 3) (By-law No. 92-140)

At the request of the property owner, personal information has been redacted from this document.
 - *7.5.c. Heritage Permit Application HP2020-016: Proposed additions and alterations, 49 Mill Street South, Waterdown, located in Mill Street Heritage Conservation District, By-law No. 96-34-H
 - *7.5.d. Heritage Permit Application HP2020-018: Proposed front porch replacement, and addition of lights and decorative shutters at 62 Sydenham Street, Dundas (Ward 13)

Located within the Cross-Melville Heritage Conservation District, By-law No. 3899-90
- 7.6. Inventory and Research Working Group Meeting Notes - February 24, 2020
- 7.7. Resignation of L. Brady from the Heritage Permit Review Sub-Committee
- 7.8. Policy and Design Working Group Meeting Notes - January 20, 2020

8. PUBLIC HEARINGS / DELEGATIONS / VIRTUAL DELEGATIONS

9. STAFF PRESENTATIONS

9.1. 2020 Staff Designation Work Plan Update

10. DISCUSSION ITEMS

10.1. Designation of 1389 Progreton Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the Ontario Heritage Act (PED20125) (Ward 15)

10.2. 2020 Work Plans for the Working Groups of the Hamilton Municipal Heritage Committee

10.2.a. Education and Communication Working Group Work Plan 2020

10.2.b. Inventory and Research Working Group Work Plan 2020

10.3. Education and Communication Working Group Meeting Notes - July 8, 2020

10.4. Ancaster Village Heritage Committee respecting Demolition Control as a Positive Force (referred from the July 7, 2020 Planning Committee)

*10.5. Location of the Cross of Lorraine located at 828 Sanatorium Road Hamilton (PED20141) (Ward 8)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Buildings and Landscapes

This list is determined by members of the Hamilton Municipal Heritage Committee. Members provide informal updates to the properties on this list, based on their visual assessments of the properties, or information they have gleaned from other sources, such as new articles and updates from other heritage groups.

13.1.a. Endangered Buildings and Landscapes (RED)

(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
- (iv) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (v) 18-22 King Street East, Hamilton (D) – W. Rosart
- (vi) 24-28 King Street East, Hamilton (D) – W. Rosart
- (vii) 2 Hatt Street, Dundas (R) – K. Burke
- (viii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown
- (ix) Long & Bisby Building, 828 Sanatorium Road (R) – G. Carroll
- (x) 120 Park Street, Hamilton (R) – R. McKee
- (xi) 398 Wilson Street, Ancaster (D) – C. Dimitry

13.1.b. Buildings and Landscapes of Interest (YELLOW)

(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

(i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland

(ii) 2251 Rymal Road East, Stoney Creek (R) – B. Janssen

(iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas (R) – K. Burke

(iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (R) – W. Rosart

(v) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll

(vi) 1021 Garner Road East, Ancaster (Lampman House) (NOI) – C. Dimitry

(vii) Dunington-Grubb Gardens, 1000 Main Street East (within Gage Park) (R) – D. Beland

(viii) 1 St. James Place, Hamilton (D) – J. Brown

(ix) St. Clair Blvd. Conservation District (D) – D. Beland

(x) 52 Charlton Avenue West, Hamilton (D) – J. Brown

(xi) 292 Dundas Street, Waterdown (R) – L. Lunsted

(xii) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton – T. Ritchie

(xiii) Binkley Property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown

(xiv) 62 6th Concession, Flamborough - L. Lunsted

13.1.c. Heritage Properties Update (GREEN)

(Green = Properties whose status is stable)

(i) The Royal Connaught Hotel, 112 King Street East, Hamilton (R) – T. Ritchie

(ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee

(iii) Treble Hall, 4-12 John Street North, Hamilton (R) – T. Ritchie

(iv) 104 King Street West, Dundas (Former Post Office) (R) – K. Burke

(v) Rastrich House, 46 Forest Avenue, Hamilton – G. Carroll

(vi) 125 King Street East, Hamilton (D) – T. Ritchie

13.1.d. Heritage Properties Update (BLACK)

(Black = Properties that HMHC have no control over and may be demolished)

(i) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee

(ii) Hanrahan Hotel, 80 and 92 Barton Street East – T. Ritchie

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE

MINUTES 20-003

9:30 a.m.

July 3, 2020

**Hamilton City Hall
71 Main Street West**

Present: Councillor M. Pearson
A. Denham-Robinson (Chair), D. Beland, J. Brown, K. Burke, G. Carroll, C. Dimitry (Vice-Chair), B. Janssen, L. Lunsted, R. McKee, T. Ritchie and W. Rosart

THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:

1. Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Item 10.1)

(Brown/Carroll)

(a) That the following properties be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority:

- 490 Old Dundas Rd
- 454 Wilson Street E
- 450 Wilson Street E
- 449 Wilson Street E
- 442 Wilson Street E
- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 380 Wilson Street E
- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 346 Wilson Street E
- 340 Wilson Street E
- 327 Wilson Street E
- 311 Wilson Street E
- 303 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E
- 176 Wilson Street E
- 241 Wilson Street E

- (b) That the property at 558 Wilson Street, Ancaster, be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority; and,
- (c) That staff continue discussions with the owners of the properties at 449 and 437 Wilson Street, Ancaster.

CARRIED

2. Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans (Added Item 11.1)

(Denham-Robinson/Beland)

WHEREAS, Council approved the resolution to hold virtual meetings for the Hamilton Municipal Heritage Committee, and all associated Working Groups, during their meeting on June 24, 2020;

WHEREAS, Heritage Working Groups will meet starting in July on an as needed basis;

WHEREAS, the Heritage Working Group's mandate includes reviewing work brought forward by Heritage Staff and conducting related project work; and,

WHEREAS, to best plan and facilitate virtual meetings moving forward, the Hamilton Municipal Heritage Committee and Heritage Staff need to have an understanding of each Working Group's plan of work and status of existing work;

THEREFORE, BE IT RESOLVED:

That that the Chairs of the Working Groups of the Hamilton Municipal Heritage Committee, being the Education and Communications Working Group, the Inventory and Research Working Group and the Policy and Design Working Group, report back at the next Hamilton Municipal Heritage Committee meeting with a plan of work for 2020 and an update on current projects.

CARRIED

3. Designation of 828 Sanatorium Road (Long & Bisby Building) (Added Item 11.2)

(Carroll/Burke)

WHEREAS, the Hamilton Municipal Heritage Committee recommended the designation the property located at 828 Sanatorium Road, Hamilton (Long and Bisby Building), outlined in detail in PED18214, the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act*, at the September 12, 2018 meeting;

WHEREAS, Planning Committee supported the recommendation to designate 828 Sanatorium Road, Hamilton (Long and Bisby Building) during their September 18, 2018 meeting;

WHEREAS, during their September 26, 2018 meeting Council referred the designation request back to Planning Committee for further consideration; and,

WHEREAS, following the recent fire at the Long and Bisby Building, the Hamilton Municipal Heritage Committee is concerned with the protection and preservation of the Long and Bisby Building;

THEREFORE BE IT RESOLVED:

- (a) That the designation of 828 Sanatorium Road, Hamilton as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved; and
- (b) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Committee of the following changes:

5. COMMUNICATIONS

- 5.3 Correspondence from the Office of Judi Partridge, Hamilton City Councillor for Ward 15 respecting 62 6th Concession, Flamborough

Recommendation: Be received.

- 5.4 Correspondence from Frederick Dalley respecting Concerns with the Recommendations for the "Village Core of Ancaster" and Property Designations

Recommendation: Be received and referred to Item 10.1, Recommendation to Add Properties Within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12)

6. DELEGATION REQUESTS

- 6.1 Delegation Request from John Pataracchia, Property Owner, respecting 54 Sanders Blvd., Hamilton (for today's meeting)
- 6.2 Neil Smiley, representative for the Roman Catholic Episcopal Corporation for the Diocese of Hamilton in Ontario, respecting 437 Wilson Street East, Ancaster (for today's meeting)

12. NOTICES OF MOTION

- 12.1 Notice of Motion respecting the Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Buildings and Landscapes

- 13.1(e) Written Submissions by Members of the Hamilton Municipal Heritage Committee respecting Buildings and Landscapes

(Pearson/Brown)

That the Agenda for the July 3, 2020 Hamilton Municipal Heritage Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations.

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

(i) February 21, 2020 (Item 4.1)

(Carroll/Burke)

That the Minutes of the February 21, 2020 meeting of the Hamilton Municipal Heritage Committee be approved, as presented.

CARRIED

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence from Daniel Coleman respecting 50-54 Sanders Blvd., Hamilton (Item 5.1)**

(Beland/Brown)

That Correspondence from Daniel Coleman respecting 50-54 Sanders Blvd., Hamilton be received.

CARRIED

- (ii) **Correspondence from Anne Newbigging respecting 558 Wilson St. East proposed inclusion on the Municipal Heritage Register (referred from May 13, 2020 meeting of Council) (Item 5.2)**

(Carroll/Burke)

That the Correspondence from Anne Newbigging respecting 558 Wilson St. East proposed inclusion on the Municipal Heritage Register, be received ***and referred to Item 10.1 of this agenda, for discussion.***

CARRIED

- (iii) **Correspondence from the Office of Judi Partridge, Hamilton City Councillor for Ward 15 respecting 62 6th Concession, Flamborough (Added Item 5.3)**

(Pearson/Lunsted)

That the Correspondence from the Office of Judi Partridge, Hamilton City Councillor for Ward 15 respecting 62 6th Concession, Flamborough, be received ***and referred to the Inventory and Research Working group for further monitoring.***

CARRIED

For further disposition of this matter, refer to Item 13.1

- (iv) **Correspondence from Frederick Dalley respecting Concerns with the Recommendations for the "Village Core of Ancaster" and Property Designations (Added Item 5.4)**

(Carroll/Ritchie)

That the Correspondence from Frederick Dalley respecting Concerns with the Recommendations for the "Village Core of Ancaster" and Property Designations, be received ***and referred to Item 10.1 of this agenda, for discussion.***

CARRIED

(e) DELEGATION REQUESTS (Item 6)

(Pearson/Brown)

That the following Delegations Requests be approved for today's meeting:

- (i) Delegation Request from John Pataracchia, Property Owner, respecting 54 Sanders Blvd., Hamilton (Added Item 6.1)
- (ii) Neil Smiley, representative for the Roman Catholic Episcopal Corporation for the Diocese of Hamilton in Ontario, respecting 437 Wilson Street East, Ancaster (Added Item 6.2)

CARRIED

(f) CONSENT ITEMS (Item 7)

(i) Heritage Permit Applications - Delegated Approvals (Item 7.1)

(Janssen/Pearson)

That the following Delegated Approvals be received:

- (i) Permit Application HP2020-004: Proposed alteration of Historic Barn and Landscaping at 77 King Street West, Stoney Creek (Ward 9) (By-law No. 3419-91) (Item 7.1(a))
- (ii) Heritage Permit Application HP2020-005: Proposed Alteration of Sunday School and Restoration of Stained-Glass Windows of the Church's Chancel at 10 Tom Street, Hamilton (Ward 1) (By-law No. 96-148) (Item 7.1(b))
- (iii) Heritage Permit Application HP2020-006: Proposed Alteration of Bay Window Roof Replacement, Porch and Brickwork at 17 Victoria Street, Dundas (Ward 13) (By-law No. 3899-90) (Item 7.1(c))
- (iv) Heritage Permit Application HP2020-007: Proposed Salvage and Reinstallation of Interior City Hall Wall Tiles at 71 Main Street West, Hamilton (Ward 2) (By-law No. 06-011) (Item 7.1(d))
- (v) Heritage Permit Application HP2020-008: Proposed Reconstruction of the Front Facade, Porch, Roof and Side Cladding at 227 St. Clair Boulevard, Hamilton (Ward 3) (By-law No. 92-140) (Item 7.1(e))
- (vi) Heritage Permit Application HP2020-009: Proposed Alterations at 21 Mill Street North, Waterdown (Ward 15) (By-law No.96-34-H) (Item 7.1(f))
- (vii) Heritage Permit Application HP2020-010: Proposed Installation of New Push and Lock Buttons at 71 Main Street West, Hamilton (Ward 2) (By-law No. 06-011) (Item 7.1(g))
- (viii) Heritage Permit Application HP2020-011: Proposed Stabilization of the Dining Room Plaster Ceiling and Wall at Whitehern Museum,

41 Jackson Street West, Hamilton (Ward 2) (By-law No. 77-239)
(Item 7.1(h))

- (ix) Heritage Permit Application HP2020-012: Proposed Alteration of Cast Concrete Masonry Units at Waterdown memorial Hall Located at 317 Dundas Street East, Waterdown (Ward 15) (By-law No. 07-010) (Item 7.1(i))
- (x) Heritage Permit Application HP2020-014: Front Facade and Stair Restoration at 34-36 Hess Street South, Hamilton (Ward 2) (By-law No.03-211) Extension of previously approved by lapsed Heritage Permit HP2018- 024(Item 7.1(j))

CARRIED

- (ii) **Inventory and Research Working Group Meeting Notes - January 27, 2020 (Item 7.2)**

(Ritchie/Pearson)

That the Inventory and Research Working Group Meeting Notes of January 27, 2020, be received.

CARRIED

- (iii) **Heritage Permit Review Sub-Committee Minutes - January 21, 2020 (Item 7.3)**

(Dimitry/Carroll)

That the Heritage Permit Review Sub-Committee Minutes of January 21, 2020, be received.

CARRIED

- (g) **DELEGATIONS (Item 8)**

- (i) **John Pataracchia, Property Owner, respecting 54 Sanders Blvd., Hamilton (Added Item 8.1)**

John Pataracchia addressed Committee with questions to staff respecting the possible designation of 54 Sanders Blvd., Hamilton.

(Lunsted/Janssen)

That the delegation from John Pataracchia, Property Owner, respecting 54 Sanders Blvd., Hamilton, be received.

CARRIED

(Brown/Ritchie)

That staff be directed to include 50-54 Sanders Blvd., Hamilton, on the staff Work Plan, under the medium priority category, for future designation.

CARRIED

(ii) Neil Smiley, representative for the Roman Catholic Episcopal Corporation for the Diocese of Hamilton in Ontario, respecting 437 Wilson Street East, Ancaster Added Item 8.2)

Neil Smiley addressed Committee respecting the property at 437 Wilson Street East, Ancaster and its inclusion in Report PED20112, Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest. The Diocese asked that inclusion of the property at 437 Wilson be deferred until such time that they had an opportunity to consider the implications of inclusion.

(Burke/Ritchie)

That the delegation from Neil Smiley, representative for the Roman Catholic Episcopal Corporation for the Diocese of Hamilton in Ontario, respecting 437 Wilson Street East, Ancaster, be received.

CARRIED

For further disposition of this matter, refer to Item 1 and (g)(i)

(h) DISCUSSION ITEM (Item 10)

(i) Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest (PED20112) (Ward 12) (Item 10.1)

That the recommendation in Report PED20112 respecting the Recommendation to Add Properties Within the Village Core of Ancaster to the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest, be deleted in its entirety, and replaced with the following:

~~That the properties contained in Appendix "A" to Report PED20112 be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority.~~

(a) *That the following properties be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority:*

- **490 Old Dundas Rd**
- **454 Wilson Street E**
- **450 Wilson Street E**
- **449 Wilson Street E**
- **442 Wilson Street E**
- **346 Wilson Street E**
- **340 Wilson Street E**
- **327 Wilson Street E**
- **311 Wilson Street E**
- **303 Wilson Street E**

- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 380 Wilson Street E
- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E
- 176 Wilson Street E
- 241 Wilson Street E

(b) *That the property at 558 Wilson Street, Ancaster, be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority; and,*

(c) *That staff continue to discuss with the owners of 449 and 437 Wilson Street, Ancaster, their concerns regarding the addition of their properties to the Register.*

CARRIED

For further disposition of this matter, refer to Item 1.

(i) NOTICE OF MOTION (Item 12)

A. Denham-Robinson relinquished the Chair to introduce the following:

(i) Notice of Motion respecting the Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans (Added Item 12.1)

(Denham-Robinson/Beland)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans.

CARRIED

For further disposition of this matter, refer to Item 2.

(j) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

(i) **Buildings and Landscapes (Item 13.1)**

(Carroll/Lunsted)

That the following properties be added to the List of Buildings and Landscapes:

- (i) 50-54 Sanders Blvd., Hamilton - Buildings and Landscapes of Interest – J. Brown
- (ii) 62 6th Concession, Flamborough – Endangered Buildings and Landscapes – L. Lunsted

CARRIED

(Brown/Ritchie)

That the following property be removed from the List of Buildings and Landscapes, as it is deemed that the property no longer requires monitoring by the Committee:

- (i) 51 Herkimer Street, Hamilton – J. Brown

CARRIED

**(a) Endangered Buildings and Landscapes (RED):
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)**

- (i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie
- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry
- (iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll
- (iv) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (v) 18-22 King Street East, Hamilton (R)(NOI) – W. Rosart
- (vi) 24-28 King Street East, Hamilton (R)(NOI) – W. Rosart
- (vii) 2 Hatt Street, Dundas (R) – K. Burke
- (viii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown
- (ix) 828 Sanatorium Road – G. Carroll

For further disposition on this matter, refer to Item 3

- (x) 120 Park Street, Hamilton – R. McKee
- (xi) 398 Wilson Street, Hamilton – C. Dimitry

**(b) Buildings and Landscapes of Interest (YELLOW):
(Yellow = Properties that are undergoing some type of change,
such as a change in ownership or use, but are not perceived as
being immediately threatened)**

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland
- (ii) 2251 Rymal Road East, Stoney Creek (R) – B. Janssen
- (iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas – K. Burke
- (iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (R) (ND) – W. Rosart
- (v) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll
- (vi) 1021 Garner Road East, Ancaster (Lampman House) (NOI) – C. Dimitry
- (vii) Dunington-Grubb Gardens, 1000 Main Street East (within Gage Park) – D. Beland
- (viii) 1 St. James Place, Hamilton (D) – J. Brown
- (ix) St. Clair Blvd. Conservation District – D. Beland
- (x) 52 Charlton Avenue West, Hamilton – J. Brown
- (xi) 292 Dundas Street, Waterdown – L. Lunsted
- (xii) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton – T. Ritchie
- (xiii) 50-54 Sanders Blvd., Hamilton - J. Brown
- (xiv) 62 6th Concession, Flamborough - L. Lunsted

**(c) Heritage Properties Update (GREEN):
(Green = Properties whose status is stable)**

- (i) The Royal Connaught Hotel, 112 King Street East, Hamilton (R) – T. Ritchie
- (ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee
- (iii) Treble Hall, 4-12 John Street North, Hamilton (R) – T. Ritchie
- (iv) 104 King Street West, Dundas (Former Post Office) – K. Burke
- (v) 45 Forest Avenue, Hamilton – G. Carroll
- (vi) 125 King Street East, Hamilton – T. Ritchie

(d) Heritage Properties Update (black):

(Black = Properties that HMHC have no control over and may be demolished)

- (i) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee
- (ii) 80 and 92 Barton Street East (Hanrahan Hotel) – T. Ritchie

(e) Written Submissions by Members of the Hamilton Municipal Heritage Committee respecting Buildings and Landscapes (Added Item 13.1(e))

(Brown/Burke)

That the Written Submissions by Members of the Hamilton Municipal Heritage Committee respecting Buildings and Landscapes, be received.

CARRIED

(k) ADJOURNMENT (Item 15)

(Carroll/Burke)

That, there being no further business, the Hamilton Municipal Heritage Committee, be adjourned at 11:58 a.m.

CARRIED

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

July 31, 2020

Hamilton Municipal Heritage Committee

To
Alyssa Denham-Robinson and David Beland

Hello. My name is Susanne Noordyk and I would like to know why the heritage plaque for 91 John Street South / Edwin Pass Watch Shop has not been replaced as yet sadly it was taken shortly after it had been affixed to the building at 91 John St S. Robin McKee was still the owner of the property when it disappeared.

The new owner is doing a great job of maintaining the building and returning it to its former glory. I look forward to seeing the finished job.

I would like to see the stolen plaque replaced asap to make the job complete.

Thank you.

Susanne Noordyk, former HHB and J-PSC member

[REDACTED]

[REDACTED]

[REDACTED]

Hamilton Municipal Heritage Committee
August 20, 2020
Staff Response to Correspondence

From: [Redford, Christopher](#)
To: [Kolar, Loren](#); [Golden, Alissa](#)
Cc: [Addington, David](#); [Brunton, Miranda](#); [Christy, June](#); [D'Onofrio, Clementina](#); [Fabac, Anita](#); [McKie, Shannon](#); [Ouk, Marie](#); [Robichaud, Steve](#); [Rybensky, Yvette](#); [Summers, John](#)
Subject: Re: Letter to HMHC - Designation Plaque at 91 John Street South
Date: August 11, 2020 2:43:30 PM
Attachments: [image002.png](#)

Good Afternoon All,

Will contact Ms. Noordyk and Mr. Beland directly with the following information.

A replacement for the stolen plaque for the Edwin Pass Watchmakers shop at 91 John St S. was manufactured when Robin McKee, then owner, reported it missing. It is now in our storage room at Lister, and can be installed at any time. The property quickly changed hands after Mr. McKee reported the original missing. Two attempts to contact the new owner have been made, seeking permission to reinstall. There has been no reply. Perhaps the desire to perform work at the location may have intervened.

We will contact the new owner again requesting permission to reinstall. If they do not reply, or reply indicating a disinclination, we will hold it in safe keeping.

David or Miranda, if you have any further information as to the desires of the owner it would be much appreciated.

Yours, Christopher Redford.
Heritage Presentation Coordinator
28 James St N - 2nd Floor - Lister Block
Cell: 905-973-4005
x4688

Hamilton Municipal Heritage Committee

5.2

August 20, 2020

Jim MacLeod, Vice President
Ancaster Village Heritage Community

Thank you for your consideration of the plan put forward by **Ancaster Village Heritage Community** to improve demolition control in our city and add protection to important buildings that should not be demolished without careful consideration.

Some properties are protected through designation, listing and maintaining a register. This helps but property by property action is needed. Our proposals would build in a pause button for older buildings and move responsibility to City Council for issuance of demolition permits for these properties and other important buildings. Staff would still handle most truly routine requests.

This highlights the positive proposals in our full document. I believe you have a copy of it.

GOAL

Ancaster Village Heritage Community Inc, AVHC, is a vibrant, engaged community group in Ancaster. We offer positive solutions for amendment of governance controlling demolitions to end the significant damage current City policies cause. Our focus is on Ancaster, but we believe the issues we set out affect the entire City.

OUR REQUEST: We ask that the Heritage Committee refer this matter to Planning Committee and City Council with a recommendation that a public process is created to develop a new Demolition Control Bylaw to replace Bylaw 09-208 as soon as possible.

BACKGROUND

We looked at demolition control after the sudden loss of Brandon House, a pristine 1860s heritage home at the gateway to Ancaster. It seems clear the current bylaw, 09-208, is short on accountability and tilted towards efficiency. Non-residential buildings are not covered by 09-208 and Brandon House, a family home for almost 150 years, was zoned C5a Mixed Use and seems to have been processed under commercial zoning procedures. All demolitions should have similar governance.

The 2009 staff background document for Bylaw 09-208 is very clear that the goal is to minimize Council involvement in granting demolition permits. Decisions are delegated to staff. It appears to the public that demolition permit decisions are made behind closed doors. This needs a reset to ensure accountability to the community.

Multiple demolitions in Ancaster's heritage village on Wilson Street East, like Brandon House zoned C5a Mixed Use, left what can only be described as a wasteland at the corner of Academy Street.

The same is true of the weed infested Brandon House site that still has rubble strewn around. Current City governance of demolitions clearly can and does result in this.

WHY VACANT LOTS?

Creation of vacant lots is a developer tactic. Council is under pressure to fill a vacant lot and may grant zoning variations to permit higher or denser development. Is Council and LPAT more likely to bend when faced with a lot that has been vacant for some time?

We may find out. While there is no development application filed, the potential developers of the vast vacant lot at Academy Street have made at least two public presentations to advance their agenda. AVHC notes the six story building outlined is double what is permitted under current zoning, enacted in 2018. The C5a zoning permits 9 meter height, about 3 stories.

- Over development creates multiple issues with traffic, infrastructure, and harms quality of life for other parts of the community.
- Vacant lots encourage over development.
- City demolition policies seem to encourage vacant lots.

It all ties together.

AVHC POSITION

We ask Council to initiate a public process to repeal and replace Bylaw 09-208 and treat all demolitions in a similar manner. AVHC believes the resulting bylaw should follow these guiding principles:

- **Set out the intent** of demolition approval so all parties know what is acceptable upfront. Take a look at Waterloo bylaw intents that we outline in our document—they are excellent.
- **Look Carefully at Older Buildings.** Ensure that demolition applications for all buildings with heritage connections whether listed or not are dealt with by Council in a public process. AVHC suggests all buildings over 90 years old automatically be a Council decision
- **No Vacant Lots.** Ensure that the practice of allowing demolition to create vacant lots ends. Applications for a demolition permit not tied to a development permit and an approved plan should be considered by Council and generally denied.
- **Encourage Compliance.** Tie development and demolition together and impose a meaningful penalty on any applicant that fails to proceed with that development after demolition. AVHC suggests the current \$20,000 is pennies and closer to \$250,000 would be appropriate.
- **Set Clear Rules for Staff.** Ensure that the criteria set out in the new bylaw where staff can issue a demolition period are unequivocal.

Our positive suggestions and our specific request are outlined in detail in our written presentation.

AVHC is asking Hamilton to urgently make changes and create a better future for our community. Development must be a win for the City, a win for the developer, but most important a win for the people.

From: clerk@hamilton.ca
To: [Vernem, Christine](#); [Kolar, Loren](#)
Subject: Fw: Form submission from: Request to Speak to Committee of Council Form
Date: August 17, 2020 1:27:11 PM

From: no-reply@hamilton.ca <no-reply@hamilton.ca> on behalf of City of Hamilton, Ontario, Canada via City of Hamilton, Ontario, Canada <no-reply@hamilton.ca>
Sent: Monday, August 17, 2020 12:23 PM
To: clerk@hamilton.ca
Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Monday, August 17, 2020 - 12:23pm
Submitted by anonymous user: 162.158.75.41
Submitted values are:

==Committee Requested==
Committee: Hamilton Municipal Heritage Committee

==Requestor Information==

Name of Individual: jack Dennison

Name of Organization:

Contact Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address:

[REDACTED]

Reason(s) for delegation request:

I am the property Owner of 1389 Progreston Rd
Carlisle

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

The results of this submission may be viewed at:
<https://www.hamilton.ca/node/286/submission/441666>

August 18, 2020

**Written Delegation Submission to the Hamilton Municipal Heritage Committee
Regarding the Notice of Intention to Designate the Property at 1389 Progreston
Road, former Town of Flamborough**

From Leah Wallace, MA MCIP RPP, Heritage Planner

Members of the Hamilton Municipal Heritage Committee

Thank you for the opportunity to address you with respect to the Notice of Intention to Designate the property at 1389 Progreston Road, Carlisle. My remarks are directed specifically to the house on the property and are contained in the conclusion to my report which is included in your agenda package and which I will reiterate here.

I would respectfully suggest that no additional research was undertaken on the property at 1389 Progreston Road by City staff or the heritage committee beyond the preliminary notes provided by the Inventory and Research Working Group in August, 2019. The working group's research appears to be derived from previous research undertaken by such groups as the Waterdown-East Flamborough Heritage Society. At no time did any committee member or any City staff attend at the property to make on site observations and notes before the Notice of Intention to Designate (NOID) was issued. No additional reports or historical research was provided between December 2019 when City Council approved adding the property to the City of Hamilton Municipal Register of Properties of Cultural Heritage Value or Interest as a non-designated property and when the ward councillor tabled a motion to proceed with issuing the NOID on April 22, 2020. There is also no evidence that the Municipal Heritage Committee was consulted before Council's decision, although this is a requirement under the Section 29(2) of the OHA.

On April 27, 2020, during a site visit, I determined that the house had suffered unsympathetic alterations over the years including later additions and interior alterations that obliterated any original features that might remain. Any restoration of the structure would result in removal of most of the remaining original features which would have to be replaced in kind resulting in a facsimile of the original house.

Some of the heritage attributes listed in the Statement of Significance published by the City on April 30, 2020 do not exist or are modern interventions of no architectural or historical significance including the covered porch with wooden columns and decorative bargeboard. The semi-circular windows below the front gables are modern replacements added in 1982 by the current owner. A site visit by City staff and heritage

committee members could have determined these facts and also confirmed that the log cabin built by James Kievel was not incorporated into the house when it was constructed in the second half of the 19th century. A separate site visit by Mark Shoalts also determined that the log cabin was not incorporated into the house and that the porch was a modern and unsympathetic intervention.

The Regulation 9/06 review of the house undertaken and included in my report concluded that, on its own, it does not meet the criteria of Historical/Associative, Design/Physical or Contextual Value. However, the setting of the house, not the house itself, on a promontory overlooking Bronte Creek and Progreston Road, has some value within the context of the entire property and its landscape and in the context of the development of the community of Progreston. With the understanding the much of the original features still extant on the exterior of the existing house cannot be salvaged and would have to be replaced; a new house, located in the same place on the property with a similar mass and scale, design and materials, will afford the same contextual value to the landscape as the existing structure.

I would respectfully recommend that the committee consider Mr. Dennison's preferred position, to rescind the NOID and to undertake additional research in the interim to further confirm my findings and observations and those of Mr. Shoalts or to consider other options with respect to the property that would better reflect and protect its cultural heritage value or interest.

August 18, 2020

Written Delegation Submission to the Hamilton Municipal Heritage Committee
Regarding the Notice of Intention to Designate the Property at 1389 Progreston
Road, former Town of Flamborough.

Submitted by Mark Shoalts, P.Eng., CAHP

Thank you for the opportunity to address you with respect to the Notice of Intention to Designate the property at 1389 Progreston Road, Carlisle. You have my full report in your agenda package but because of two statements in particular that have been made in the Statement of Cultural Heritage Value or Interest I feel that it is important to re-emphasize some points. The Statement asserts that the present house has been built around and represents "significant additions to Kievel's original log cabin". This statement is false and is not based on nor supported by any visit to the property or investigation by the authors of the Statement. There is no log cabin or any portion of a log cabin in the existing house. The second assertion that is concerning is an item in the list of Heritage Attributes: "...covered porch with wooden columns and decorative bargeboard". The porch is very clearly and unequivocally a late 20th century addition with deteriorating finger-jointed pine posts available at any lumberyard and, more unfortunately, installed upside down.

The existing residence at 1389 Progreston Road in Carlisle was originally a modest 1 ½ storey late-nineteenth century single family dwelling and it has had numerous alterations and additions over the years. At present, it is visibly deteriorated both inside and out, and has serious building envelope issues that are directly related to and/or causing many of the immediately apparent major problems. It is in need of substantial repairs, in part because of some site and grading issues and in part because of the original construction method and materials. The structure has some serious problems and because of the type of construction, it is very difficult to properly repair it. The house would require essentially 100% interior refinishing subsequent to the necessary structural repairs and the building systems replacement.

In light of the dubious claims in the Statement of Cultural Heritage Value, the extensive alterations to the building, and the enormous expense of compensating construction required to maintain the remnants of the building that are salvageable, it is our recommendation that the house be replaced with a new, sympathetically designed residence.

MINUTES OF THE HAMILTON HERITAGE PERMIT REVIEW SUB-COMMITTEE

7.1

Tuesday, February 18, 2020

Present: Melissa Alexander, Charles Dimitry (Chair), Andy MacLaren, Carol Priamo, Tim Ritchie (Vice Chair), Stefan Spolnik

Attending Staff: David Addington, Miranda Brunton, Shannon McKie

Absent with Regrets: Laurie Brady, Diane Dent, John Scime, Steve Wiegand

Meeting was called to order by the Chairman, Charles Dimitry, at 4:30pm

1) Approval of Minutes from Previous Meetings: January 21, 2020

Motion on overall minutes moved by – Carol Priamo

Seconded – Tim Ritchie

Carried by unanimous vote

2) Heritage Permit Applications

- a. HP2020-004: 77 Battlefield Park, Stoney Creek (Battlefield Park)
 - Restoration of historic barn;
 - Building of a new storage shed with new fence and gate;
 - New landscaping along side of historic barn and behind storage shed; and,
 - Removal of three trees and replanting of nine deciduous and three evergreen trees at the west side of property:
 - Removal: 1 Manitoba Maple; 1 Weeping Golden Willow; 1 White Mulberry; and,
 - Replanting: 3 Mountain Ash; 2 Red Oak; 1 Tulip Tree; 3 Service Berry; and 3 White Spruce.

Carolyn Samko, Senior Project Manager, Heritage Facilities and Capital Planning, represented the city at the meeting.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motions:

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2020-004 be consented to, subject to the following conditions:

a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

b) Implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than February 28, 2022. If the alteration(s) are not completed by February 28, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Motion for permit moved by – Tim Ritchie

Seconded – Stefan Spolnik

Carried by unanimous vote

b. HP2020-005: 10 Toms Street, Hamilton

- The following alterations are proposed for the Sunday School building:
 - Installation of a concrete slab floor in the existing double-height gymnasium space in the basement;
 - Reconfiguration of existing office and lounge at south end of building to accommodate a new stairwell, upgraded washrooms and service areas;
 - Introduction of a basement entrance on the north façade;
 - Addition of an exterior concrete stairway on the north facade;
 - Replacement of wood entrance doors with heritage replicas;
 - Remove plywood in the window wells and repair as needed;
 - Installation of storm windows on the exterior of all windows; and,
 - Repointing the exterior facades with a lime mortar.
- The following alteration is proposed for the Church building:
 - Restoration of the stained glass windows of the Chancel

Emma Cubitz of Invizij Architects Inc. spoke on behalf of the applicant, the Hamilton Christian Fellowship.

The Sub-committee considered the application and together with advice from staff, passed the following motion:

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2020-005 be consented to, subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than February 28, 2022. If the alteration(s) are not completed by February 28, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Motion for overall permit moved by – Stefan Spolnik
Seconded – Andy MacLaren
Carried by unanimous vote

- c. HP2020-006: 17 Victoria Street, Dundas
 - Replace damaged wooden planks at the sides of the front porch;
 - Replace two broken spindles on the front porch;
 - Repoint bricks at the northwest corner of the house;
 - Repoint around the north facing main floor windows and the bay windows on the east and south sides of the house;
 - Repoint foundation stones; and,
 - Replace the metal roof over the bay window on the east side of the house.

George Lindsay, the property owner and applicant, spoke to the subcommittee at the meeting.

The Sub-committee considered the application and together with input from the applicant and advice from staff, passed the following motions:

That the Heritage Permit Review Sub-committee advises that Heritage Permit application HP2020-006 be consented to, subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning

and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,

b) Implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than February 28, 2022. If the alteration(s) are not completed by February 28, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Motion for permit moved by – Carol Priamo

Seconded – Tim Ritchie

Carried by unanimous vote

3) **Adjournment:** Meeting was adjourned at 6:30 pm

Motion moved by – Carol Priamo

Seconded – Andy MacLaren

Carried by unanimous vote

4) **Next Meeting:** Tuesday, March 17, 2020 from 4:30 – 8:30pm at Hamilton City Hall, Room 264

HMHC Education and Communication Working Group

Meeting Notes

Wednesday February 5th, 2020 (6:00pm)
Hamilton City Hall, Room 222

Present: Alissa Denham-Robinson (Chair), Janice Brown, Robin McKee, Graham Carroll, Kathy Stacey,

Regrets: Tim Ritchie, Chuck Dimitry

Also present: N/a

RECOMMENDATIONS:

N/A

1. Previous Meeting Notes

Approved by general consensus, the notes prepared by Chair A.Denham-Robinson.

2. Publications & Print Projects:

1. Word Search Puzzles (Project On-going)

- a. To prepare for the upcoming Hamilton Heritage Day event, the group requested 75 copies of puzzles (double sided). C.Dimitry to provide A.Denham-Robinson with the finalized puzzle file in pdf.

2. Heritage Colouring Pages – Volume 2 (Project On-going)

- a. J. Brown presented the draft artwork by Vivian, a student from Bernie Custis Secondary School – Theme: Westinghouse HQ. Members were very impressed with the student work and would like to move forward to use this to create a colouring page with descriptive text.
- b. The Working Group suggested the next artwork be the Peace Memorial Arch. J.Brown to coordinate.
- c. Future student artworks could include heritage Places of Education (ex. Delta, Cathedral Boys, etc.) and Jimmy Thompson Pool.

3. Public Outreach and Events:

1. "Preserving Hamilton's Built Heritage" Workshop - Review of Draft Project Proposal (J.Brown)

- a. Topic: Heritage Conservation Practices presented by Alan Stacey.
- b. Date: Heritage Week 2020. Wednesday February 19, 2020
- c. Time: Doors Open at 6:30pm (Agenda to be confirmed)
- d. Venue: (K.Stacey) Westinghouse HQ. J.Brown A.Denham-Robinson and K.Stacey visited the site to coordinate set-up.
- e. Rentals: Chair and tables are not provided by the Venue.
 - i. A.Denham-Robinson and K.Stacey to coordinate rental and delivery of chairs. Number to be confirmed.
 - ii. A.Denham-Robinson to coordinate 6ft. rectangular tables to be borrowed for the event. A.Stacey to assist with pick-up, set-up and return.
- f. Registration: J.Brown has set the goal at 125. Available tickets have been increased to 150. EventBrite page to be monitored. Current ticket requests at 140, with 995 event views.
- g. Food & Refreshments: J.Brown confirmed Durand coffee, providing coffee and squares at-cost (\$115) – Durand to deliver. Tea station to be provided by A.Denham-Robinson.
- h. Set-up: Volunteers to meet at 5:00pm prior to event for set-up.
- i. Volunteers: List of assigned locations and responsibilities to be coordinated and issued to all.
- j. Vendor Tables: Accommodations to be provided for HMHC, Doors Open Hamilton, Local ACO and Hamilton Culture Dept. (Inventory Review)
- k. Evening Program: Working Group reviewed the Agenda along with timing of segments, Q&A, etc.

2. "City of Hamilton Heritage Day Event"

- a. Date: Saturday February 22nd, 2020
- b. Venue: Hamilton City Hall

- c. Volunteers to arrive at 9:00am (J.Brown, G.Carroll, K.Stacey, A.Denham-Robinson)
- d. Group to prepare printed materials for display (puzzles, colouring sheets, handouts, etc.)

3. HMHC Heritage Recognition Awards Celebration 2019-20

- a. Date: Thursday June 18th, 2020 (Doors Open at 6:30pm)
- b. Venue: Stoney Creek Municipal Centre (Former City Hall)
- c. Set-up: Volunteers will be required for set-up; 2 hrs prior to event.
- d. J.Brown provided an overview of a Revised Draft Project Plan prepared for the HMHC Heritage Awards Celebration. Working Group to review and continue to provide in-put.

4. Policy & Administration:

N/a

5. New Business:

1. HMHC Marketing Strategy

- a. J.Brown provided a suggested Marketing Strategy for HMHC, including template advertisement / sample.

6. Next Meeting: Wed. March 4th, 2020 (6pm – 8pm)
Hamilton City Hall Rm. 222

HMHC Education and Communication Working Group

Meeting Notes

Wednesday March 4th, 2020 (6:00pm)
Hamilton City Hall, Room 222

Present: Alissa Denham-Robinson (Chair), Janice Brown, Robin McKee, Graham Carroll, Kathy Stacey, Tim Ritchie

Regrets: Chuck Dimitry,

Also present: N/a

RECOMMENDATIONS:

N/A

1. Changes to the Agenda

None Noted

2. Previous Meeting Notes

Hardcopy not available for review at time of meeting.

3. Publications & Print Projects:

1. Word Search Puzzles (Project On-going)

- a. Brief update provided by C.Dimitry.

2. Heritage Colouring Pages – Volume 2 (Project On-going)

- a. J. Brown presented the draft artwork by Vivian, a student from Bernie Custis Secondary School – Theme: the Westinghouse HQ and Peace Memorial Arch.
- b. As a Thank You to our volunteer student artist, members of the Working Group gathered art supplies (sketchbook, fine-line pens, pencil crayons, etc.). J.Brown to deliver to Vivian's teacher.
- c. The Working Group suggested the next artwork to be Battlefield House or Monument. G.Carroll to provide a reference image.
- d. Future student artworks could include heritage Places of Education (ex. Peace Memorial, Delta, Cathedral Boys, etc.) and Jimmy Thompson Pool.

4. Public Outreach and Events:

1. "Preserving Hamilton's Built Heritage" Workshop -

- a. The Working Group briefly discussed an overview of the event called "Heritage Conservation Practices", presented by Alan Stacey. The presentation took place on Wednesday February 19, 2020 at the Westinghouse HQ.

2. "City of Hamilton Heritage Day Event"

- a. The Working Group briefly discussed an overview of the event, which took place on Saturday February 22, 2020 at Hamilton City Hall; hosted by the Hamilton Wentworth Heritage Association

3. HMHC Heritage Recognition Awards Celebration 2019-20

- a. J.Brown provided an overview of a Revised Draft Project Plan prepared for the HMHC Heritage Awards Celebration. Working Group to review and continue to provide in-put.
- b. Working Group completed a general review of all award nominations received for preliminary comments. Members to complete a more in-depth review for follow-up meetings.

5. Policy & Administration:

N/a

6. New Business:

N/a

7. Next Meeting: Thursday March 26th (following HMHC Meeting)

Wednesday April 1st (6pm – 8pm)

HMHC Education and Communication Working Group

Meeting Notes

Wednesday July 22nd, 2020 (6:00pm)
City WebEx, Virtual Meeting

Present: Alissa Denham-Robinson (Chair), Chuck Dimitry, Janice Brown, Robin McKee, Graham Carroll, Kathy Stacey, Tim Ritchie, Miranda Brunton (Heritage Planning Staff – Meeting Host)

Regrets: N/a

Also present: N/a

RECOMMENDATIONS:

N/a

1. Changes to the Agenda

N/a

2. Declaration of Interest

As noted under Award Nominations

3. Previous Meeting Notes

N/a

4. Publications & Print Projects:

N/a

5. Public Outreach and Events:

1. HMHC Heritage Recognition Awards Celebration 2019-20

- a. WG reviewed the list of nominations; property by property. Further discussion required. Some additional research to be compiled by WG volunteers prior to release of final recommendations for proposed award recipients.

6. Policy & Administration:

N/a

7. New Business:

N/a

8. Next Meeting: Wednesday August 5th, 2020 at 6:00pm



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 1202
Fax: 905-540-5611

FILE: HP2020-013

July 30, 2020

Oleksandra Botyuk
158 James Street South
Hamilton, ON
L8P 3A2

**Re: Heritage Permit Application HP2020-013:
Replacement of the existing flat, mansard style roof and front dormers for
the designated property at 158 James Street South (Ward 2) (By-law No. 86-
21)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2020-013 is approved for the designated property at 158 James Street South, Hamilton, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replacement of the existing flat, mansard style roof and front dormers with a new roof replicating the appearance and form of the existing roof.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2022. If the alterations are not completed by August 31, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part IV of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the

**Re: Heritage Permit Application HP2020-013:
Replacement of the existing flat, mansard style roof
and front dormers for the designated property at 158
James Street South (Ward 2) (By-law No. 86-21)**

**July 30, 2020
Page 2 of 2**

approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Conservation Review Board within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact David Addington, Cultural Heritage Planner, at 905-546-2424 ext.1214, or via email at David.Addington@hamilton.ca.

Yours truly,

Anita
Fabac

Digitally signed
by Anita Fabac
Date: 2020.07.30
08:35:34 -04'00'

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: David Addington, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
John Lane, Manager, Building Inspections
Loren Kolar, Legislative Coordinator
Christine Vernem, Legislative Secretary
Councillor Jason Farr, Ward 2



Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 1214
Fax: 905-540-5611

FILE: HP2020-015

July 29, 2020

[information redacted at the request of property owner]

**Re: Heritage Permit Application HP2020-015:
Proposed repointing of the brick porch at 216 St. Clair Boulevard, Hamilton
(Ward 3) (By-law No. 92-140)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2020-015 is approved for the designated property at 216 St. Clair Boulevard, Hamilton in accordance with the submitted Heritage Permit Application for the following alterations:

- Repointing of the brick front porch using a lime based mortar.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2022. If the alterations are not completed by August 31, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may

**Re: Heritage Permit Application HP2020-015:
Proposed repointing of the brick front porch at 216 St.
Clair Boulevard, Hamilton (Ward 3) (By-law No. 92-
140)**


**July 29, 2020
Page 2 of 2**

be appealed to the Local Planning Appeal Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact David Addington, Cultural Heritage Planner, at 905-546-2424 ext. 1214, or via email at david.addington@hamilton.ca.

Yours truly,

**Anita
Fabac**  Digitally signed
by Anita Fabac
Date: 2020.07.29
16:03:42 -04'00'

Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: David Addington, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
John Lane, Manager, Building Inspections
Loren Kolar, Legislative Coordinator
Christine Vernem, Legislative Secretary
Erin Semande, Registrar, Ontario Heritage Trust
Councillor Nrinder Nann, Ward 3



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 4281
Fax: 905-540-5611

FILE: HP2020-016

August 18, 2020

Andrea Matic
49 Mill Street South
Waterdown, Ontario
L0R 2H0

**Re: Heritage Permit Application HP2020-016:
Proposed additions and alterations 49 Mill Street South, Waterdown
located in Mill Street Heritage Conservation District, By-law No. 96-34-H**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2020-016 is approved for the designated property at 49 Mill Street South, Waterdown, in accordance with the submitted Heritage Permit Application for the following alterations:

- Proposed front porch;
- Proposed rear addition; and
- Roof replacement.

Subject to the following conditions:

- a) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and,
- b) Implementation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2022. If the alterations are not completed by August 31, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**Re: Heritage Permit Application HP2020-016:
Proposed additions and alterations 49 Mill Street
South, Waterdown located in Mill Street Heritage
Conservation District, By-law No. 96-34-H**

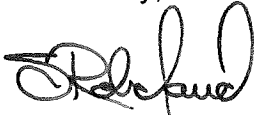
**August 18, 2020
Page 2 of 2**

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Local Planning Appeal Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Miranda Brunton, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at Miranda.brunton@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Miranda Brunton, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
John Lane, Manager, Building Inspections
Loren Kolar, Legislative Coordinator
Christine Vernem, Legislative Secretary
Councillor Partridge



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424, Ext. 4281
Fax: 905-540-5611

FILE: HP2020-018

August 18, 2020

David Emslie and Anastasia Mroch
62 Sydenham Street
Dundas, Ontario
L9H 2T9

**Re: Heritage Permit Application HP2020-018:
Proposed front porch replacement, and addition of lights and decorative
shutters at 62 Sydenham Street, Dundas (Ward 13) located
within the Cross-Melville Heritage Conservation District (By-law No. 3899
90)**

Please be advised that pursuant to By-law No. 05-364, as amended by By-law No. 07-322, which delegates the power to consent to alterations to designated property under the *Ontario Heritage Act* to the Director of Planning and Chief Planner, Heritage Permit Application HP2020-018 is approved for the designated property at 62 Sydenham Street, Dundas, in accordance with the submitted Heritage Permit Application for the following alterations:

- Replace main entryway porch with a covered porch;
- Add lights; and,
- Add decorative shutters (contemplating).

Subject to the following conditions:

- a) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- b) Installation of the alterations, in accordance with this approval, shall be completed no later than August 31, 2022. If the alterations are not completed by August 31, 2022, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,

**Re: Heritage Permit Application HP2020-018:
Proposed front porch replacement, and addition of
lights and decorative shutters at 62 Sydenham Street,
Dundas (Ward 13) located within the Cross-Melville
Heritage Conservation District (By-law No. 3899-90)**

**August 18, 2020
Page 2 of 2**

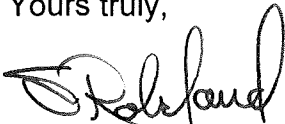
- c) If the applicant decides to install decorative shutters, the final materials and colours should be reviewed and approved by Heritage Staff.

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Local Planning Appeal Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

We wish you success with your project, and if you have any further questions please feel free to contact Miranda Brunton, Cultural Heritage Planner, at 905-546-2424 ext. 1202, or via email at Miranda.Brunton@hamilton.ca.

Yours truly,



Steve Robichaud, MCIP RPP
Director of Planning and Chief Planner

cc: Miranda Brunton, Cultural Heritage Planner
Chantal Costa, Plan Examination Secretary
John Lane, Manager, Building Inspections
Loren Kolar, Legislative Coordinator
Christine Vernem, Legislative Secretary
Erin Semande, Registrar, Ontario Heritage Trust
Councillor Arlene VanderBeek, Ward 13

Inventory & Research Working Group Meeting Notes

Monday, February 24, 2020 (6:00 pm)
Hamilton City Hall, Room 222

Present: Janice Brown (Chair); Ann Gillespie (Secretary); Alissa Denham-Robinson; Graham Carroll; Lyn Lusted; Chuck Dimitry; Jim Charlton; Joachim Brouwer

Regrets: Brian Kowalesicz; Rammy Saini

Also present: Miranda Brunton (City of Hamilton Cultural Heritage Planner)

1. Chair's Remarks

Janice welcomed all present. Miranda explained and distributed HMHC Acknowledgment Forms for all working group members to sign. Those present were asked to hand in the completed forms at the end of the meeting. Forms would be distributed to members not present to sign and hand in at the next meeting.

2. Declarations of Interest

There were no declarations of interest.

3. Places of Education Updates

Members present gave brief updates. Ann has prepared a chart for all the wards, their corresponding communities, name of member assigned to each ward, and the current status of their inventory work. (See Appendix A). The chart will be updated on a regular basis in order to provide the HMHC with a comprehensive overview of the project.

4. Review of Gothic Revival Houses on Hamilton Mountain

The following five *inventoried* properties, noted for their mid to late 19th century Gothic Revival houses, are located in the north-west corner of Glanbrook (now Ward 11 of the City of Hamilton). At the last meeting, the following members volunteered to complete inventory and evaluation forms for the following properties. For their precise locations, see the current City of Hamilton Ward

Map, searchable by address: www.hamilton.ca/council-committee/mayor-council/city-councillor.

- 2081 Upper James Street – Chuck
- 7105 Twenty Road East – Graham
- 9751 Twenty Road West – Janice
- 623 Miles Road – Graham
- 9445 Twenty Road West – Alissa (NOTE: This property has already been documented as the subject of a CHIA (Cultural Heritage Impact Assessment) by Golder Associates, which concluded that the property was worthy of inclusion on the Heritage Register.)

Each member presented his/her evaluation and recommendation for the assigned property. All five were recommended for listing on the Heritage Register. However, Chuck raised concerns about recommending all five, given the number of heritage properties in Glanbrook, as a whole, potentially more worthy of listing on the Heritage Register. Members agreed with Chuck, that the stone Gothic Revival residence at 2081 Upper James Street, based on its architectural value alone, should most definitely be recommended for listing on the Heritage Register. With this confirmation, Chuck offered to prepare a brief written report with more historical background for potentially also recommending this property for addition to the Designation Work Plan.

After much discussion, it was agreed to invite Ward 11 Councillor Brenda Johnson to the next HMHC meeting to discuss the impending threat to numerous heritage properties in Glanbrook and other parts of Hamilton Mountain by new residential and commercial development and also to inform her of the inventory and evaluation work currently being undertaken by I & R Working Group members for Gothic Revival houses in part of Glanbrook.

It was also agreed that any recommendations for inclusion on the Heritage Register should be put on hold, pending a meeting with the Ward Councillor. In the meantime, Miranda would have an opportunity to review the completed inventory and evaluation forms.

5. Former Hoodless Carriage House at 24 Blake Street

Ann had prepared a partially completed report providing visual and written documentation for the former carriage house of the residence of John and Adelaide Hoodless, known as 'Eastcourt'. Technical problems prevented her visual presentation. However, as members were already familiar with the

property from Chuck's presentation at the January 27th meeting, it was decided to proceed with a recommendation to add 24 Blake Street to the Heritage Register. Ann agreed to complete her draft report and circulate it to members and staff for comment. The final version would be included as an Appendix to the recommendation.

6. Review and Approval of Meeting Notes, January 27, 2020

The meeting notes were approved by consensus with minor amendments.

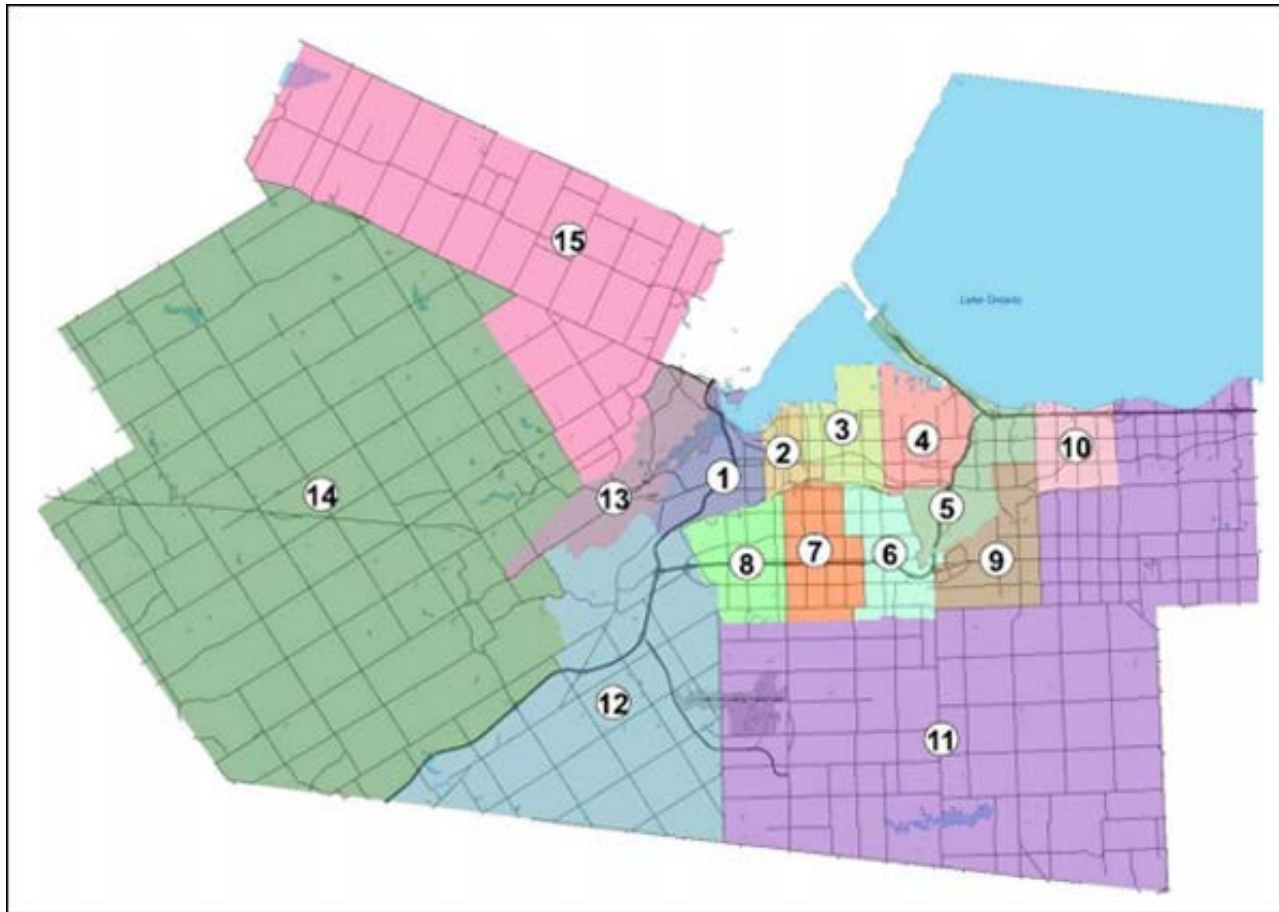
7. Adjournment and Next Meeting Date

The meeting was adjourned at 8 p.m. Next meeting: Monday March 23, 2020

APPENDIX 'A'

PLACES OF EDUCATION STATUS REPORT, March 2020

NOTE: Ward numbers are based on the pre-2018 map of ward boundaries (shown below), as the Places of Education Inventory was commenced before the change in ward boundaries prior to the 2018 election. For map of current ward boundaries, see Ward Boundary Changes map: www.hamilton.ca/municipal-election/election-information/ward-boundary-changes.



The Places of Education Inventory is being carried out by members of the HMHC I & R Working Group, under the direction of Alissa Golden, City of Hamilton Heritage Project Specialist. The volunteers listed below are all current members, with the exception of Ron Sinclair and Wilf Arndt, who resigned prior to the 2018 municipal election. The Places of Education Inventory was first undertaken under the direction of Ron Sinclair, past Chair.

NOTES:

1. Built Heritage Inventory Form and Preliminary Evaluation, abbreviated as BHIF and PE.
2. HWDSB: Hamilton-Wentworth District School Board.
3. Completed implies that the research has been finished and that a BHIF and PE has been completed.

| WARD | COMMUNITY | VOLUNTEER | STATUS | DESCRIPTION |
|--------|------------------|------------|------------------|--|
| WARD 1 | Hamilton (lower) | Ann | Work-in-progress | Research for 5 of the 8 pre-1950 Places of Education (all public schools), largely completed. See Additional Notes. |
| WARD 2 | Hamilton (lower) | Alissa D-R | Work-in-progress | Work begun on Places of Education in the North End. |
| WARD 3 | Hamilton (lower) | Janice | Completed: 1 | Adelaide Hoodless Elementary School: research by student volunteer Jade Umenetz. Jade will complete Memorial Elementary School by the end of March 2020. |
| WARD 4 | Hamilton (lower) | Jim | Completed: 3 | |
| WARD 5 | Hamilton (upper) | | | |
| WARD 6 | Hamilton (upper) | | | |
| WARD 7 | Hamilton (upper) | Graham | | |

| | | | | |
|---------------------|------------------------------|---------|------------------|--|
| WARD 8 | Hamilton (upper) | Rammy | Work-in-progress | Rammy has gathered essentially all available information for 11 public elementary schools and Hillfield Strathallan College from the HWDSB Archives. She hopes to complete the research and BHIF and P E forms for 2 to 3 of the 11 public schools by our May meeting. See Additional Notes. |
| | | | | |
| WARD 9 | Stoney Creek | Joachim | | |
| | | | | |
| WARD 10 | Stoney Creek | Joachim | | |
| | | | | |
| WARD 11 | Glanbrook | | | |
| | | | | |
| WARD 12 | Ancaster | Wilf | | Completed in the same way as Ron. |
| | | | | |
| WARD 13 | Dundas | Ron | | Completed on the first "worksheet", developed by Ron (past Chair), with all information hand-written on a printed form. |
| | | | | |
| WARD 14 and WARD 15 | Flamborough (west and east)) | Lyn | Work-in-progress | Lyn will review the comprehensive school inventory completed for the former West Flamborough Township and East Flamborough Township, to determine which properties need to be updated. See Additional Notes. |
| | | | | |
| | | | | |

ADDITIONAL NOTES

| | |
|-----------------|---|
| WARD 1 | Ann indicated that she had made some progress over the Christmas 2019 break but subsequently concluded that any further work exceeds her time commitment and level of interest, with work still to be completed on the Places of Worship Inventory, as well as individual research projects of particular interest to her (e.g. the Lennard House at 7 Rolph Street, Dundas and most recently the Hoodless Carriage House at 24 Blake Street, Hamilton). It was therefore agreed that a package of work completed to date should be passed on to Janice, who would recruit a new volunteer to continue with Ward 1. |
| | |
| WARD 8 | The 11 public elementary schools include Chedoke, Mountain, James MacDonald, R.A. Riddell, Mountview, Buchanan Park, Westwood, Sir Allan MacNab, Westmount, Westview, and Holbrook. 6 of the public elementary schools on the original list are no longer extant. Ward 8 also includes 11 Catholic elementary schools and 3 Mohawk College buildings. Rammy is currently in the process of identifying and gathering information on the architects for each of the 11 schools identified above. |
| | |
| | |
| WARDS 14 and 15 | Between the various volunteers, former Heritage Committee members and projects done by the Flamborough Archives over the years, there is a full inventory of Places of Education for Ward 15 and most of the former Ward 14 since they encompassed Flamborough. The old Ward 14 also included a northern section of Ancaster (not inventoried Flamborough volunteers). Copy of School Inventory given to former I & R Working Group member Wilf. |
| | |
| | |

From: Brunton, Miranda <Miranda.Brunton@hamilton.ca>
Sent: August 7, 2020 11:23 AM
To: Laurie Brady [REDACTED]; Charles Dimitry <cdimitry@gmail.com>
Cc: Kolar, Loren <Loren.Kolar@hamilton.ca>; Addington, David <David.Addington@hamilton.ca>
Subject: RE: HPRC

Hello Laurie,

Thank you for letting us know.

Loren – please note this as Laurie’s official resignation from the Heritage Permit Review Committee and include it on the HMHC agenda.

Best of luck in your future endeavours!
Miranda

Miranda Brunton, Professional Archaeologist, CAHP
Cultural Heritage Planner

From: Laurie Brady [REDACTED]
Sent: August 7, 2020 10:02 AM
To: Brunton, Miranda <Miranda.Brunton@hamilton.ca>; Charles Dimitry <cdimitry@gmail.com>
Subject: HPRC

Dear Miranda and Chuck,

Would you please accept my resignation from the Heritage Permit Review Committee? “Yes, it’s my final answer,” as Regis Philbin used to say on his game show. You are all such lovely folks, doing important work, and I feel awful that my attendance has been poor in the past year. I just received news today which requires I shift my energy away from volunteer work on the permit review committee, for the foreseeable future.

Best wishes in your ongoing work, and I look forward to seeing you around at other heritage-related events or meetings.

Yours truly,

Laurie

MEETING NOTES
POLICY AND DESIGN WORKING GROUP

Monday January 20, 2020

3:00 pm

Hamilton City Hall, Room 222

Attendees: W. Rosart, A. Denham- Robinson, L. Lunsted, B. Janssen, C. Priamo

Regrets: K.Stacey, R. McKee, C. Dimitry

Also Present: D. Addington, L. Oversby

THE POLICY AND DESIGN WORKING GROUP NOTES FOR THE INFORMATION OF THE HAMILTON MUNICIPAL HERITAGE COMMITTEE WITH RESPECT TO:

(a) CHANGES TO THE AGENDA

None

(b) DECLARATIONS OF INTEREST

Alissa Denham-Robinson

(c) REVIEW OF PAST MEETING NOTES

December 18, 2019:

Correction of first initial in W. Rosart's name required. Notes approved as amended. (Rosart / Janssen)

(d) C.H.I.A. – 383 Hughson Street:

Discussion was held regarding the Cultural Heritage Impact Assessment (CHIA) received for this property.

C. Priamo had several comments regarding the items in section 6.1 "Evaluation according to Ont. Reg. 09/06"

- The title of the regulation should be spelled out
- 1. Design or physical value:
 - o 1.a) – she felt that the building **is** a representative and early example of a particular style and construction method. (pre-confederation stone schoolhouse). The original structure has been heavily modified on the inside but not on the outside.
- 2. Historical or associative:

- 2.a) The rationale for this point should be amended to include wording to the effect that 'this is a pre-confederation school and is the only surviving building of it's type in the area'
- 2.b) The building was a school first and it does have information contributing to an understanding of a community
- 3. Contextual value:
 - 3.c) Yes it **is** a landmark

There was further discussion regarding the north wall of the original building. It is currently an exterior wall although it is somewhat hidden due to the proximity of the rectory building. The plans call for this wall to become an interior wall but it does not seem that it will be a 'feature wall'. The Working Group wondered if something could be done to feature the wall somehow, perhaps using it in an atrium setting.

Recommendations regarding the CHIA for 383 Hughson Street:

The Policy and Design Working Group are generally satisfied with the recommendations with the following provisos:

- The original building is listed on the Heritage Inventory. We support the demolition of the later additions and associated building
- The Working Group recommend that minor revisions are made to the report incorporating the above comments
- The Working Group recommends commemoration of the building's history in the form of a historical plaque or marker both inside and outside the building and also recommend a Salvage Report
- A copy of the meeting notes will be sent to the Inventory & Research Working Group

(e) OTHER BUSINESS

Hanrahan's Hotel – It was reported that the property owner is now working with a local third-party arts and culture firm in restoring the former Hamilton Strip into a "Drake" style hotel above with a ground floor café and community space for the arts. It was reported that this restoration effort is believed to be currently underway and they are working closely with City staff on the abatement and restoration process.

C. Priamo was on the Policy & Design Group when the original documentation was submitted and said that it was originally hoped that the building could be integrated but if it could not, then it was ok not to do so. Moving forward, the recommendations should be more detailed in the Working Group's meeting notes.

(f) NEW BUSINESS

An overview of the timeline and process for the agenda and meeting notes was provided by staff.

- The Chair sends out the agenda by the Friday before the meeting. Any documentation to be reviewed will be advised by staff prior to that time so that it can be added to the Agenda
- Meeting Notes are to be sent to staff as soon as possible. They will review the notes and send them back to the Chair and the Secretary.
- The Chair will send out the meeting notes prior to the meeting.
- The Meeting Notes will be approved at the next Policy & Design meeting.
- The approved notes will be sent to Loren Kolar for inclusion on the agenda of the next Hamilton Municipal Heritage Committee meeting

(g) ADJOURNMENT

The Policy & Design Working Group Meeting adjourned at 4:45 pm.

Next meeting date: Monday February 24th, 2020 3:00 pm
(Postponed one week due to Family Day).
Rm. 222

2020 Staff Designation Work Plan Update

| Year | | Common Name | Address | | Former Municipality |
|--------|----------|--|-------------------|--------------------|---------------------|
| Target | Initial* | | | | |
| 2020 | 2017 | Desjardins Canal | | Cootes Dr | Dundas |
| 2020 | 2015 | Jimmy Thompson Pool | 1099 | King St E | Hamilton |
| 2020 | 2009 | Royal Connaught | 82-112 | King St E | Hamilton |
| 2020 | 2018 | Former Blacksmith Shop | 2 | Hatt St | Dundas |
| 2020 | 2018 | Residence | 7 | Ravenscliffe Ave | Hamilton |
| 2020 | 2013 | Dundas Post Office | 104 | King St W | Dundas |
| 2020 | 2013 | Auchmar Gatehouse | 71 | Claremont Dr | Hamilton |
| 2020 | 2015 | King George School | 77 | Gage Ave N | Hamilton |
| 2020 | 2011 | Gore Park | 1 | Hughson St S | Hamilton |
| 2020 | 2017 | Treble Hall | 4-12 | John St N | Hamilton |
| 2020 | 2016 | Barton Reservoir | 111 | Kenilworth Access | Hamilton |
| 2020 | 2015 | Former Grace Anglican Church | 1395-1401 | King St E | Hamilton |
| 2020 | 2017 | Hambly House | 170 | Longwood Rd N | Hamilton |
| 2020 | 2011 | Gage Park | 1000 | Main St E | Hamilton |
| 2020 | 2016 | Former Cathedral Boys School | 378 | Main St E | Hamilton |
| 2020 | 2018 | San House (Medical Superintendent's Residence/Residence 37)/Patterson Building | 540-672 (650-672) | Sanatorium Rd | Hamilton |
| 2020 | 2018 | Regency Cottage | 39 | Lakeview Dr | Stoney Creek |
| 2020 | | W.H. Ballard School | 801 | Dunsmure Rd | Hamilton |
| 2020 | | Memorial School | 1175 | Main St E | Hamilton |
| 2020 | | Residence | 105 | Erie Ave | Hamilton |
| 2020 | | Ancaster High School | 347 | Jerseyville Rd W | Ancaster |
| 2020 | | Kenilworth Library | 103 | Kenilworth Ave N | Hamilton |
| 2020 | | Former Union School | 634 | Rymal Rd W | Hamilton |
| 2020 | | Royal Coachman | 1 | Main Street | Waterdown |
| 2020 | | - | 9 | Main Street | Waterdown |
| 2020 | | Maple Lawn | 292 | Dundas Street East | Waterdown |
| 2020 | | - | 828 | Sanatorium | Hamilton |

| | | | | Road | |
|------|--|--------------------------------|------|-----------------|--------------|
| 2020 | | Cannon Knitting Mill | 134 | Cannon St E | Hamilton |
| 2020 | | Bell Building | 17 | Jackson St W | Hamilton |
| 2020 | | Oak Hall | 10 | James St N | Hamilton |
| 2020 | | Former Bank of Nova Scotia | 54 | King St E | Hamilton |
| 2020 | | Former Elfrida United Church | 2251 | Rymal Rd E | Stoney Creek |
| 2020 | | - | 490 | Old Dundas Rd | Ancaster |
| 2020 | | - | 454 | Wilson Street E | Ancaster |
| 2020 | | - | 450 | Wilson Street E | Ancaster |
| 2020 | | - | 449 | Wilson Street E | Ancaster |
| 2020 | | Village Gate Montessori School | 442 | Wilson Street E | Ancaster |
| 2020 | | Mount Mary-Wynnstay Estate | 437 | Wilson Street E | Ancaster |
| 2020 | | - | 430 | Wilson Street E | Ancaster |
| 2020 | | - | 426 | Wilson Street E | Ancaster |
| 2020 | | - | 425 | Wilson Street E | Ancaster |
| 2020 | | Needle Emporium | 420 | Wilson Street E | Ancaster |
| 2020 | | Masonic Lodge | 419 | Wilson Street E | Ancaster |
| 2020 | | - | 413 | Wilson Street E | Ancaster |
| 2020 | | Old Ancaster Hotel | 380 | Wilson Street E | Ancaster |
| 2020 | | - | 363 | Wilson Street E | Ancaster |
| 2020 | | Ancaster Memorial School | 357 | Wilson Street E | Ancaster |
| 2020 | | - | 347 | Wilson Street E | Ancaster |
| 2020 | | Postans House | 346 | Wilson Street E | Ancaster |
| 2020 | | Purple Pony | 340 | Wilson Street E | Ancaster |
| 2020 | | - | 327 | Wilson Street E | Ancaster |
| 2020 | | - | 311 | Wilson Street E | Ancaster |
| 2020 | | - | 303 | Wilson Street E | Ancaster |
| 2020 | | - | 297 | Wilson Street E | Ancaster |
| 2020 | | - | 289 | Wilson Street E | Ancaster |
| 2020 | | - | 287 | Wilson Street E | Ancaster |
| 2020 | | - | 286 | Wilson Street E | Ancaster |
| 2020 | | - | 283 | Wilson Street E | Ancaster |
| 2020 | | Former General Store | 280 | Wilson Street E | Ancaster |
| 2020 | | - | 277 | Wilson Street E | Ancaster |
| 2020 | | Ryerson United Church | 265 | Wilson Street E | Ancaster |
| 2020 | | Fraser House | 176 | Wilson Street E | Ancaster |

| | | | | | |
|------|--|---|--------------------------------|--|----------|
| 2020 | | Former Carriage Factory | 241 | Wilson Street E | Ancaster |
| 2020 | | - | 558 | Wilson Street E | Ancaster |
| 2021 | | Former Hamilton Distillery Company Building | 16 | Jarvis St | Hamilton |
| 2021 | | Former County Courthouse | 50 | Main St E | Hamilton |
| 2021 | | Lennard House | 7 | Rolph Street | Dundas |
| 2022 | | Charlton-Hughson-Forest-John Block | 39-49; 40, 50; 189 | Charlton Ave E; Forest Ave; Hughson St S | Hamilton |
| 2022 | | Copp Block | 165- 205 (Except 193) | King St E | Hamilton |
| 2023 | | Hughson House | 103 | Catharine St N | Hamilton |
| 2023 | | Hamilton Hydro | 55 | John St N | Hamilton |
| 2023 | | First Pilgrim United Church | 200 | Main St E | Hamilton |
| 2023 | | St. John's Evangelical Lutheran Church | 37 | Wilson St | Hamilton |
| 2024 | | Stelco Tower | 100 | King St W | Hamilton |
| 2024 | | Landmark Place/Century 21 Building | 100 | King St E | Hamilton |
| 2024 | | Hamilton Club | 6 | Main St E | Hamilton |
| 2024 | | Commercial Building | 189 | Rebecca St | Hamilton |
| 2025 | | George Armstrong School | 460 | Concession St | Hamilton |
| 2025 | | Gartshore Building | 64 | Hatt St | Dundas |
| 2025 | | Undercliffe | 64 | Aberdeen Ave | Hamilton |
| 2025 | | Gateside | 131- 135 | Aberdeen Ave | Hamilton |
| 2025 | | Hereford House/Royal Alexdandra | 13-15; 19-21 | Bold St; Bold St | Hamilton |
| 2026 | | Residence | 192 | Bold St | Hamilton |
| 2026 | | Henson Court | 170 | Caroline St S | Hamilton |
| 2026 | | Central Presbyterian Church | 252 | Caroline St W | Hamilton |
| 2026 | | Eggshell Terrace | 14-24 | Charlton Ave W | Hamilton |
| 2026 | | Binkley Drive House | 50 | Sanders Blvd | Hamilton |

| | | | | | |
|------|--|---|-------------|----------------|----------|
| 2026 | | Lakelet Vale | 54 | Sanders Blvd | Hamilton |
| 2027 | | Residence | 99 | Duke St | Hamilton |
| 2027 | | Residence | 191 | Bay St S | Hamilton |
| 2028 | | Residence | 173 | Bay St S | Hamilton |
| 2028 | | Maple Lawn | 254 | Bay St S | Hamilton |
| 2028 | | Widderly | 274 | Bay St S | Hamilton |
| 2028 | | Bright Side/Sunny Side | 280 | Bay St S | Hamilton |
| 2028 | | Balfour House | 282 | Bay St S | Hamilton |
| 2028 | | Residence | 41 | Charlton Ave W | Hamilton |
| 2029 | | Residence | 72 | Charlton Ave W | Hamilton |
| 2029 | | Stone Houses | 14 | Duke St | Hamilton |
| 2029 | | Residence | 98 | Duke St | Hamilton |
| 2030 | | Herkimer Terrace | 11-17 | Herkimer St | Hamilton |
| 2030 | | Semi-detached Residence | 44-46 | Herkimer St | Hamilton |
| 2030 | | Residence | 370 | Hess St S | Hamilton |
| 2030 | | Residence | 378 | Hess St S | Hamilton |
| 2030 | | Residence | 384 | Hess St S | Hamilton |
| 2030 | | HREA Residence | 203 | MacNab St S | Hamilton |
| 2031 | | Moodie Residence | 37 | Aberdeen Ave | Hamilton |
| 2031 | | Residence | 125 | Aberdeen Ave | Hamilton |
| 2031 | | Gibson Residence | 311 | Bay St S | Hamilton |
| 2031 | | Residence | 312 | Bay St S | Hamilton |
| 2032 | | Cartwright Residence | 321 | Bay St S | Hamilton |
| 2032 | | Whitton Residence | 351- 353 | Bay St S | Hamilton |
| 2032 | | Pigott Residence | 358 | Bay St S | Hamilton |
| 2032 | | Semi-detached Residence | 64 | Charlton Ave W | Hamilton |
| 2033 | | First Hamilton Christian Reformed Church | 181 | Charlton Ave W | Hamilton |
| 2033 | | Herkimer Apartments | 86 | Herkimer St | Hamilton |
| 2034 | | Residence | 347 | Queen St S | Hamilton |
| 2034 | | Residence | 403 | Queen St S | Hamilton |
| 2034 | | The Castle/Amisfield | 1 | Duke St | Hamilton |
| 2035 | | Goldblatt House | 45 | Amelia Street | Hamilton |

**Initial target date if different from current date.*



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

| | |
|---------------------------|---|
| TO: | Chair and Committee Members Hamilton Municipal Heritage Committee |
| COMMITTEE DATE: | August 20, 2020 |
| SUBJECT/REPORT NO: | Designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the <i>Ontario Heritage Act</i> (PED20125) (Ward 15) |
| WARD(S) AFFECTED: | Ward 15 |
| PREPARED BY: | Miranda Brunton (905) 546-2424 Ext. 1202 |
| SUBMITTED BY: | Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department |
| SIGNATURE: | |

RECOMMENDATION

- (a) That maintenance of the designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) shown in Appendix “A” to Report PED20125, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED20125, be approved;
- (c) That the City Clerk be directed to take appropriate action to continue with the designation of 1389 Progreston Road, Carlisle (Flamborough) (Evergreen Farm) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “D” to Report PED20125.

EXECUTIVE SUMMARY

The purpose of this report is to provide the Hamilton Municipal Heritage Committee (HMHC) with a chronology of events leading to the designation of the subject property,

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 2 of 10**

provide the HMHC an opportunity to discuss the designation and to confirm whether the property should be designated.

The subject property, located at 1389 Progreston Road, Carlisle (Flamborough), referred to as 'Evergreen Farm' is comprised of a mid-nineteenth century frame house, detached bank barn, drive shed and stone rubble ruins from a Mill on an irregularly-shaped, approximately 4.52 hectare property.

In September of 2019, in response to concerns that the heritage resources on the property could potentially be removed for new development as indicated by the Realtor's listing, the Inventory and Research Working Group recommended that Evergreen Farm be added to the City of Hamilton's Municipal Register of Properties of Cultural Heritage Value or Interest (the 'Register'). Following approvals of the recommendation from Planning Committee and Council, the property was added to the Register on December 11, 2019. However as there was an existing demolition application for the property that predated the addition to the Municipal Register, the property was not subject to the 60-day protection generally afforded to properties that are listed on the Municipal Register.

On April 21, 2020 a demolition permit was issued for the subject property. On April 22, 2020, the Committee of the Whole approved the Councillor's motion to designate the property. The Notice of Intention to Designate the subject property was issued on April 23, 2020 which voided all building and demolition permits issued for the subject property. Due to COVID-19 precautions, all meetings for the HMHC were cancelled and Council was not able to consult with the HMHC prior to issuing the Notice of Intent to Designate. Staff's cultural heritage evaluation of the subject property determined that the subject property has design/physical value, historical/associative value and contextual value, and meets five (5) of the nine (9) criteria for designation set out in Ontario Regulation 9/06.

On May 8, 2020, the City of Hamilton received a Notice of Objection to the proposed designation of the subject property from the property owner (attached as Appendix "E" to Report PED20125) The reasons given, amongst others, were that the house did not meet any of the prescribed criteria in Regulation 9/06 for determining cultural heritage value or interest including: no design value or interest, no physical value, no historical or associative value and no contextual value.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the *Ontario Heritage Act* (PED20125) (Ward 15) - Page 3 of 10

Staffing: N/A

Legal: Due to COVID-19 and the cancellation of all public meetings hosted by the City of Hamilton, Council was not able to consult with the Hamilton Municipal Heritage Committee prior to issuance of the Notice of Intention to Designate. Formal objections may be made under the *Ontario Heritage Act*, and heard before the Conservation Review Board, prior to further consideration by Council of the designation By-law.

Designation under Part IV of the *Ontario Heritage Act* allows municipalities to recognize a property's cultural heritage value or interest, and to conserve and manage the property through the Heritage Permit process enabled under Sections 33 (alterations) and 34 (demolition or removal) of the Act.

Where alterations to designated properties are contemplated, a property owner is required to apply for, obtain, and comply with a Heritage Permit, for any alteration that "is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes" (Sub-section 33(1)). Designation does not restrict the use of a property. Designation does not mean alterations, additions, or demolition of a property could never take place. However, a Heritage Permit is required for any alterations to an identified heritage attribute of a designated property. The City of Hamilton also provides heritage grant and loan programs to assist in the continuing conservation of properties, once they are designated.

HISTORICAL BACKGROUND

A summary of events leading up to and following the designation of 1389 Progreston Road, Carlisle (Flamborough), is provided below:

| Date | Summary of events |
|------|--|
| 1991 | 1389 Progreston Road, Carlisle (Flamborough), referred to as Evergreen Farms, was first identified by the Local Architectural Conservation Advisory Committee (LACAC) during their 1991 Historical building Survey of the Town of Flamborough and included on the Inventory. |

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 4 of 10**

| | |
|--------------------|---|
| July 27, 2018 | Owner applies for a site plan waiver for property because Core Natural Heritage features exist on the property. The site plan waiver was issued, on the basis that the owner had obtained all necessary permits and approvals from the Conservation Authority; however, heritage status was not considered as part of this review. |
| July 27, 2018 | The owner submits multiple building permit applications for the property, these include a permit for the demolition of the existing house and a new septic system and waterline from well for the new house. |
| August 14, 2018 | Review letter for demolition permit issued with a list of outstanding items (deficiencies) needed prior to issuance. These included the disconnection of utilities and owner agreement form (an owner agreement form is a commitment from the owner to rebuild within two (2) years and to obtain a building permit prior to demolition). |
| August 17, 2018 | The owner submits a building permit application for a new house. |
| September 4, 2018 | Review letter for building permit application sent with list of outstanding items. These included a requirement for verification from Conservation Halton and nine (9) building code items to be addressed. |
| May, 2019 | Applications to extend building and demolition permit applications granted. |
| Summer 2019 | The property is listed for sale during the summer, the listing advertised plans for a new house on the property. |
| September 20, 2019 | Members of the Inventory and Research Working Group (IRWG), of the Hamilton Municipal Heritage Committee, noticed the property was listed for sale and became concerned about the future of the heritage resource on the property. Preliminary analysis by IRWG found that the property met the criteria specified for designation as defined in Ontario Regulation 9/06, recommending that the property be added to the Municipal Register and to Staff's Designation Work Plan. |
| October, 2019 | Applications to extend building and demolition permit applications granted. |

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 5 of 10**

| | |
|-------------------|---|
| November 1, 2019 | Courtesy letter mailed to property owner notifying that there was a request to add the property to the Register (refer to Appendix "C" to Report PED20125). |
| November 21, 2019 | Hamilton Municipal Heritage Committee reviews IRWG's recommendation to add the property to heritage register and forwards it to the Planning Committee. |
| December 3, 2019 | Planning Committee reviews recommendation to add property to the Register and forwards this to Council. |
| December 11, 2019 | Council ratified the recommendation, directing staff to add the subject property to the Municipal Register. Although the subject property was added to the Municipal Register at this time, there was an open demolition permit application for the subject property dating back to 2018. As the open application predated the addition to the Municipal Register, the property was not subject to the 60-day protection generally afforded to properties that are listed on the Municipal Register. |
| April 21, 2020 | A demolition permit was issued for the one-and-one-half storey wood-frame home constructed circa 1870 located at 1389 Progreston Road, Carlisle. A new septic and waterline permit and building permit for the construction of a new residence was also issued. |
| April 22, 2020 | Committee of Whole (COW) meeting. Ward Councillor brought forward a motion to Designate the subject property (refer to Appendix "D" to Report PED20125). COW approved the motion directing the issuance of the Notice of Intention to Designate. Due to Covid-19 precautions, City Hall was closed and all other committee meetings were cancelled, including the Hamilton Municipal Heritage Committee. As such, Council was unable to consult with the Heritage Committee prior to approving the designation of the subject property. |
| April 23, 2020 | Notice of Intention to Designate the subject property was issued in the newspaper (Hamilton Spectator) (refer to Appendix "E" to Report PED20125). |
| April 23, 2020 | Property owner served with the Notice of Intention to Designate in the form of a letter via registered mail and through email. The Ontario Heritage Trust was also provided with the Notice of Intention to Designate via registered mail. |

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 6 of 10**

| | |
|----------------|--|
| April 23, 2020 | Following issuance of the Notice of Intention to Designate, all existing building and demolition permits for the subject property were void in accordance with s. 30 of the <i>Ontario Heritage Act</i> . This include the demolition permit and the septic, waterline, and new building permits. |
| April 30, 2020 | Notice of Intention to Designate, with Statement of Cultural Heritage Value or Interest, was published on the City of Hamilton webpage. |
| May 8, 2020 | The City of Hamilton received a Notice of Objection from the property owner (refer to Appendix “F” to Report PED20125). The objection cites defects in the Notice of Intent to Designate such as failure to consult with the Hamilton Municipal Heritage Committee as required. The objection also contains opinion evidence from consultants hired by the owner stating that there are insufficient grounds for designating the property. |

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement:

Section 2.6 of the Provincial Policy Statement pertains to Cultural Heritage and Archaeology and the following section applies, amongst others:

“2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

The actions of Council and the recommendations of Report PED20125 are consistent with this policy as the property’s designation under Part IV of the *Ontario Heritage Act* would formally protect the built heritage resources located at 1389 Progreston Road, Carlisle (Flamborough).

Greenbelt Plan:

Section 4.4.1 of the Greenbelt Plan pertains to Cultural Heritage:

“4.4.1 *Cultural heritage resources* shall be *conserved* in order to foster a sense of place and benefit communities.”

The action of Council and recommendations of Report PED20125 comply with this section of the Greenbelt Plan as the property is recommended for designation in order to formally protect and conserve the tangible built heritage of 1389 Progreston Road,

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 7 of 10**

Carlisle (Flamborough) for the community.

Rural Hamilton Official Plan:

Volume 1, Section B.3.4 - Cultural Heritage Resources Policies of the Rural Hamilton Official Plan (RHOP) provides direction in the management of cultural heritage resources. The following policies are applicable to the recommendations in Report PED20125:

- “B.3.4.2.1 (a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.
- B.3.4.2.1 (b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources.
- B.3.4.2.3 The City may by by-law designate individual and groups of properties of cultural heritage value under Parts IV and V respectively of the *Ontario Heritage Act*, including buildings, properties, cultural heritage landscapes, heritage conservation districts, and heritage roads or road allowances.”

The action of Council and recommendations of Report PED20125 comply with these policies as the property is recommended for designation in order to formally protect and conserve the tangible built heritage of 1389 Progreston Road, Carlisle (Flamborough).

RELEVANT CONSULTATION

As outlined in the *Ontario Heritage Act* Section 9(2), [w]here the council of a municipality has appointed a municipal heritage committee, the council shall, before giving notice of its intention to designate a property under subsection (1), consult with its municipal heritage committee”. In normal “pre-covid-19” circumstances, the Hamilton Municipal Heritage Committee would have been consulted prior to Council ratifying a decision to designate a property. However, following direction from the Provincial Government regarding the novel coronavirus (COVID-19) pandemic, City Council closed all Municipal facilities and cancelled all public meetings, including Hamilton Municipal Heritage Committee meetings. As such, Council was not able to consult with the Hamilton Municipal Heritage Committee prior to the issuance of the Notice of Intention to Designate for the subject property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

**SUBJECT: Designation of 1389 Progreston Road, Carlisle (Flamborough),
(Evergreen Farm) under Part IV of the *Ontario Heritage Act*
(PED20125) (Ward 15) - Page 8 of 10**

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of cultural resources. Once a property is designated, the municipality is enabled to manage change and alterations to the property through the Heritage Permit process and to ensure that the significant features of the property as identified in the designation by-law are maintained through the provision of financial assistance programs and the enforcement of Property Standards By-laws.

Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest:

Section 29 (1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where property meets the criteria prescribed by Provincial regulation. In 2006, the Province issued Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest. According to Sub-section 1 (2) of Ontario Regulation 9/06, a property may be designated under Section 29 of the *Ontario Heritage Act* where it meets one or more of the identified criteria. Ontario Regulation 9/06 identifies criteria in three broad categories: Design/Physical Value, Historical/Associative Value and Contextual Value.

Research from IRWG's preliminary evaluation and additional research by the Heritage Planner informed the following reasons for designation:

1. Design / Physical Value:

The *physical and architectural design* of the house has merit as it is an interesting example of historic preservation through the incorporation of an existing building into a new build. Additionally, the house is a rare example of a vernacular residence influenced by the Gothic Revival style and is a rare example of a remaining farmstead in the Flamborough area with intact house and bank barn.

2. Historical / Associative Value:

The property has important *historical associations* as its first owners, James Kievel then Freeman Green, were associated with the establishment and early development of Progreston. Freeman Green's Woolen Mill, formerly located on the property, was an important pillar in the local economy.

3. Contextual Value:

The property has *contextual value* in defining the historic character of the Carlisle

settlement area. It is functionally linked to its surroundings and considered a local landmark. The property is prominently situated on Bronte Creek and is associated with prominent members of the local community, namely James Kieval and Freeman Green.

Conclusion

It was determined that the subject property has design/physical value, historical/associative value and contextual value meeting five (5) of the nine (9) criteria as defined in Ontario Regulation 9/06. For the reasons for designation summarized above, and further outlined in the Statement of Cultural Heritage Value or Interest in Appendix "B" to PED20125, staff support its designation.

ALTERNATIVES FOR CONSIDERATION

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council may generally consider two alternatives: agree to designate property or decline to designate property.

In this instance as Council has already issued a Notice of Intent to Designate, the Committee could recommend that Council proceed with the designation as issued, the current recommendation of Report PED20125, withdraw the current designation and issue a new and modified designation, or that it withdraw the designation completely.

1) Withdraw current designation and issue a new and modified designation

After reviewing Report PED20125 and the Statement of Cultural Heritage Value and Description of Heritage Attributes for the subject property (attached as Appendix "B" to Report PED20125), the HMHC may recommend changes to the Statement of Cultural Heritage Value or Heritage Attributes. This would require the current Notice of Intention to Designate to be withdrawn and a new Notice of Intention to Designate be issued with the Statement of Cultural Heritage Value and Description of Heritage Attributes.

2) Withdraw designation

In withdrawing the designation, without issuing a new designation, the municipality would be unable to provide long-term, legal protection to this significant heritage resource. Designation provides protection against inappropriate alterations, new construction and demolition. Withdrawing the designation of the property will likely result in demolition of the building.

Furthermore, without designation, the property would not be eligible for the City's heritage grant and loan programs. Designation does not restrict the use of property,

prohibit alterations and additions, nor does it restrict the sale of a property, or affect its resale value.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

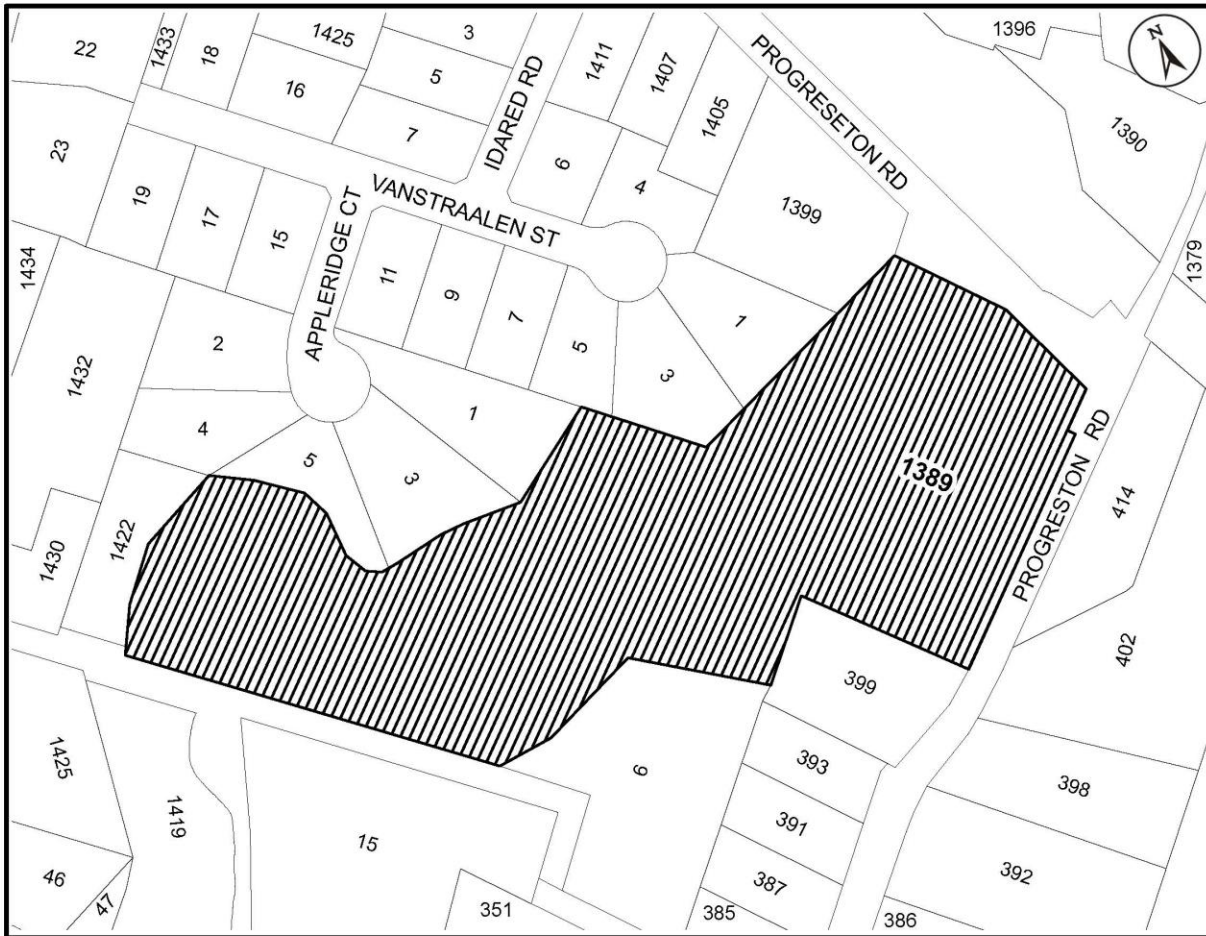
Hamilton is supported by state of the art infrastructure, transportation options, buildings, and public spaces that create a dynamic City.

Culture and Diversity

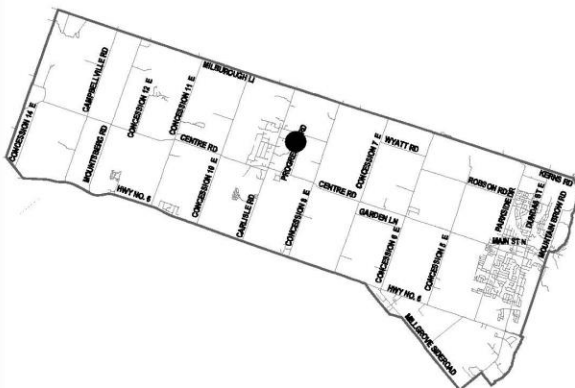
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” - Location Map
- Appendix “B” - Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes
- Appendix “C” - Letter to Owner - Register Addition
- Appendix “D” - Excerpt from City Council Minutes 20-008
- Appendix “E” - Notice of Intention to Designate
- Appendix “F” - Notice of Objection



● Site Location



Key Map - Ward 15

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
1389 Progreton Rd

Date:
July 15, 2020

Appendix "A"

Scale:
N.T.S

Planner/Technician:
MB/AL

Subject Property

 1389 Progreton Road

1389 Progreston Road, Carlisle (Flamborough)**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND
DESCRIPTION OF HERITAGE ATTRIBUTES****Statement of Cultural Heritage Value or Interest**

The subject property, located at 1389 Progreston Road, is comprised of a mid-nineteenth century frame house and detached bank barn of cultural heritage value and interest. The irregularly-shaped 10.4-acre property is located on the northwest corner of Progreston Road and Green Springs Road, near its intersection with Bronte Creek (formally Twelve Mile Creek), in the Carlisle Settlement Area, in the former Township of East Flamborough, in the City of Hamilton.

HISTORICAL / ASSOCIATIVE VALUE

The subject property, known historically as the Evergreen Farm and the Green House, is comprised of a one-and-one-half storey wood-frame home constructed circa 1870 and a detached wood-frame bank barn constructed circa 1900. The historical value of the property lies in its association with James Kievel, Freeman Green and the establishment and early development of the historic settlement area of Progreston. James Kievel first purchased the lot in 1855 and built a saw mill with a waterwheel at the foot fall of the Twelve Mile Creek (now Bronte Creek), a log house and multiple other mill related buildings. Kievel, Andrew Paton, Joseph Tansley and William Campbell, laid out what would become known as Progresstown (later Progreston).

Freeman Green, a carpenter, son of 'Billy Green the Scout', and his wife Harriet Ann Howard purchased 10 acres from James Kievel in 1869. The purchased land included the owner's log house and a former grist mill building. The Greens then started a woolen mill in the former grist mill building, the Progreston Woolen Mill, which became an important pillar in the local economy, sourcing materials and labour from the local community. Freeman sourced and processed wool from local farmers and hired local knitters to knit such items as socks and mittens from yarn produced by the mill. In addition to running a successful woolen mill, Freeman invented an improvement for the spinning wheel, gaining him international recognition. This improvement included a pendulum apparatus and these spinning wheels were called the 'Freeman Green's Canadian Spinning Wheel'. Operation of the mill was passed through the Green family until the mill burnt down in 1911. Although the mill was not rebuilt, the Green family descendants started a small wood working business that also served the local community. In 1982, the Green family property was sold.

DESIGN / PHYSICAL VALUE

The cultural heritage value of the property also lies in its design value as a representative example of a vernacular residence influenced by the Gothic Revival style. The one-and-one-half-storey house is clad in board and batten finish with high peaked gables above the second-floor windows. The bank barn, believed to have been

constructed in the late-nineteenth century, is wood framed with a rubble stone foundation. The house is also an early example of adaptive reuse in the early 1870s when the Greens added significant additions to Kievel's original log cabin.

CONTEXTUAL VALUE

The contextual value of the property lies in its contribution to defining the historic character of the settlement area of Carlisle. The property is physically, visually, functionally and historically linked to its surroundings, and is considered to be a local landmark. Physically, the property is located on the prominent corner of Progreston Road and Green Springs Road where it intersects with Bronte Creek, in the historic settlement area formerly known as Progreston. Visually and architecturally, the house and bank barn are reminders of the history of the site and both support, as well as define, the historic character of the settlement area of Carlisle. Historically, the property is associated with prominent members of the local community, namely James Kievel and Freeman Green, who were instrumental in the establishment and development of Progresstown. Functionally, the property's location along side Bronte Creek was integral to the operation of the Green's mill (no longer existent) which was a pillar of the local economy. The property is a rare example of the few remaining farmsteads within the Flamborough rea, with intact house and bank barn.

Description of Heritage Attributes

The house, as it stands today is the result of multiple additions and expansions added around the original circa 1850s log cabin core, including the front (east facing) section of the house believed to be constructed in 1870 by the Greens. Key attributes that embody the heritage value of the property include:

- On the east facing section of the house, all four exterior elevations of the one-and-one-half storey dwelling, including its:
 - Cross-gable roof with projecting front gables and semi-circular windows below;
 - Board-and-batten cladding;
 - Symmetrical front facade with central entrance, flanking bay windows and covered porch with wooden columns and decorative bargeboard;
 - Segmentally-arched window openings; and,
 - Remaining historic two-over-two hung wood windows.
- All four elevations of the detached barn, including its:
 - Gable roof;
 - Stone foundation, including existing window and door openings; and,
 - The vertical wooden board cladding.
- The location of the dwelling and barn within the landscape.



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning Division, Planning and Economic Development
Physical Address: 71 Main Street West, 5th Floor
Phone: 905.546.2424 x1202 Fax: 905.540.5611
Email: Miranda.Brunton@hamilton.ca

November 1, 2019

FILE: 1389 Progreston Road, Flamborough

Property Owner
1389 Progreston Road
Flamborough, ON
L0R 1H0

Dear Property Owner(s):

Re: Request to include 1389 Progreston Road, Flamborough, in the Municipal Register of Properties of Cultural Heritage Value or Interest (Ward 15)

This letter is to inform you of a recommendation to include 1389 Progreston Road, Flamborough, in the Municipal *Register of Property of Cultural Heritage Value or Interest* ("the Register").

The Inventory & Research Working Group discussed the cultural heritage value of your property. As an outcome of this meeting, the Working Group is recommending to the *Hamilton Municipal Heritage Committee* that the subject property be added to the *Municipal Register*. A completed "Built Heritage Inventory Form" and a preliminary evaluation of Cultural Heritage Value or Interest of 1389 Progreston Road, Flamborough, are attached for further information.

The *Hamilton Municipal Heritage Committee* provides advice to Council on all matters related to the *Ontario Heritage Act*. As such, this recommendation will be brought forward to the: *Hamilton Municipal Heritage Committee* meeting on Thursday, November 21st, noon – 2pm in room 264 at Hamilton City Hall. Through a motion, the item may then be recommended to Planning Committee on December 3rd and then to Council on December 11th.

As the owner of the property, you are welcome to come and speak to the *Hamilton Municipal Heritage Committee* regarding the possible addition of your property to the Register. Please contact me at 905-546-2424, Ext. 1202, or via email at Miranda.Brunton@hamilton.ca and discuss how to make a delegation request.

What is the Register?

The *Register* is a heritage conservation management tool under the *Ontario Heritage Act*. Non-designated properties added to the *Register* are not protected with a

designation by-law under the *Ontario Heritage Act*, and as such, Heritage Permits are not required to be obtained for alterations. The *Register* is an administrative record consisting of properties identified by Council as being of cultural heritage value or interest. Consultation with the Hamilton Municipal Heritage Committee and a Council resolution is required to include a property in the *Register*.

Inclusion in the Register under Section 27 (1.2) of the *Ontario Heritage Act* requires that Council be given a 60-day notice of the intention to demolish or remove any building or structure on the property, and the demolition and removal of any building or structure is prohibited during this time period. The 60-day period allows staff the opportunity to discuss alternatives for the property should a notice of intention to demolish be received by Council, or if a development application under the *Planning Act* is received, including:

- Discussions with the owner respecting retention, adaptive re-use and financial incentives;
- Photo-documentation of the property prior to demolition; and,
- Designation under the *Ontario Heritage Act*.

For more information, please consult the attached information sheet or visit the City's Heritage Planning website at: www.hamilton.ca/heritageplanning. Staff is available to discuss this process should you have any further questions or comments.

The Hamilton Municipal Heritage Committee meetings are open to the public and any requests to speak at a committee meeting should be submitted to the City Clerk's office before a scheduled meeting.

If you have any questions, please do not hesitate to contact me at 905-546-2424, Ext. 1202, or via email at Miranda.Brunton@hamilton.ca.

Kind regards,

Miranda Brunton
Cultural Heritage Planner
Development Planning, Heritage and Design

Attach. (3)

What is the Register?

- The *Register of Property of Cultural Heritage Value or Interest*, also known as the "Register".
- A heritage conservation management tool under the *Ontario Heritage Act*.
- An administrative record consisting of:
 - Properties designated under Parts IV and V of the Ontario Heritage Act; and,
 - Non-designated properties identified by Council as being of cultural heritage value or interest.

WHAT DOES IT MEAN TO BE A NON-DESIGNATED PROPERTY ON THE REGISTER?

- Non-designated properties on the Register are not subject to Heritage Permits.
- If changes or impacts are proposed to a Registered non-designated property as part of a development application under the *Planning Act*, staff may:
 - Comment on how to accommodate changes in a fashion sympathetic to the heritage character and context; and,
 - Require a Cultural Heritage Impact Assessment be prepared to assess the potential adverse effects and how they can be mitigated.
- Council must be given 60-days notice of the intention to demolish or remove any building or structure on the property. The 60-day period of interim protection allows staff the opportunity to discuss alternatives to pursue conservation options for the property including:
 - Discussions with the owner respecting retention, adaptive re-use and financial incentives;
 - Photo-documentation of the property prior to demolition; and,
 - Designation under the Ontario Heritage Act.

HOW ARE NON-DESIGNATED PROPERTIES ADDED TO THE REGISTER?

- It requires Council approval and consultation with the Hamilton Municipal Heritage Committee to add or remove a property.
- Register recommendations can originate from:
 - A request from the owner, a third party or the Hamilton Municipal Heritage Committee;
 - A development application screening;
 - A preliminary screening report for a designation request; or,
 - Ongoing inventory work.

What is Heritage Designation?

- Under the Ontario Heritage Act municipalities can pass by-laws to designate properties of cultural heritage value or interest as a way of recognizing a property's value to a community.
- Designation provides a framework for managing changes appropriately to ensure the long-term protection of significant cultural heritage resources.

WHY DESIGNATE A PROPERTY?

- Recognize the importance of a property to a community.
- Identify and protect the cultural heritage value of a property.
- Encourage good stewardship and conservation.
- Promote knowledge and understanding about the property and the development of the community.

HOW ARE PROPERTIES DESIGNATED UNDER THE *ONTARIO HERITAGE ACT*?

- By-laws are passed by Council that define the heritage value and attributes of a property.
- Initiated by request of Council, Hamilton Municipal Heritage Committee, owners and/or a third party.
- Part IV designations under the Ontario Heritage Act consist of individual properties deemed by municipal By-law to have cultural heritage value or interest.
- Part V designations under the Ontario Heritage Act comprise an area or grouping of properties, known as a Heritage Conservation District, designated by a single municipal By-law.

WHAT DOES IT MEAN TO BE A DESIGNATED HERITAGE PROPERTY?

- Municipalities manage the physical changes to designated properties through the Heritage Permit process.
- Eligible for grant and loan programs to facilitate eligible conservation and restoration work.

Excerpt from City Council Minutes 20-008

6.2 Designating Evergreen Farm located at 1389 Progreston Road, Carlisle a Property of Cultural Heritage Value or Interest

(Partridge/Jackson)

WHEREAS the City's Inventory and Research Working Group, at their meeting of September 23, 2019 recommended that 1389 Progreston Road, Carlisle, Pt Lot 4, Pt Lot 5 Concession 8 E, known historically as Evergreen Farm, be added to the City of Hamilton Municipal Register of Properties of Cultural Heritage Value or Interest;

WHEREAS the minutes of the City's Inventory and Research Working Group were approved by the City's Municipal Heritage Committee at their meeting of November 21, 2019 and at the December 3, 2019 Planning Committee meeting;

WHEREAS 1389 Progreston Road was added to the City's Municipal Register of Properties of Cultural Heritage Value or Interest;

WHEREAS 1389 Progreston Road, Carlisle is under imminent threat of demolition;

WHEREAS the historical 1389 Progreston Road "Evergreen Farm" is one the last known historical framed homestead farms of its kind left in Ward 15 Flamborough, and

WHEREAS the City has designated other properties that have been under imminent threat of demolition such as 18-28 King Street East, Hamilton.

THEREFORE BE IT RESOLVED

That staff be directed to take appropriate action to designate 1389 Progreston Road under Part IV of the Ontario Heritage Act, including preparation and giving the required public notice of the Notice of Intention to Designate and a Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Deputy Mayor Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeeck
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

CITY OF HAMILTON

**NOTICE OF INTENTION TO
DESIGNATE**

1389 Progreston Road, Flamborough (Evergreen Farm)

The City of Hamilton intends to designate 1389 Progreston Road, Flamborough, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

Freeman Green, son of 'Billy Green the Scout', and his wife Harriet Ann Howard purchased the property from James Kievel in 1869. The property included the former owner's four room log house and building, constructed circa 1855, that previously served as a grist mill. In the early 1870s, the Green's added significant additions to the original four room log cabin. Freeman and Harriet started a woolen mill in the former grist mill building. The Progreston Woolen Mill became an important pillar in the local economy as the mill processed wool from local farmers and employed local knitters. In addition to processing wool, the mill also produced yarn and blankets. Operation of the mill was passed through the Green family until it burnt down in 1911. The house is an excellent example of a vernacular residence influenced by the Gothic Revival style and decorative elements. The barn is wood framed with a rubble stone foundation, fitting perfectly into the undulating landscape. The property is important in supporting the historic character of the area and maintaining the historic fabric of the Carlisle area and is physically, visually, and historically linked to its surroundings.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes may be found online via www.hamilton.ca.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, **subject to any orders, legislation, or regulations issued by the Province in response to the Covid-19 Pandemic Emergency.**

Dated at Hamilton, this 23 day of April, 2020.

City Clerk
Hamilton, Ontario

CONTACT: Miranda Brunton, Cultural Heritage Planner,
Phone: (905) [546-2424](tel:546-2424) ext. 1202, E-mail: Miranda.brunton@hamilton.ca

Website: www.hamilton.ca/heritageplanning



Turkstra Mazza

Hamilton London Toronto

Scott Snider
Professional Corporation
15 Bold Street
Hamilton Ontario Canada L8P 1T3
Direct Line 519 434 3684
Receptionist 905 529 3476 (905 LAW-FIRM)
Facsimile 905 529 3663
ssnider@tmalaw.ca

VIA EMAIL & COURIER

May 8, 2020

City of Hamilton
50 Main Street East, 5th Floor
Hamilton, ON L8N 1E9

Attention: Andrea Holland, City Clerk

Dear Ms. Holland:

**Re: Notice of Objection to Designation
1389 Progreston Road, Flamborough (Evergreen Farm)
Incomplete Notice of Intention to Designate – Served April 23, 2020
Our File No. 13489**

We are counsel to John Ernest (Jack) Dennison, the owner of 1389 Progreston Road (“subject property”), in this matter.

On April 23, 2020, Mr. Dennison was served with a Notice of Intention to Designate (“NOID” or “Notice”) for the subject property under Section 29 of the *Ontario Heritage Act* (“OHA”), RSO 1990, c. O.18, as amended. This Notice did not include a full statement explaining the cultural heritage value or interest of the property and did not include any description of the heritage attributes of the property. This was clearly contrary to the Notice obligations under Section 29(4)(b) of the OHA. The Notice did direct Mr. Dennison to the City’s website which did not have the required information posted until a week later. And yet, on April 23rd, Mr. Dennison was also served with a letter from the City’s Chief Building Official purporting to void demolition and building permits that had been issued to Mr. Dennison in accordance with all applicable law.

Furthermore, there is no evidence that the City consulted with its Municipal Heritage Committee before issuing the NOID. This is also contrary to the OHA and in particular Section 29(2) of the Act.

The contents of this communication are private and confidential, intended only for the recipient names above and are subject to lawyer and client privilege. It may not be copied, reproduced, or used in any manner without the express written permission of the sender. If you have received this communication and are not the intended recipient, please destroy it and notify the sender at 905 529-3476, collect if long distance. Thank you.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

Attn: Ms. A. Holland, City Clerk
May 8, 2020

Page 2

Setting aside these important procedural errors, the Notice has had a profound impact on our client's plans for the subject property. The applications for the building permits were made in 2018 and a number of steps were taken to prepare for the demolition in accordance with the demolition permit including disconnecting the gas to the home, disconnecting the furnace, removing the electrical panel and preparing the interior for the removal of the furnace. Mr. Dennison's plan was to begin pouring footings for the new dwelling this past April. All of this has been put on hold by virtue of the NOID.

Given the impact of the NOID, Mr. Dennison immediately retained a team of experienced consultants to do what apparently the City has never done: a proper assessment of the heritage attributes of the home, an engineering assessment of the structural condition of the home and an evaluation of the planning merits of the proposed designation. This team included the following:

1. **Leah D. Wallace, MCIP RPP, Consulting Heritage Planner.** Ms. Wallace is a former member and Chair of the Local Architectural Conservation Advisory Committee for the Town of Flamborough, was the Heritage Planner and Senior Planner at the Town of Niagara-on-the-Lake and has been a planner/heritage planner for over 35 years.
2. **Mark Shoalts, P. Eng. of Shoalts Engineering.** Mr. Shoalts is not only a professional engineer but he is also a member of the Canadian Association of Heritage Professionals and the current president of the Ontario Association of Heritage Professionals. He has extensive experience in structural engineering in the heritage conservation context.
3. **John Ariens, MCIP RPP, IBI Group.** Mr. Ariens is a Hamilton- based land use planner well known to the City with decades of planning experience.

The NOID Should Be Withdrawn:

In addition to the procedural errors, the NOID is not justified. The Reports/assessments of Ms. Wallace, Mr. Shoalts and Mr. Ariens are attached. While the assessments go into considerable detail, the fundamental conclusion can be easily stated: the designation of the residence on the subject property is not justified and the NOID should be withdrawn. The technical conclusions can be summarized as follows:

The contents of this communication are private and confidential, intended only for the recipient names above and are subject to lawyer and client privilege. It may not be copied, reproduced, or used in any manner without the express written permission of the sender. If you have received this communication and are not the intended recipient, please destroy it and notify the sender at 905 529-3476, collect if long distance. Thank you.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

Attn: Ms. A. Holland, City Clerk
May 8, 2020

Page 3

- i) **Ms. Wallace: Heritage Attribute Assessment Report for House:** Ms. Wallace concludes that the house on the subject property does not meet the criteria of design/physical value, associative value or contextual value. As such, there is no basis in the OHA or Ontario Regulation 9/06 for the designation of the house.
- ii) **Mark Shoalts: Structural Condition Assessment and Recommendations:** Mr. Shoalts' engineering assessment found that the house has serious structural issues that would require extensive and difficult repairs to enable it to remain in service. Any attempt to restore the oldest sections of the house would require extensive and extremely invasive work to replace the failing structure, the very nature of which would destroy much of the original interior and exterior finishes that remain. The house would need to be outfitted with completely new interior and exterior finishes, leaving the appearance to the world at large of a new dwelling.
- iii) **John Ariens: Planning Opinion:** Mr. Ariens finds that the City's Rural Hamilton Official Plan does not contain any heritage designations for the subject property nor does it identify Progreston Road as a Heritage Road. He concludes that it would not be appropriate to designate the existing house.

All of these experts make other recommendations for some recognition of the history of the property that would not include the designation of any part of the house under the OHA. In short, there is no basis for interfering with Mr. Dennison's plans to demolish the existing residence and construct of a new home on the subject property.

As Council is aware, if it does not withdraw the NOID and issue a notice of withdrawal, our client's objection must be referred to the Conservation Review Board for a hearing and report. This process will take a considerable amount of time which is particularly uncertain given the COVID-19 pandemic emergency. We urge Council to act on the clear and persuasive recommendations of the experts retained by Mr. Dennison and withdraw the NOID for the existing house on the property. Mr. Dennison should be permitted to proceed with his construction project while considering other options for recognizing the history of the property as recommended by his experts. These discussions can proceed without the profound interference in Mr. Dennison's plans for the house on the property.

In the meantime, pursuant to Section 29(5) of the OHA, we hereby attach our clients' Notice of Objection. As noted, we are also attaching the reports of Ms. Wallace, Mr. Shoalts and Mr. Ariens.

The contents of this communication are private and confidential, intended only for the recipient names above and are subject to lawyer and client privilege. It may not be copied, reproduced, or used in any manner without the express written permission of the sender. If you have received this communication and are not the intended recipient, please destroy it and notify the sender at 905 529-3476, collect if long distance. Thank you.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

Attn: Ms. A. Holland, City Clerk
May 8, 2020

Page 4

Yours truly,



Scott Snider

SSnd
13489/4
Att'd.

cc: Steve Robichaud, Director of Planning
Anita Fabac, Manager of Development Planning: Heritage and Design
Ed VanderWindt, Chief Building Official: Director, Building Division
Miranda Brunton, Cultural Heritage Planner
Jennifer Sheryer, City Solicitor
Alissa Golden, Cultural Heritage Specialist
Jack Dennison, Property Owner

The contents of this communication are private and confidential, intended only for the recipient names above and are subject to lawyer and client privilege. It may not be copied, reproduced, or used in any manner without the express written permission of the sender. If you have received this communication and are not the intended recipient, please destroy it and notify the sender at 905 529-3476, collect if long distance. Thank you.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

IN THE MATTER of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18;

AND IN THE MATTER of the Notice of Intention to Designate 1389
Progreston Road, Flamborough, as a property of cultural heritage value.

NOTICE OF OBJECTION TO DESIGNATION

John Ernest (Jack) Dennison, through his solicitors, Turkstra Mazza Associates, hereby makes a written Notice of Objection to the City of Hamilton (the "City") to the proposed designation of the subject property located at 1389 Progreston Road under Part IV of the OHA.

RELIEF REQUESTED:

1. The immediate withdrawal of the Notice of Intent to Designate ("NOID").

FACTUAL BACKGROUND:

2. A detailed description of the factual context can be found in the attached *Heritage Attribute Assessment Report for House of Ms. Leah Wallace*, Heritage and Planning Services, dated May 7, 2020. (See **Attachment 1**).
3. The property was added to Hamilton's Municipal Register of Properties of Cultural Heritage Value or Interest as a non-designated property in December 2019. The basis for including the subject property in the Register was a preliminary evaluation of the property that was conducted as part of the Waterdown Village Built Heritage Inventory, although the lands are not located in or near Waterdown. This evaluation indicated that the property "may be added to the work plan for designation should circumstances warrant this action". While the subject property was added to the Register, the owner was never given notice and the Register list was not updated on the website.

May 8, 2020

4. The NOID was issued as a result of direction from Hamilton Council on April 22, 2020. There is no evidence that the property was added to any work plan for designation nor that any further research or evaluation was undertaken relating to the designation beyond what was included in the preliminary evaluation noted above.
5. There is no indication that Council consulted with the City's Municipal Heritage Committee before issuing the NOID as required under Section 29(2) of the OHA.
6. No person from the City or from any City of Hamilton Heritage Committee attended at the property to physically evaluate the house and the property.

REASONS FOR OBJECTION:

7. Simply put, the house on the subject property does not meet any of the prescribed criteria in Regulation 9/06 for determining cultural heritage value or interest. The house does not have design value or physical value, the house does not have historical or associative value and the house does not have contextual value.
8. This evaluation is described in detail in Ms. Wallace's report. (Attachment 1).
9. The Statement of Cultural Heritage Value or Interest (the "Statement") places considerable emphasis on the original log cabin that was constructed by James Kievel. The Statement makes reference to the "adaptive reuse" of the log cabin which was allegedly incorporated into the home in the early 1870s. In fact, there is no evidence of the original log cabin in the existing dwelling or elsewhere on the property.
10. The house does not have design/physical value. It has undergone significant alterations over the years including construction of a number of structurally unsound and unattractive additions. The house is not a rare, unique,

May 8, 2020

representative or early example of a style, type, expression, material or construction method. Nor does it display a high degree of artistic merit or craftsmanship.

11. The front porch posts are of modern construction and have been installed upside down. Shoalts Engineering conducted a Structural Condition Assessment of the house. (**"Shoalts Assessment", Attachment 2**). Shoalts concluded that the house has serious structural issues that would require extensive and difficult repairs if it were to remain in service. Any attempt to "restore" the house would require the removal and replacement of much of the substandard construction. It would require extensive and extremely invasive work to replace the failing structure which would destroy much of the original interior and exterior finishes that remain. Following "restoration, the house would need to be outfitted with completely new interior and exterior finishes. The appearance to the world would be of a new dwelling.
12. The house also does not have historical/associative value. It does not reflect the work of an architect, artist, builder, designer or theorist who is significant to a community. The designer and builder of the house are not known. The house is not associated with the original owner, James Kievel, as it does not contain any remnants of the original log cabin. Any associative value of the house with milling and industry in the area is tentative at best.
13. The house does not have contextual value in and of itself. The house is merely one component of the landscape. The Statement refers to it as a "local landmark" but offers no verification of this determination or what components of the property contribute to its "landmark" status. The house itself is not a landmark and is not important in defining the character of Progreton.
14. As noted in the Planning Analysis (**IBI Group- Attachment 3**), the City's Rural Hamilton Official Plan does not contain any heritage designations for the subject

May 8, 2020

property and Progreston Road is not designated as a Heritage Road. The Policies for Carlisle do not identify any heritage significance to the home or property or Road. There is no current, in-force planning policy that would recognize the subject property as of heritage significance.

15. Such further and other grounds as counsel may advise.

All of which is respectfully submitted.

Dated this 8th day of May, 2020.



Scott Snider
Shelley Kaufman
Turkstra Mazza Associates
15 Bold Street
Hamilton ON L8P 1T3

Attachment 1

1389 Progreston Road, Carlisle, City of Hamilton

Heritage Attribute Assessment Report for House



7/5/2020
Heritage and Planning Services
Leah D. Wallace, MCIP RPP

| | |
|--|-----------|
| 1. INTRODUCTION | 4 |
| Subject Lands | 4 |
| 2. DESCRIPTION OF HOUSE | 5 |
| 3. CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST .. | 12 |
| Design or Physical Value | 12 |
| Historical or Associative Value | 12 |
| Contextual Value | 13 |
| Identification and Significance and Heritage Attributes of the House at 1389 Progreston Road | 13 |
| 1. Physical Value | 13 |
| 2. Associative Value | 14 |
| 3.Contextual Value | 14 |
| 4. CONCLUSION | 14 |
| APPENDIX I –NOTICE OF INTENTION TO DESIGNATE – STATEMENT OF SIGNIFICANCE & HERITAGE ATTRIBUTES..... | 16 |
| NOTICE OF INTENTION TO DESIGNATE 1389 PROGRESTON ROAD, FLAMBOROUGH (EVERGREEN FARM) | 16 |
| Statement of Cultural Heritage Value or Interest | 16 |
| Historical/Associative Value | 16 |
| Design/Physical Value | 17 |
| Contextual Value | 17 |
| Description of Heritage Attributes | 17 |
| Written Notice of Objection..... | 18 |
| APPENDIX II – NOTICE OF INTENTION TO DESIGNATE 1389 PROGRESTON ROAD – SERVED ON THE OWNER | 19 |
| BIBLIOGRAPHY | 20 |

CURRICULUM VITAE.....21

CAREER HISTORY 21

APPOINTMENTS AND AWARDS 22

PUBLICATIONS AND PRESENTATIONS 22

1. Introduction

This report is prepared at the request Jack Dennison, the owner of 1389 Progreston Road in Carlisle, City of Hamilton. It assesses the cultural heritage value or interest of the house on the property using *Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest*, with particular emphasis on the Design or Physical value of the building. This report does not address other structures or features on the property nor does it provide additional research regarding the history of the property and its owner. It should be read in conjunction with the report produced by Shoalts Engineering which assesses the structural condition of the house.

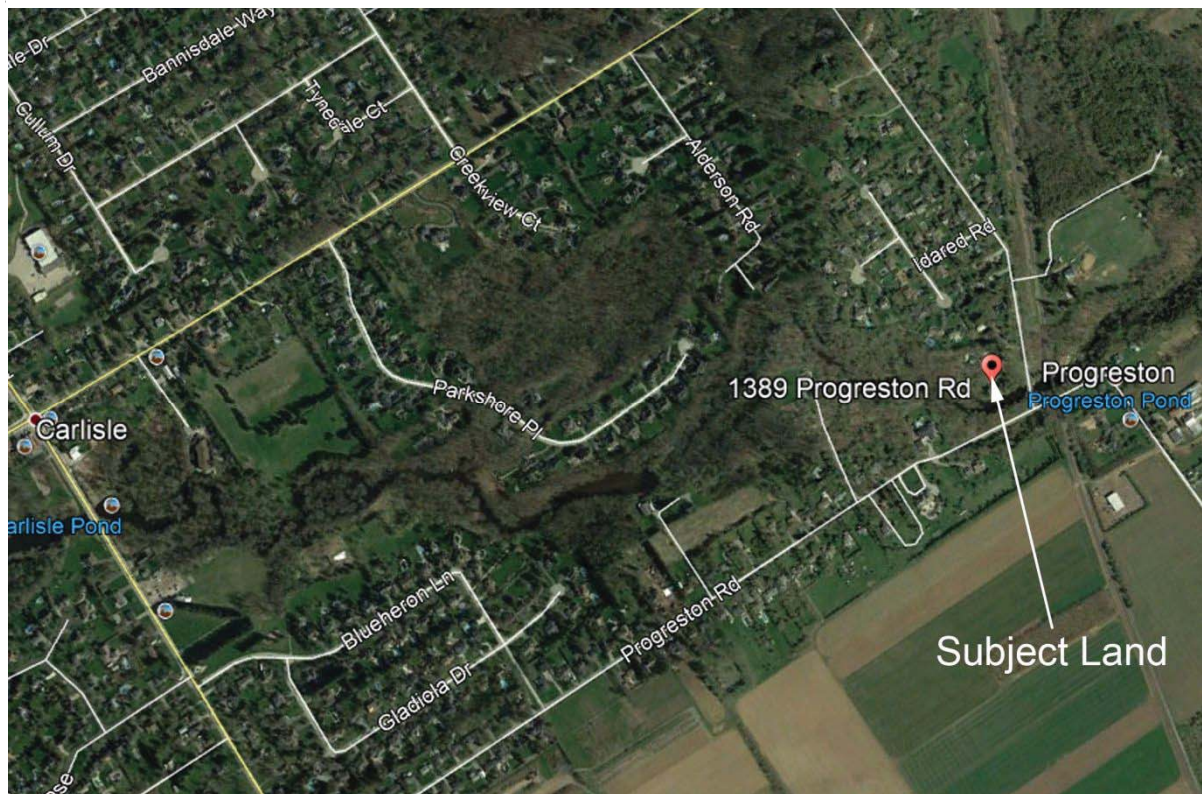
The house was included in the Description of Heritage Attributes in the full Notice of Intention to Designate 1389 Progreston Road, Flamborough (Evergreen Farm), which was published on the City of Hamilton's web site on April 30, 2020. **(APPENDIX I)**. This notice was published seven (7) days after the owner and the Ontario Heritage Trust received the simplified version of the Notice of Intention to Designate **(APPENDIX II)**, which was also published in the *Hamilton Spectator* on April 23, 2020 and served on the owner. The owner never received the full notice with the Statement of Significance and the list of heritage attributes, as required in Section 29(4)(b) of the Ontario Heritage Act (OHA) Instead, he was directed to the City's web site via the notice. When he was unable to find the full description, he was directed to the posting via an email from City staff on April 30, 2020, the same day the posting was published on the City's web site.

Subject Lands

The property is located on the northwest corner of Progreston Road and Green Springs Road Carlisle, in the former Town of East Flamborough, City of Hamilton. The property consists of approximately 10.4 acres (4.2 hectares). Bronte Creek runs through the property. The subject house sits on a height of land above the creek. There are also a barn and drive shed, which is partially converted into a garage, on the property to the west of the house.

The property was added to the Register of City of Hamilton Municipal Register of Properties of Cultural Heritage Value or Interest as a non-designated property in December 2019, though the owner, who applied to demolish the house in 2018, was not notified of this fact and Register list was not updated on the web site. In their August 2019 meeting notes the Inventory and Research Working Group indicated that a preliminary evaluation of the cultural heritage value or interest of 1389 Progreston Road was conducted as part of the Waterdown Village Built Heritage Inventory, although the lands are not located in or near Waterdown; but in Carlisle. They also indicated that, in future, the property *may be added to the work plan for designation should circumstances warrant this action*. In December 2019, Council approved the recommendations of the working group and added the property to the Register, though the owner, who had applied to the Building Department to demolish the house, never received notice of this inclusion.

On April 22, 2020, Councillor J. Partridge made motion at Council directing staff to take appropriate action to designate 1389 Progreston Road under Part IV of the OHA and notice was given on the next day. There is no indication that the property was added to the work plan or that any further research and evaluation was undertaken relating to the designation other than the preliminary evaluation. There is also no indication that Council consulted with the municipal heritage committee before giving notice of intention to designate as required in Section 29(2) of the OHA. No person from the city or from any City of Hamilton heritage committee attended at the property to physically evaluate the house and the property.



2. Description of House

The following description of the house is based on observations made on a site visit carried out on April 27, 2020.

The house is a symmetrical three bay 1 ½ storey frame building clad in board and batten siding. The gable roof is intersected by the two steeply pitched dormers containing round arched windows. The central entrance is flanked by two (2) bay windows. The shallow porch is supported by four (4) posts, one of which has fallen, and is surmounted by a low pitched roof which is slightly higher than that covering the bay windows. Decorative scroll work exists between the posts, though some of this decoration fell when the post collapsed.

Several additions to the house were made over the years, particularly to the rear and on the north side of the building. Some are clad in board and batten siding while others are clad in wide clapboard.

The interior of the house has been altered over the years and it is difficult to discern the original arrangement or purpose of the rooms although a small portion of the original layout of the front rooms does remain as do the two early bay windows. Trim has been removed or altered in most of the rooms as have walls and openings between rooms. The second floor was altered in the 20th century extinguishing any original details.

The additions to the house are architecturally undistinguished and in poor condition. A general discussion of the physical condition of the house can be found in Mark Shoalts' structural report.



Figure 1: 1389 Progreston Road, Facade from Progreston Road



Figure 2: Rear Elevation, 1389 Progreston Road

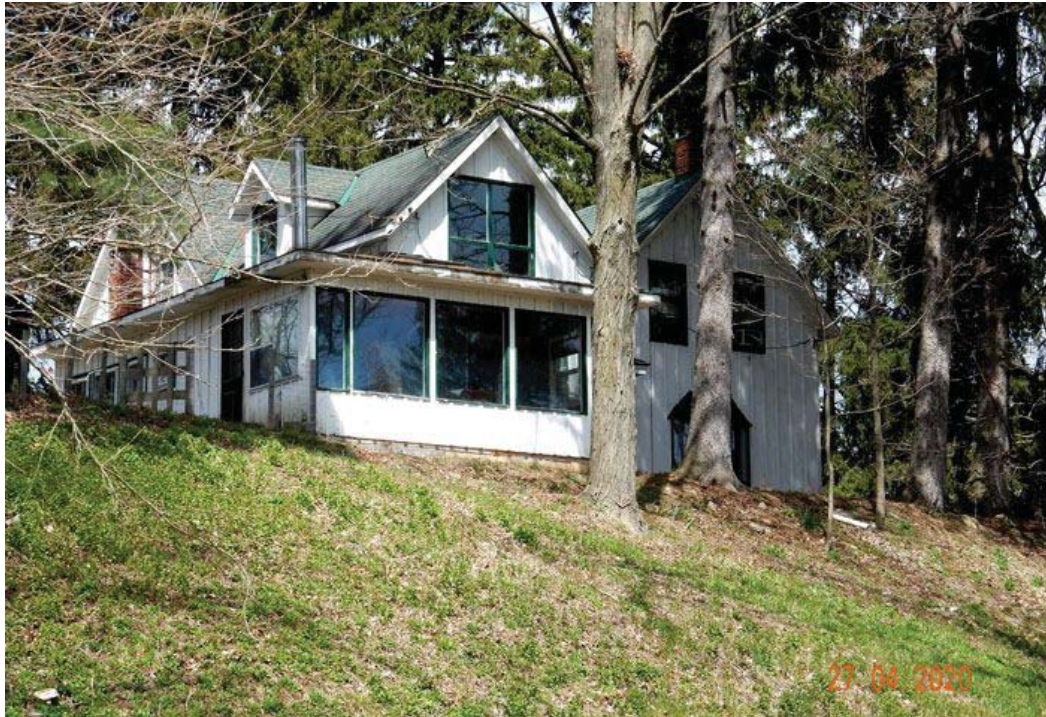


Figure 3: South Elevation, 1389 Progreston Road from Bronte Creek



Figure 4: Rear Elevation, 1389 Progreston Road



Figure 5: North Elevation, 1389 Progreston Road



Figure 6: Rear Elevation, 1389 Progreston Road



Figure 7: Corner of Porch and Gable Above, 1389 Progreston Road



Figure 8: Interior Front Room with Bay Window, 1389 Progreston Road



Figure 9: Interior Rear Addition, 1389 Progreston Road



Figure 10: Interior Ground Floor New Trim and Damage Ceiling and Plaster, 1389 Progreston Road



Figure 11: Interior Second Floor Room, Flooring Removed, 1389 Progreston Road

The house is Gothic Revival in Style. The design of the structure is derived from such publications as *Cottage Residences* written in 1840 by the American architect A.J. Downing. Designs based on Downing's work tend to be picturesque in composition and eclectic in their selection of architectural detail. Another 19th century promoter of the Gothic cottage style was the Canada Farmer which identified these types of dwellings as cheap country dwelling houses and provided plans and drawings for their construction. ¹

Common details of the Gothic style in Ontario were:

- The simple pointed window
- A decorative vergeboard or bargeboard
- Hood moulds]
- Multiple dormers and gables
- Bay windows
- Verandas
- Steep roof
- Frame buildings finished with board and battens.

Though the house at 1389 Progreston Road does not display all of the characteristic details of the Gothic Revival style, it does have several including bay windows, a relatively steep roof and board and batten cladding.

3. Criteria for Determining Cultural Heritage Value or Interest

Ontario Regulation 9/06 prescribes criteria set out in subsection (2) for the purposes of determining cultural heritage value or interest. A property may be designated if it meets one or more of the criteria listed in the Regulation. These criteria include:

Design or Physical Value

1. It is rare, unique, representative or early example of a style, type, expression, material or construction method; or
2. Displays a high degree of craftsmanship or artistic merit; or
3. Demonstrates a high degree of technical or scientific achievement.

Historical or Associative Value

1. It has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community; or
2. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or

¹ John Blumenson, *Ontario Architecture*, Fitzhenry & Whiteside, 1990, p.41

3. Demonstrates or reflects the works or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Contextual Value

1. Is important in defining the character of an area; or
2. Is physically, functionally, visually or historically linked to its surroundings; or
3. Is a landmark.

Identification and Significance and Heritage Attributes of the House at 1389 Progreton Road

This evaluation only pertains to the house and not to any other structures on the property.

1. Physical Value

Physically the house has undergone a number of significant alterations over the years including construction of a number of structurally unsound and unattractive additions that have detracted from its Gothic Revival style. The house is not a rare, unique, representative or early example of a style, type, expression, and material or construction method nor does it display a high degree of artistic merit or craftsmanship. This resulted in accelerated deterioration of the building. There are a number of Gothic Revival buildings in the former East Flamborough that better represent the Ontario version of this style; are of more robust construction and are in better condition. Some of these include:

- 134 Main Street South, Waterdown
- 50 Mill Street North, Waterdown
- 62 Mill Street North, Waterdown
- 370 8th Concession Road, East Flamborough Township
- 561 7th Concession Road, East Flamborough Township
- 512 9th Concession Road, East Flamborough Township
- 259 Campbellville Road, East Flamborough Township

Mr. Shoalts has indicated that the original house sits on a stone foundation over a crawl space. The construction is circular sawn lumber and the oldest section of the house is of vertical plank construction. Heavy timber framing indicative of an early date is not in evidence nor is there any evidence of an original log cabin. This fact was also observed on April 27, 2020 site visit.

The suggestion of the existence of the cabin may come from other documentation and is noted in the 1997 publication entitled *and they came to East Flamborough*.² Since the log

² Waterdown-East Flamborough Historical Society, *...and they came to East Flamborough*, 1997, p.68

cabin was not incorporated into the new house in the late 1860's, there is no adaptive reuse of an existing early log cabin.

There is general agreement between the consultants who visited the site that the front porch posts are of modern construction and can be purchased at any building centre. They have been installed upside down. The decorative scroll work was then installed between the posts. There is no evidence that the scroll work came from the house. The City of Hamilton has not provided any early images that might show the scroll work in its original position. In any case, the porch is of poor construction and would have to be replaced.

While there are several original 2 over 2 bay windows, most of the windows have been replaced with modern windows with lower casement openings and much of the window trim has also been replaced. The front door is a modern replacement that is not appropriate to either the style or age of the house.

2. Associative Value

The house does not reflect the work of an architect, artist, builder, designer or theorist who is significant to a community. The designer and builder of the house are not known. The house is not associated with the original owner, James Kievel since it does not contain any remnants of the original log cabin constructed by James Kievel. While Freeman Green and his wife constructed the house and converted the original grist mill to a woollen mill, there has not been a mill on the site or any milling activity since 1911, when the mill burned. The associative value with milling and industry in Progreston is tentative.

3.Contextual Value

The contextual value of the physical house on its own has very little value on its own and is only one component of the landscape. The Statement of Cultural Heritage Value or Interest asserts that the property is *considered to be a local landmark* but offers no verification of this determination or what components of the property contribute to its landmark status. The house itself, divorced from the property, is not the landmark and is not important in defining the character of Progreston.

4. Conclusion

There is no evidence that additional research was undertaken on the property at 1389 Progreston Road by City staff or the heritage committee beyond the preliminary notes provided by the Inventory and Research Working Group in August, 2019. The notes provided by the Working Group appear to have been derived from previous research undertaken by such groups as the Waterdown-East Flamborough Heritage Society. At no time did any committee member or any City staff attend at the property to make on site observations and notes. No additional reports or historical research was provided in between December 2019 when City Council approved adding the property to the City of

Hamilton Municipal Register of Properties of Cultural Heritage Value or Interest as a non-designated property and when Councillor J. Partridge tabled a motion to proceed with issuing the Notice of Intention to Designate the property on April 22, 2020. There is no evidence that the Municipal Heritage Committee was consulted before Council's decision, although this is a requirement under the Section 29(2) of the OHA.

On April 27, 2020, during a site visit, it was determined that the house had suffered from unsympathetic alterations over the years including later additions and interior alterations that obliterated any original features that might remain. In appropriate construction methods and shoddy construction accelerated deterioration of both the exterior and interior of the building. Any restoration of the structure would result in removal of most of the remaining original features which would have to be replaced in kind resulting in a facsimile of the original house.

Some of the heritage attributes listed in the Statement of Significance published by the City on April 30, 2020 do not exist or are modern interventions of no architectural or historical significance including the covered porch with wooden columns and decorative bargeboard. The semi-circular windows below the front gables are modern replacements added in 1982 by the current owner. A site visit by City staff and heritage committee members could have determined these facts and also confirmed that the log cabin built by James Kievel was not incorporated into the house when it was constructed in the second half of the 19th century.

The Regulation 9/06 review of the house undertaken in this report concluded that, on its own, it does not meet the criteria of Historical/Associative, Design/Physical or Contextual Value. However, the setting of the house, not the house itself, on a promontory overlooking Bronte Creek and Progreton Road, has some value within the context of the entire property and its landscape and in the context of the development of the community of Progreton. With the understanding the much of the original features still extant on the exterior of the existing house cannot be salvaged and would have to be replaced; a new house, located in the same place on the property with a similar mass and scale, design and materials, will afford the same contextual value to the landscape as the existing structure.

APPENDIX I – Notice of Intention to Designate – Statement of Significance & Heritage Attributes

Notice of Intention to Designate 1389 Progreston Road, Flamborough (Evergreen Farm)

APRIL 30 2020

The City of Hamilton intends to designate 1389 Progreston Road, Flamborough, under Section 29 of the Ontario Heritage Act, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

Freeman Green, son of 'Billy Green the Scout', and his wife Harriet Ann Howard purchased the property from James Kievel in 1869. The property included the former owner's four room log house and building, constructed circa 1855, that previously served as a grist mill. In the early 1870s, the Green's added significant additions to the original four room log cabin. Freeman and Harriet started a woolen mill in the former grist mill building. The Progreston Woolen Mill became an important pillar in the local economy as the mill processed wool from local farmers and employed local knitters. In addition to processing wool, the mill also produced yarn and blankets. Operation of the mill was passed through the Green family until it burnt down in 1911. The house is an excellent example of a vernacular residence influenced by the Gothic Revival style and decorative elements. The barn is wood framed with a rubble stone foundation, fitting perfectly into the undulating landscape. The property is important in supporting the historic character of the area and maintaining the historic fabric of the Carlisle area and is physically, visually, and historically linked to its surroundings.

Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes

The subject property, located at 1389 Progreston Road, is comprised of a mid-nineteenth century frame house and detached bank barn of cultural heritage value and interest. The irregularly-shaped 10.4-acre property is located on the northwest corner of Progreston Road and Green Springs Road, near its intersection with Bronte Creek (formally Twelve Mile Creek), in the Carlisle Settlement Area, in the former Township of East Flamborough, in the City of Hamilton.

Historical/Associative Value

The subject property, known historically as the Evergreen Farm and the Green House, is comprised of a one-and-one-half storey wood-frame home constructed circa 1870 and a detached wood-frame bank barn constructed circa 1900. The historical value of the property lies in its association with James Kievel, Freeman Green and the establishment and early development of the historic settlement area of Progreston. James Kievel first purchased the lot in 1855 and quickly built a saw mill with a waterwheel at the foot fall of the Twelve Mile Creek

(now Bronte Creek), multiple other mill related buildings and a log house. Kievel, along with Andrew Paton, Joseph Tansley and William Campbell, laid out what would become known as Progresstown (later Progreston).

Freeman Green, a carpenter, son of 'Billy Green the Scout', and his wife Harriet Ann Howard purchased 10 acres from James Kievel in 1869. The purchased land included the owner's log house and a former grist mill building. The Greens then started a woolen mill in the former grist mill building, the Progreston Woolen Mill, which became an important pillar in the local economy, sourcing materials and labour from the local community. Freeman sourced and processed wool from local farmers and hired local knitters to knit such items as socks and mittens from yarn produced by the mill. In addition to running a successful woolen mill, Freeman invented an improvement for the spinning wheel, gaining him international recognition. This improvement included a pendulum apparatus and these spinning wheels were called the 'Freeman Green's Canadian Spinning Wheel'. Operation of the mill was passed through the Green family until it burnt down in 1911. Although the mill was not rebuilt, the Green family descendants started a small wood working business that also served the local community. In 1982, the property was sold out of the Green family.

Design/Physical Value

The cultural heritage value of the property also lies in its design value as a representative example of a vernacular residence influenced by the Gothic Revival style. The one-and-one-half-storey house is clad in board and batten finish with high peaked gables above the second-floor windows. The bank barn, believed to have been constructed in the late-nineteenth century, is wood framed with a rubble stone foundation. The house is also an early example of adaptive reuse in the early 1870s when the Greens added significant additions to Kievel's original log cabin. The property is a rare example of the few remaining farmsteads within the Flamborough area, with intact house and bank barn.

Contextual Value

The contextual value of the property lies in its contribution to defining the historic character of the settlement area of Carlisle. The property is physically, visually, functionally and historically linked to its surroundings, and is considered to be a local landmark. Physically, the property is located on the prominent corner of Progreston Road and Green Springs Road where it intersects with Bronte Creek, in the historic settlement area formerly known as Progreston. Visually and architecturally, the house and bank barn are reminders of the history of the site and both support, as well as define, the historic character of the settlement area of Carlisle. Historically, the property is associated with prominent members of the local community, namely James Kievel and Freeman Green, who were instrumental in the establishment and development of Progresstown. Functionally, the property's location alongside Bronte Creek was integral to the operation of the Green's mill (no longer existent) which was a pillar of the local economy.

Description of Heritage Attributes

The house, as it stands today is the result of multiple additions and expansions added around the original circa 1850s log cabin core, including the front (east facing) section of the house believed to be constructed in 1870 by the Greens. Key attributes that embody the heritage value of the property include:

- On the east facing section of the house, all four exterior elevations of the one-and-one-half storey dwelling, including its:
 - Cross-gable roof with projecting front gables and semi-circular windows below;
 - Board-and-batten cladding;
 - Symmetrical front facade with central entrance, flanking bay windows and covered porch with wooden columns and decorative bargeboard;
 - Segmentally-arched window openings; and,
 - Remaining historic two-over-two hung wood windows.
- All four elevations of the detached barn, including its:
 - Gable roof;
 - Stone foundation, including existing window and door openings; and,
 - The vertical wooden board cladding.
- The location of the dwelling and barn within the landscape.

Written Notice of Objection

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, **subject to any orders, legislation, or regulations issued by the Province in response to the Covid-19 Pandemic Emergency.**

Dated at Hamilton, this 23 day of April, 2020.

A. Holland, City Clerk
Hamilton, Ontario

Contact: Miranda Brunton, Cultural Heritage Planner, Phone: 905-546-2424 ext. 1202,
Email: miranda.brunton@hamilton.ca

APPENDIX II – Notice of Intention to Designate 1389 Progreston Road – Served on the Owner



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 6th Floor
Hamilton, Ontario L8P 4Y5
Phone: 905-546-2424, Ext. 4281 Fax: 905-540-5611

SENT BY REGISTERED MAIL

April 23, 2020

John Ernest Dennison
1389 Progreston Road
Flamborough, On
L0R 1H0

Dear John Dennison:

**Re: Heritage Designation under Part IV of the *Ontario Heritage Act*
1389 Progreston Road, Flamborough (Evergreen Farm)**

Attached please find the Notice of Intention to Designate 1389 Progreston Road, Flamborough. The Notice of Intention to Designate has been published in the Hamilton Spectator on April 23, 2020.

Please be advised that any demolition or building permits are now void. A copy of the letter from the Chief Building Official advising of this is attached. Should you wish to file a notice of objection to the Notice of Intention to Designate, please refer to Section 29 of the *Ontario Heritage Act*.

Yours truly,

Steve Robichaud, *MCIP OPPI RPP*
Director of Planning

MB
1 Attach.

cc: Councillor Judy Partridge, Ward 15
Jennifer Sheryer, City Solicitor
Ed VanderWindt, Director, Building Division
Loren Kolar, Legislative Coordinator
Miranda Brunton, Cultural Heritage Planner
Alissa Golden, Cultural Heritage Specialists

CITY OF HAMILTON

Notice of Intention to Designate

1389 Progreston Road, Flamborough (Evergreen Farm)

The City of Hamilton intends to designate 1389 Progreston Road, Flamborough, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

Statement of Cultural Heritage Value or Interest

Freeman Green, son of 'Billy Green the Scout', and his wife Harriet Ann Howard purchased the property from James Kievel in 1869. The property included the former owner's four room log house and building, constructed circa 1855, that previously served as a grist mill. In the early 1870s, the Green's added significant additions to the original four room log cabin. Freeman and Harriet started a woolen mill in the former grist mill building. The Progreston Woolen Mill became an important pillar in the local economy as the mill processed wool from local farmers and employed local knitters. In addition to processing wool, the mill also produced yarn and blankets. Operation of the mill was passed through the Green family until it burnt down in 1911. The house is an excellent example of a vernacular residence influenced by the Gothic Revival style and decorative elements. The barn is wood framed with a rubble stone foundation, fitting perfectly into the undulating landscape. The property is important in supporting the historic character of the area and maintaining the historic fabric of the Carlisle area and is physically, visually, and historically linked to its surroundings.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes may be found online via www.hamilton.ca.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, **subject to any orders, legislation, or regulations issued by the Province in response to the Covid-19 Pandemic Emergency.**

Dated at Hamilton, this 23 day of April, 2020.

City Clerk
Hamilton, Ontario

CONTACT: Miranda Brunton, Cultural Heritage Planner, Phone: (905) 546-2424 ext. 1202,
E-mail: Miranda.brunton@hamilton.ca

Website: www.hamilton.ca/heritageplanning

Bibliography

Blumenson, John: Ontario Architecture, Fitzhenry & Whiteside, 1990.

Waterdown-East Flamborough Historical Society: ...and they came to East Flamborough,
Waterloo Printing, 1997.

LEAH D. WALLACE, MA MCIP RPP

15 Brock Street, RR#3, NIAGARA-ON-THE-LAKE, ONTARIO L0S 1J0

Telephone: 905-468-0582 Cell/Text: 905-941-1950

leahdw@sympatico.ca

CURRICULUM VITAE

PRESENT POSITION

Consulting Heritage Planner
Niagara-on-the-Lake

EDUCATION

University of British Columbia
Master of Arts, 1978

University of Guelph
Honours B.A., 1973

PROFESSIONAL MEMBERSHIPS

Ontario Professional Planners Institute (OPPI)
Canadian Institute of Planners (MCIP)

CAREER HISTORY

| | |
|----------------|---|
| 2016 – Present | Consulting Heritage Planner |
| 2012 – 2016 | Senior Planner, Town of Niagara-on-the-Lake |
| 2000 – 2012 | Heritage Planner, Town of Niagara-on-the-Lake |
| 1994 – 2000 | Contract Heritage Planner Hynde Paul Associates Incorporated, St. Catharines |
| 1984 – 1994 | Planning Consultant Robert J. Miller & Associates Ltd., Mississauga |
| 1979 – 1984 | Editor and Division Manager Longmans Canada, Toronto |

APPOINTMENTS AND AWARDS

| | |
|----------------|--|
| 2017 - Present | Member, Board of Directors, Lower Grand River Land Trust, Cayuga Ontario (Ruthven Park) |
| 2007 - 2014 | Member, Niagara-on-the-Lake Citizens' War of 1812 Bicentennial Committee and the Niagara Region Bi-national Bicentennial Working Group |
| 2006 – 2019 | Faculty Member, Willowbank School of Restoration Arts, Queenston |
| 2002 – 2004 | Municipal Sector Focus Group on Changes to the Ontario Heritage Act, Provincial Consultations, Ministry of Culture |
| 2002 | Member, Bi-national Coordinating Committee, First Bi-national Doors Open, Niagara Region |
| 2000 – Present | Chair, Ruthven Park Building Conservation Committee Lower Grand River Land Trust |
| 1999 | Heritage Community Program Recognition Award, Ontario Heritage Foundation (Trust) |
| 1997 – 2000 | Member, Ruthven Park Building Conservation Committee Lower Grand River Land Trust, Cayuga |
| 1997 – 2002 | Member, Bay Area Artists for Women's Art Hamilton-Burlington |
| 1989 – 2000 | Member and Chair (1991–1997), Local Architectural Conservation Advisory Committee Town of Flamborough |

PUBLICATIONS AND PRESENTATIONS

Presenter, Ontario Heritage Conference (Ottawa), Municipal Grant Programs and Bill C323, Ontario Heritage Trust Session, 2017

Article, *Up in Flames*, Ontario Planning Journal, January/February 2015

Article, *Heritage Conservation Districts*, Heritage Matters Journal, March 2010

Contributing Author, One Hundred Years One Hundred Artefacts, Niagara Historical Museum, 2007

Field Session Manager, National Trust for Historic Preservation (Buffalo, New York National Conference), Mobile Workshop – Adaptive Re-use of Culturally Sensitive Properties, Canadian Experiences

CIDA Sponsored Walking Tour and Public Planning Session, Niagara-on-the-Lake for Visitors from Xi'an, China Studying the Reconstruction of an Ancient Urban Area

Article, *Heritage Conservation Districts*, Heritage Matters Journal, March 2010

Presenter, Heritage Planning in Niagara-on-the-Lake in association with the Ministry of Culture and the Regional Municipality of Niagara, Association of Municipal Clerks and Treasurers of Ontario Conference

Restoration Case Study: Ruthven Park National Historic Site – Course Presented to Students at the School of Restoration Arts, Willowbank

Presenter, Heritage Conservation Districts – The Good, the Bad & the Ugly Canadian Association of Professional Heritage Consultants Conference

Presenter, Protecting Special Places: Tax Relief Incentives for Heritage Properties, OPPI/OALA Conference – Power of Place

Presenter, Co-curator, The Sacred Sites Tour, Art Gallery of Hamilton, An Architectural Evaluation of the Sacred Sites, The Art Gallery of Hamilton, Lecture Series

The Sacred Site Project, Research Project Exploring the Contemporary and Historical Relationships between Artists and Faith Communities in Hamilton-Wentworth, Art Gallery of Hamilton

Presenter, ARCHINET, An Interactive Guide to Canadian Building Styles Paper presented at Continuity with Change, the 1997 Community Heritage Ontario Conference, Huronia

Presenter, Flamborough and Its Community Identity, Wentworth North Riding Association Town Hall Meeting

Presenter, Suitable Housing for Arts Groups: The Planning Process, The Art of Coming Together Conference, Hamilton Artists Inc.

PROJECTS

ARCHINET, An Interactive Guide to Canadian Building Styles

Architectural and Historical Appraisal of the National Fireproofing Company of Canada (Halton Ceramics Limited) Burlington, Ontario, Architectural Conservancy of Ontario and the Burlington Local Architectural Conservation Advisory Committee

Municipal Register of Properties of Cultural Heritage Value or Interest (inclusion of non-designated properties), Town of Niagara-on-the-Lake, Project Manager,

Community Vision Statement, Town of Niagara-on-the-Lake, Project Manager

Queen-Picton Streets Heritage Conservation District Expansion Study and Draft of Revised District Plan, Town of Niagara-on-the-Lake

Dock Area Public Realm and Urban Design Master Plan, Project Manager

Official Plan Review; Community Engagement Sessions, Background Reports, Heritage Policies, Third Draft of Official Plan, Project Manager

Heritage Impact Assessment, Plan of Subdivision, 1382 Decew Road, City of Thorold

Heritage Impact Assessment, Hotel Expansion, 124 on Queen Hotel and Spa, Old Town, Town of Niagara-on-the-Lake

Heritage Permit and Minor Variance Application, 7 Queen Street (Exchange Brewery), Town of Niagara-on-the-Lake

Heritage Impact Assessment, Randwood Estate, Hotel Development, 144-176 John Street, Old Town, Town of Niagara-on-the-Lake

Heritage Impact Assessment, 200 John Street & 588 Charlotte Street, Proposed Plan of Subdivision, Old Town, Town of Niagara-on-the-Lake

Heritage Impact Report, 1317 York Road, Consent Application, St. Davids, Town of Niagara-on-the-Lake

Heritage Impact Assessment, 240-246 Main Street East, Plan of Subdivision Application, Town of Grimsby

Heritage Impact Report, 705 Nashville Road, Proposed Demolition, (Kleinburg-Nashville Heritage Conservation District) City of Vaughan

Heritage Impact Assessment, 6320 Pine Grove Avenue, Severance Application, City of Niagara Falls

Built Heritage Assessment and Recommendations, 133 Main Street East (Nelles House), Town of Grimsby

Heritage Impact Assessment, 133 Main Street East, Application for Official Plan and Zoning By-law Amendments, Town of Grimsby

Heritage Impact Assessment, 95 Cline Mountain Road, Niagara Escarpment Commission Development Permit Application, Town of Grimsby

Peer Review, Proposed Development, Guelph Avenue, City of Cambridge

Heritage Designation Evaluation, 4105 Fly Road, Campden, Town of Lincoln

Heritage Impact Assessment, 4918 King Street, Beamsville, Town of Lincoln

Conservation Plan, 9-11 Queen Street, Town of Niagara-on-the-Lake

Attachment 2

Structural Condition Assessment and Recommendations for
1389 Progreston Road, Carlisle



In late April 2020, Jack Dennison, owner of 1389 Progreston Road in Carlisle, requested Mark Shoalts, P.Eng, CAHP, to review the residence and to provide a report on its structural condition. The building is a single family dwelling, constructed in several stages with numerous renovations and alterations. Mark Shoalts made a site visit for a review of the house on April 30, 2020. No research into the age or associations of the building was carried out, other than reviewing minutes of a City of Hamilton Inventory and Research Working Group meeting of September 23, 2019 and a related advertisement in the Hamilton Spectator on April 23, 2020.

This report describes the present structural and physical condition of the dwelling. There are relatively recent additions to the rear and side of the building that are of low quality and are irrelevant to any heritage considerations. This report is not concerned with the chronology or condition of the later work other than as it relates to the present condition of the oldest structure.

Executive Summary

The existing residence at 1389 Progreston Road in Carlisle was originally a modest 1 ½ storey late-nineteenth century single family dwelling and it has had numerous alterations and additions over the years. At present, it is visibly deteriorated both inside and out, and has serious building envelope issues that are directly related to and/or causing many of the immediately apparent major problems. It is in need of substantial repairs, in part because of maintenance issues and in part because of the original construction method and materials. The structure has some serious problems and because of the type of construction, it is very difficult to properly repair it. The roof and rainwater management system have reached or exceeded their practical service life and are in need of immediate replacement. Many of the windows require immediate and extensive repair and restoration. The exterior wood cladding and trims require extensive repairs and much of it must be replaced.

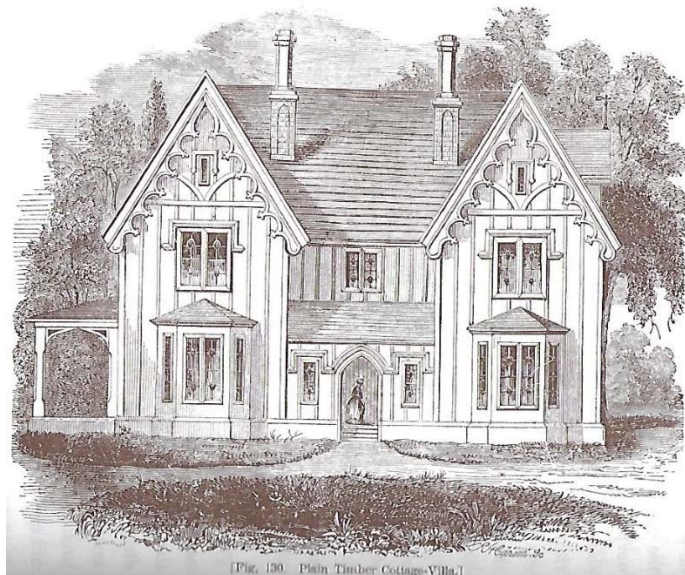
The interior of the building has experienced deterioration as a direct result of the roofing and window issues and is in need of major plaster and finishing repairs. Before these can be done, the wall and roof structures and the exterior envelope must be restored and a major project of mechanical and electrical upgrading must be carried out. In conjunction with this work, upgrading of the thermal envelope should be performed. The mechanical and electrical systems are essentially obsolete and must be replaced but the construction method used for the original building prevents the installation of wiring or thermal insulation in the exterior walls, necessitating the framing of a complete new wall cavity on the interior to accommodate this work. The house would require essentially 100% interior refinishing subsequent to the structural repairs and the building system replacement.

In light of the dubious claims for cultural heritage value, the extensive alterations to the building, and the enormous expense of compensating construction required to maintain the remnants of the building that are salvageable, it is our recommendation that the house be replaced with a new, sympathetically designed residence.

Building Background

Despite the statements in a description of the property attributed to a member of the City of Hamilton Inventory and Research Working Group, there is no evidence of a log building or any parts of one in the existing dwelling at 1389 Progreton Road. The claim that a four-room log house was built on this site in 1857 or 1858 is itself questionable. At that late date, log buildings would have been distinctly old-fashioned and viewed as primitive or second class, especially in such proximity to the growing City of Hamilton, which was at that exact time building an impressive and sophisticated state-of-the-art waterworks facility. In the decade from 1851 to 1861, approximately 28% of the houses built in Canada West were constructed of log¹ and these were primarily settlers' and homesteaders' houses. If a house was in fact built on this site in the late 1850s, whether of log or frame it should have been in very good condition less than twenty years later when a major renovation was undertaken. Such a relatively new house could have easily been incorporated as a kitchen wing or other use in a new, fashionable dwelling befitting a prosperous miller. There is no trace of a log building in the present house, leading one to surmise that it never existed in this exact location or, perhaps, it was in such good condition that it was moved completely off-site to be used elsewhere. The "early 1870s... significant additions" mentioned by the Inventory and Research Working Group was in fact the construction of this house.

The oldest section of the present house is very unlikely to have been constructed earlier than the 1870s, and it is clearly an interpretation of a style advocated by Andrew Jackson Downing, a 19th Century American architect. Downing's The Architecture of Country Houses was first published in 1851, with several subsequent editions over the next fifteen years. His "Plain Timber Cottage-Villa" inspired many builders in Canada West (which became Ontario in 1867) during the third quarter of the 19th century, including the builders of this house.



Plain Timber Cottage-Villa, A.J. Downing, 1851

The Gothic Revival front section of the house had one or two rear additions in the late 19th century, and at least three small additions in the 20th century. Along with these additions came

¹ Construction Materials in Colonial Ontario 1831-61 by W.R. Wightman

alterations to the existing parts of the house, and later in the 20th century more alterations were undertaken to the original house and to all of the various appendages.

Building Description

1389 Progreton Road is a Gothic Revival 1 ½ storey house with board and batten siding and restrained exterior trim details. The original plan was a typical farmhouse ell (L-shaped plan) with the main house facing east and a kitchen wing on the west side at the north end. All of this original section of the house sat on a stone foundation enclosing a low crawlspace. Some time later there was an addition to the west side of the house that extended the kitchen wing and added a room to the south in either one or two stages. The addition was likely done in the late 19th century because the basement walls are stone, and stone gave way to concrete and concrete block for foundations in the early 20th century. An unusual curved section of wall in the basement appears to have been done as a bench to retain the soil under the existing shallow stone foundation supporting the earlier house.



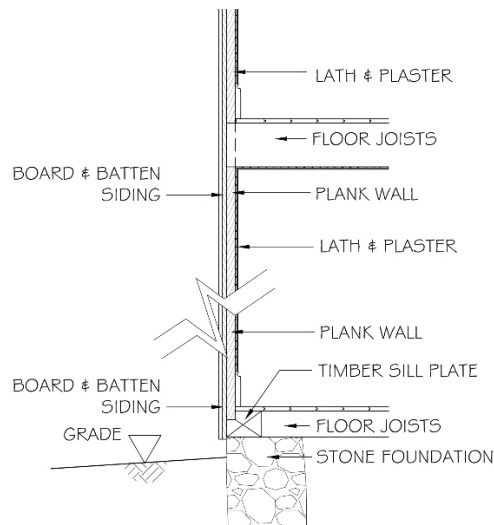
Later basement wall (foreground) supporting earlier shallow wall (background)
Also note temporary prop under failing joist

The floor system of the first two additions shows the first transition toward 20th century construction with a subfloor of roughsawn square-edged pine and a finish floor of narrower dressed pine rather than the earlier method of a single layer of thicker T&G pine floor laid directly on the joists. The joists and flooring, as well as the timber sill plates visible in the basement and crawlspace are all of circular sawn lumber. The joists in the southwest wing are a motley collection of small pieces, ranging in thickness from less than ¾" to more than 2" and looking more like slabs from a mill than proper lumber, and they are installed with random spacing. What at first appears to be a beam supporting the centre of the span is actually another slab with the round bark face down, much too thin to provide any support to the joists. There is no evidence of a post having been removed so the purpose of this slab is unknown.



Randomly sized and spaced circular-sawn floor joists

While the circular saw had been invented before 1857, it took many years for new technology to be adopted by existing mills and vertically sawn lumber was the norm into the 1860s in this area. By the 1870s circular sawmills were becoming much more common, evidence that the 1870s date given for the construction of the existing house is logical. Depending upon the sawyer, daily production of lumber from a circular sawmill could be up to ten times that from a muley or vertical frame saw. It would be unheard of for a log house to be built in an area that boasted a circular sawmill, so the floor built of circular sawn lumber is not part of some much-altered log dwelling built in the 1850s or earlier. The oldest section of the house is of vertical plank construction, not commonly used in Canada West but certainly easily done when one had access to plentiful and economical sawn lumber such as that available from a circular sawmill. Vertical plank construction consists of 2" planks set in a rabbet in a timber sill plate, with the second storey joists morticed into and carried by the vertical planks. There are no studs or other primary framing members in the walls. The exterior was clad with vertical 1" boards nailed to the 2" planks with the joints offset, and battens were nailed over the exterior joints. The interior was finished by nailing wood lath to the planks and plastering it. The whole wall assembly is approximately 3 1/2" thick including the plaster but not including the battens.



Wall cross-section

The one exception to the lack of ornamentation on the house is the front porch with its scrolls and turned posts. The posts are laminated finger-jointed pine, installed upside down, clearly of late 20th century construction. The scrollwork is older, apparently salvaged from another building. Flanking the porch on each side are bay windows, original to the house. Above the bay windows are gothic dormers, with what appear to be round-headed windows but are in fact rectangular windows with fixed-over-awning lights, installed in 1982 from the interior against the round-headed trim. The gable trims, soffit, fascia, and frieze on the house appear largely original. The battens have a nicely moulded profile rather than the more common slightly bevelled plain batten.



Porch with upside-down posts

Building Condition

The house at 1389 Progreton has some serious structural problems. The original floor joists in some of the sections of the house are undersized, which is not uncommon in older buildings, but some of them have deteriorated as well and should be sistered or replaced. The wall structure has areas that have deteriorated to the point where they require replacement. The house has roofing issues as a result of configuration, overhanging trees, and aging materials. Valleys run into changes in pitch, chimneys, and lower roofs. There are a number of roof leaks that have damaged interior fabric. Of even greater concern is the management of runoff from the eaves of the roof. Much of the house has no eavestroughs at all, and those troughs that exist are damaged, plugged with spruce needles, or falling off.



North side showing various roof issues

The grade is too high around most of the house, with the wood finish and structure either very close to grade or in places below grade. The water running off of the roof saturates the wall and the ground ensuring a prime environment for deterioration and decay of the wood cladding and structure. There are locations where the wall has rotted completely through.



Hole rotted through wall, grade too high

Unlike a frame building, repair of a deteriorated plank wall is a difficult and very invasive undertaking. The timber sill plate has rotted sections that must be cut out and replaced but as can be seen from the wall section, the plate supports and is concealed behind the floor joists and it supports the plank wall. It cannot be replaced without removing the board and batten siding, the baseboard, taking up flooring, and shoring both floors and the roof structure. In the locations where the plate has rotted, the wall planks are rotted as well. Wall planks cannot be

cut short and spliced in because there is no framing, so there is no lateral support without continuous planks. A damaged plank must be replaced from sill plate to roof plate. This means removing the siding from the exterior and breaking loose the lath from the interior. In very short order the interior and exterior wall finishes of the house have been destroyed, and the structural integrity is gone if more than one plank or one very short piece of plate in any stretch of wall must be replaced.

The front porch, mentioned in the Working Group notes, is not heritage fabric. Whether or not the current porch was built to replace an earlier porch can only be determined by destructive investigation or by older photographs or other information. In any event, the existing porch is poorly and improperly built (the upside-down posts were noted earlier) and it has deteriorated to a state where removal is the only reasonable option.



Front porch with rotting modern post and failing floor structure

The floor system in the kitchen wing requires work on or replacement of numerous elements. As noted earlier, much of the framing is undersized which could be acceptable if it were in good condition. Unfortunately, several floor joists have deteriorated to the point where they have no strength left. Decay can reduce the strength of wood by up to 10% before it can even be detected. By the time that decay has created weight loss of 5% - 10%, wood has lost 20% - 80% of its strength². Joists that can be penetrated more than ½" with a hand-held awl have no effective service life left. Other floor joists have dropped where mortised into the timber sill plate. Foundation walls have been altered leaving areas of framing with no support. Temporary props have been inserted under failing floor framing.

² Wood Handbook, Wood as an Engineering Material Forest Products Laboratory, USDA



Deteriorated floor joist, awl inserted >2"



Deteriorated floor joist, awl inserted >2"



Dropped joist, sawn timber sill plate, altered foundation, missing support

Conclusions

1389 Progreton Road is a house that purportedly has at its core parts of a mid-19th century log dwelling, however careful examination of the building failed to show any trace of it. The original house appears to have been constructed no earlier than the mid-1870s and there exist several additions and substantial alterations done starting not long after that through to the late 20th century. There is nothing of heritage value in at least three of the additions and many of the alterations have destroyed the integrity of much of the oldest part of the house.

The house has serious structural issues that would require extensive and difficult repairs to enable it to remain in service.

“Restoration” of 1389 Progreton would not be restoration for the most part, but would require removal and replacement of much of the substandard construction and require substantial repairs to many deteriorated elements. The oldest section of the house could theoretically be restored but it would require extensive and extremely invasive work to replace the failing structure, the very nature of which would destroy much of the original interior and exterior finishes that remain. The existing stone foundation is not in particularly bad condition for what it is, but it is not suitable for an efficient, permanent year-round dwelling in the 21st century. If the additions are removed, the original core is lifted and a new basement is constructed beneath it, additions are built and framing added into the original house, new mechanical, electrical, and thermal separation elements are installed, and the house is then outfitted with completely new interior and exterior finishes, the appearance to the world at large would be of a new dwelling. The compromises that it would take to achieve this lead one to the conclusion that construction of a new dwelling, designed to be sympathetic to the neighbourhood but constructed to the highest modern standards, would be of far greater value to the owners and to the community at large.



Mark Shoalts, P.Eng., CAHP
Shoalts Engineering
May 6, 2020

Mark Shoalts, P.Eng., CAHP
Principal, Shoalts Engineering
President, Shoalts Bros. Construction Limited



Mark Shoalts is a professional engineer, a member of Professional Engineers Ontario, The Association of Professional Engineers and Geoscientists of New Brunswick, The Ontario Society of Professional Engineers, the Canadian Association of Heritage Professionals, the Heritage Canada Foundation, and the Early American Industries Association. Mark is the current president of the Ontario Association of Heritage Professionals, and he is past chair of the Pelham Heritage Advisory Committee and a past member of the Niagara Region's Culture and Heritage Committee, working on Regional policy for the preservation and promotion of heritage resources in Niagara. He has hands-on experience in historical restoration, having personally performed restoration work on many sites such as Butler's Barracks and Fort George in Niagara-on-the-Lake, Balls Falls in Vineland, and Dundurn Castle in Hamilton. Mark teaches a course at Willowbank School of Restoration Arts in Queenston.

Mark Shoalts is the fourth generation of his family to be involved in building construction and historical restoration. His great-grandfather was a housebuilder, and his grandfather was a carpenter and builder. Mark's father and uncles went into the construction industry in the 1950s and carried out some of the early restoration work on public and private heritage properties in Niagara throughout the 1960s. Mark began working for his father at Shoalts Bros. Construction as a high school student in the early 1970s, continuing through his post-secondary education and working fulltime as a carpenter and project superintendent through the 1980s. From the late 1970s through the 1990s Shoalts Bros. performed more than 30 contracts on Parks Canada properties in Niagara, including both construction and design work. During this period, Mark moved from a hands-on construction role into a design and administration role, performing restoration work on important national historic sites, including Ruthven Park in Cayuga, Dundurn Castle in Hamilton, Willowbank in Queenston, and The Church of Our Lady Immaculate in Guelph. He received a Peter J. Stokes Heritage Commendation from the Town of Niagara-on-the-Lake for the complete exterior restoration of the 1817 Miller House in Niagara-on-the-Lake. While Shoalts Bros. Construction still exists, it is inactive as a construction company and Mark is engaged exclusively in consulting. Mark was the structural engineer for the award-winning 2010-2011 restoration of the Sharon Temple, a national historic site in Sharon, Ontario, and the prime consultant for the restoration and additions to the Dineen Building at 140 Yonge St. in Toronto which garnered awards from the City of Toronto, the Architectural Conservancy of Ontario, and the Canadian Association of Heritage Professionals. He did the exterior assessment of 1 Front St. in Toronto, one of the most important Beaux Arts buildings in the country. Mark was also a consultant for the 2011 exterior restoration of the Fredericton City Hall, and performed the exterior assessment of the Old Arts Building at the University of New Brunswick, both national historic sites.

Mark has presented numerous seminars on structural engineering in the heritage conservation context and has been on panels at the National Trust/Canadian Association of Heritage Professionals national heritage conferences and at the Ontario heritage conferences.

Representative sample project list for Mark Shoalts, P.Eng., CAHP

Butler's Barracks NHS, NOTL ON (multiple buildings)
Fort George NHS, NOTL ON (multiple buildings)
Redan Battery, Queenston Heights NHS, Queenston ON
Butlers Burying Ground, NOTL ON
Balls Falls, Jordan, ON (multiple buildings)
Cottonwood Mansion, Selkirk, ON
Old St. John's Church, Niagara Falls, ON
Fort Mississauga NHS, NOTL, ON
Niagara Apothecary Museum NHS, NOTL, ON
Marshville Heritage Village, Wainfleet, ON (multiple buildings)
St. Mark's Church and Rectory, NOTL, ON
Dundurn Castle NHS, Hamilton, ON
Post Office, Dunnville, ON
Chedoke House, Hamilton, ON
Auchmar Estate, Hamilton, ON
Museum of Steam and Technology NHS, Hamilton, ON
Whitehern NHS, Hamilton, ON
Willowbank NHS, Queenston, ON
Our Lady of the Immaculate Conception NHS, Guelph, ON
Trinity United Church, Thorold, ON
Ruthven Park NHS, Cayuga, ON
Water Tower, Carnegie Library, and Town Hall, St. Mary's ON
Elgin & Wintergarden Theatres NHS, Toronto, ON
Dineen Building, Toronto, ON
Sharon Temple NHS, Sharon, ON
Fredericton City Hall NHS, Fredericton, NB
Pure Spirits Building, Distillery District NHS, Toronto, ON
Holy Trinity Anglican Church, Niagara Falls, ON
Spadina House Stables, Toronto, ON
Bethune-Thompson House NHS, Williamstown, ON
St. George's Church, St. Catharines, ON
WAHC (Former Customs House) NHS, Hamilton, ON
Carnegie Building, Grimsby, ON
Knox Presbyterian Church, Woodstock, ON
Battlefield Park NHS, Stoney Creek, ON
Salem Chapel BME NHS, St. Catharines, ON
Beaverdams Church, Thorold, ON
Exchange Brewery, NOTL, ON
McLelland's General Store, NOTL, ON
Lakeside Park, St. Catharines, ON (multiple buildings)
Presqu'ile Point Lighthouse, Brighton, ON
Officers' Quarters NHS, Fredericton, NB
Sir Howard Douglas Hall NHS, UNB, Fredericton, NB

Attachment 3



IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
ibigroup.com

May 8, 2020

Mr. Jack Dennison
3083 Lakeshore Road
Burlington, ON L7N 1A3

Dear Mr. Dennison:

HERITAGE DESIGNATION - 1389 PROGRESTON ROAD, CARLISLE, ON

In accordance with your request, I have investigated the current planning policy status of the above property and can advise as follows.

The property is located at municipal address 1389 Progreston Road, just north of the intersection with Green Springs Road. It is legally described as being Part of Lots 4 and 5 of the 8th Concession of the former Township of East Flamborough, now in the City of Hamilton. This area is part of the rural Hamlet of Carlisle located approximately 10 kilometers north of Waterdown. The southwest corner of the property includes a section of the Bronte Creek and the associated flood plain. The existing house sits on higher lands overlooking the creek and is not constrained by any flooding hazards. I visited the lands on April 30th, 2020 and have walked the grounds and all buildings. I have also read the reports prepared by Ms. Wallace and Mr. Shoalts regarding the heritage significance of this house together with the structural integrity.

From a planning standpoint, these lands are included in the Rural Hamilton Official Plan. In particular Map 4 - Carlisle Rural Settlement Area, designates these lands as Settlement Residential, while the creek and valley lands are designated Natural Open Space (Hazard Lands). The house and accessory buildings are Zoned Settlement Residential S1 while the creek and valley lands are Zoned Conservation Hazard Lands P7 Zone. The residential use of this property fully complies with the Official Plan and Zoning By-law.

Provincial Policies and Plans all have policy direction regarding heritage and the conservation/restoration of important built heritage resources. For the most part Provincial planning direction is implemented at the municipal level through the area municipal Official Plan and Zoning By-law. In this regard, the Rural Hamilton Official Plan is the key planning policy document as it fully complies with and implements provincial planning direction and policies. It conforms to the upper tier provincial planning and, therefore, it is the focus of my planning analysis.

The Rural Hamilton Official Plan Map 4 referenced above does not contain any heritage designations and Progreston Road is not designated as a Heritage Road. Furthermore, the policies of Section A.3.1 dealing with the Carlisle Rural Settlement Area also do not identify any heritage significance on the home or property or road. Appendix F, which is entitled Rural Cultural Heritage Resources, also does not identify these lands. The Implementation Section of the Rural Official Plan (F.1.2.4) requires that rural settlement area secondary plans have to identify rural heritage resources and no such identification applies to these lands.

With respect to specific planning policies dealing with built heritage resources, the Official Plan general policies which are contained in the Urban Hamilton Official Plan also apply. Policy 3.4.1.4 “encourages” the rehabilitation, renovation and restoration of built heritage resources. The key consideration here is that this is an encouragement and is not mandatory. Policy 3.4.2.1 states

Mr. Jack Dennison – May 8, 2020

that the City will “where appropriate” (a) preserve and protect cultural heritage resources and (f) will also use relevant provincial legislation, particularly the Ontario Heritage Act in order to “appropriately” manage, conserve and protect cultural heritage resources. The policy direction is prefaced with the word “appropriate”. This provides policy flexibility and keeps the implementation grounded and specific to individual property circumstances.

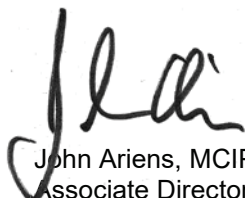
The report from Ms. Wallace, a recognized and well respected Heritage Consultant and the only heritage planning expert who has visited the site and inspected the buildings, confirms that there is no evidence of the former log house. She also opines that the house does not meet any of the criterion for determining any cultural value or interest. She also cites that there are many other and better or more robust examples of Gothic Revival homes in the Flamborough area. Her conclusion is that a new home in the same location and carrying forward many of the same design components will achieve the same contextual value as the existing home.

The report from Mr. Shoalts, P. Eng. assesses the structural components of the home based on actual site investigations. He determined that the house has serious structural problems and that it is difficult, if not impossible, to properly repair. He also did not find any evidence of a former log home. He concludes by stating that, due to the extensive alterations already made to the home and the enormous costs of construction to maintain, restore or repair that which is salvageable, he recommends that the house be replaced with a new sympathetically designed residence.

Having read the reports by these heritage experts it is my professional planning opinion that it is not “appropriate” to designate the existing home. As such, I recommend that under the above circumstances that the Council of the City of Hamilton rescind the proposed designation as per clause 6 b of section 29 c of the Ontario Heritage Act. I have seen the drawing of the new home for which the Building Permit was revoked and this home is, in essence, a “facsimile” of that which is there today. It is in the same location and includes a similar front façade and design treatment as the original house. It thereby maintains that contextual value that Ms. Wallace identified.

To commemorate and remember what is there today I would further suggest that the demolition be delayed until a photographic summary is made of the existing home and I would also encourage the placement of a heritage plaque closer to the creek commemorating the former mill site and home at this location.

Yours Truly,



John Ariens, MCIP, RPP
Associate Director | Practice Lead, Planning
IBI Group

Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans

10.2(a)

WHEREAS, Council approved the resolution to hold virtual meetings for the Hamilton Municipal Heritage Committee, and all associated Working Groups, during their meeting on June 24, 2020;

WHEREAS, Heritage Working Groups will meet starting in July on an as needed basis;

WHEREAS, the Heritage Working Group's mandate includes reviewing work brought forward by Heritage Staff and conducting related project work; and,

WHEREAS, to best plan and facilitate virtual meetings moving forward, the Hamilton Municipal Heritage Committee and Heritage Staff need to have an understanding of each Working Group's plan of work and status of existing work;

The following is a plan of work for 2020 and an update on current projects:

| | |
|---|---|
| Date: | August 4, 2020 |
| Working Group: | Education and Communication |
| Name of Chair: | Alissa Denham-Robinson |
| Current List of Volunteer Members: | <ol style="list-style-type: none"> 1. Janice Brown (HMHC Member) 2. Graham Carroll (HMHC Member) 3. Charles Dimitry (HMHC Member) 4. Robin McKee (HMHC Member) 5. Tim Ritchie (HMHC Member) 6. Kathy Stacey |
| Staff Support: | <p>Miranda Brunton, Cultural Heritage Planner David Addington, Cultural Heritage Planner Alissa Golden, Heritage Project Specialist</p> |

CURRENT PROJECTS:

1. Publication & Print Project: Heritage Word Search Puzzles

Current Status:

- a) 10 puzzles have been created by C.Dimitry, reviewed by the Working Group and packaged as hand-outs (to be used at heritage events and elsewhere).

Next Steps:

- a. C.Dimitry is developing 2 additional puzzles (work in progress):
 - i. Hamilton Mountain Heritage
 - ii. Schools (Past & Present) - C.Dimitry has volunteered to work on the preparation of 2 versions of the School Puzzle for elementary and

Hamilton Municipal Heritage Committee Working Groups

Current Projects and 2020 Plans

secondary level – the list of potential names will be sent out to Working Group members to review and provide comment.

b. Public Outreach:

- i. C.Dimitry had previously reached out to local print media to gauge interest in publishing puzzles for readers. No response has been received. The Working Group has discussed other options for public outreach:
 - Engagement with School Board Programming and History Curriculum (J.Brown to reach out to Elementary School Contacts. G.Carroll to reach out to Secondary School Contacts to inquire).
**There may be opportunity to have school children contribute historical Hamilton words that we can use to generate a puzzle.*
 - Engagement with Archives (L.Lunstead is making use of the Waterdown Word Search at their Local Archive to inquire)
 - Engagement with Library (G.Carroll to reach out to the Manager the Local History & Archives to inquire)
 - Engagement with Tourism & Culture Division (A.Denham-Robinson to reach out to Sonja Mirva to inquire) – link to Children’s Museum
 - Engagement with Dundas Museum & Archives (K.Stacey has reached out to Museum Staff to inquire – they are very interested)
 - Engagement via the City’s Website under Heritage Resources (Miranda Brunton to connect with Planning Staff and City IT services to inquire)
- ii. Working Group to package Word Puzzles and Colour Pages together as a resource that can be distributed within the community.

2. Publication & Print Project: Heritage Colouring Pages (Vol. 2)

Current Status:

- a) Colouring Sheets have been completed for the following (ready for distribution):
 - Central Public School
 - Westinghouse HQ
- b) Graphics have been completed for the following (text and HMHC logo to be added):
 - Peace Memorial Arch
 - Battlefield House (Stoney Creek)

Next Steps:

- a) Artwork for Peace Memorial Arch and Battlefield House are complete. Text and logo to be applied to complete the colouring sheet for handout.

Hamilton Municipal Heritage Committee Working Groups

Current Projects and 2020 Plans

- b) The volunteer Student Artist from Bernie Custis Secondary School is excited to continue to assist our Working Group for the remainder of the year and beyond.
- c) Working Group to determine a list of heritage properties to be provided to the student artist for sketching; once school re-opens.

3. Public Outreach & Events: HMHC Heritage Recognition Awards

Current Status:

- a) The previously scheduled nomination review and Awards event was postponed due to Covid-19.
- b) Working Group is currently reviewing the list of nominations to select a list of winners across various categories.

Next Steps:

- a) Working Group to finalize the list of Award Nominations (through August 2020).
- b) Due to Covid-19 restrictions, the Working Group, along with City Staff, will explore options for a virtual or social media event in lieu of a live awards presentation. WG to look at examples of other local events that have taken place on-line.
- c) Working Group to prepare a recommendation, including a list of Award Recipients as well as proposed event details, to go to HMHC in Fall 2020.

PROPOSED NEW PROJECTS:

1. N/a

Hamilton Municipal Heritage Committee (HMHC) Working Groups Current Projects and 2020 Plans

10.2(b)

WHEREAS, Council approved the resolution to hold virtual meetings for the Hamilton Municipal Heritage Committee, and all associated Working Groups, during their meeting on June 24, 2020;

WHEREAS, Heritage Working Groups will meet starting in July on an as needed basis;

WHEREAS, the Heritage Working Group’s mandate includes reviewing work brought forward by Heritage Staff and conducting related project work; and,

WHEREAS, to best plan and facilitate virtual meetings moving forward, the Hamilton Municipal Heritage Committee and Heritage Staff need to have an understanding of each Working Group’s plan of work and status of existing work;

The following is a plan of work for 2020 and an update on current projects:

| | |
|---|---|
| Date: | July 30, 2020 |
| Working Group: | Inventory and Research |
| Name of Chair: | Janice Brown |
| Current List of Volunteer Members: | <ol style="list-style-type: none"> 1. Alissa Denham Robinson (HMHC Member) 2. Graham Carroll (HMHC Member) 3. Charles Dimitry (HMHC Member) 4. Lyn Lusted (HMHC Member) 5. Ann Gillespie 6. Jim Charlton 7. Brian Kowalesicz 8. Rammy Saini 9. Joachim Brouwer |
| Staff Support: | <p>Miranda Brunton, Cultural Heritage Planner David Addington, Cultural Heritage Planner Alissa Golden, Heritage Project Specialist</p> |

CURRENT PROJECTS:

1. Places of Worship:

Current Status: Undertaken in 2018 to update Significant Places of Worship in Hamilton’s Heritage Volumes A & B and to add post-1967 buildings. Working Group members are at various stages of completion of their research. Evaluations of pre-1968 buildings are being conducted with Alissa Golden and Working Group members during monthly meetings to identify those that should be listed on the Heritage Register or identified as candidates for OHA designation

Hamilton Municipal Heritage Committee (HMHC) Working Groups Current Projects and 2020 Plans

Next Steps: To complete evaluations of pre-1968 and post-1967 Places of Worship and to finalize the final form of the updated Places of Worship Inventory.
(Print/Digital/Photos)

2. Places of Education:

Current Status: Started in 2016, put on hold until 2019. Working Group members are at various stages of completion. Wards 1, 4, 6, 7, 12, 13, 14 & 15 ready for evaluations to identify those that should be listed on the Heritage Register or identified as candidates for OHA designation

Next Steps: To complete research in Wards 2, 3, 8, 9 & 10

3. Gothic Revival Farmhouses

Current Status: Working Group members completed inventory & evaluation for six inventoried mid 19th century Gothic Revival houses. (311 Rymal Road East, 2081 Upper James Street, 7105 Twenty road East, 9751 Twenty Road West, 623 Miles Road and 9445 Twenty Road West.)

Next Steps: To prepare summary paragraphs to accompany the completed inventory forms in order to recommend to HMHC and to determine whether any should be added to the Designation work plan.

4. Ongoing Cultural Heritage Assessments:

Current Status: Working Group members have advised staff on the following: Ferguson Avenue Pumping Station, Jimmy Thompson Pool, Centenary United Church, Crooker House, 299 Dundas St E, Waterdown, 323 Rymal Rd E, and Grace Lutheran Church Development Proposal.

PROPOSED NEW PROJECTS:

1. 24 Blake:

Hoodless Carriage House: Working Group Member to complete Inventory and Heritage Evaluation for inclusion on the Heritage Register.

2. Beasley and Ancaster Volunteer Led Inventory:

Alissa Golden has been assisting Ancaster Village Heritage Community and Beasley Neighbourhood Association in their work to inventory properties in their respective

Hamilton Municipal Heritage Committee (HMHC) Working Groups Current Projects and 2020 Plans

communities. The inventory and evaluation forms will be reviewed by I&R Working Group before the end of 2020.

HMHC Education and Communication Working Group

Meeting Notes

Wednesday July 8th, 2020 (6:00pm)
City WebEx, Virtual Meeting

Present: Alissa Denham-Robinson (Chair), Chuck Dimitry, Janice Brown, Robin McKee, Graham Carroll, Kathy Stacey, Tim Ritchie, Miranda Brunton (Heritage Planning Staff – Meeting Host)

Regrets: N/a

Also present: N/a

RECOMMENDATIONS:

1. The Education and Communication Working Group recommends the following:
 - a. That staff be asked to follow-up with the Culture Division (Christopher Redford) regarding plaquing for 2019-2020 designated properties including:
 - i. 231 Ferguson Ave. S. (Ferguson Pumping Station)
 - ii. 24 Main St. West (Centenary United Church),
 - b. That where there is an annual budget for the production of 5 heritage property designation plaques, and only 2 applicable plaques for the year, that the excess budgeted funds be used to produce plaquing for properties currently unplaqued (back-log of properties), and
 - a. That the appropriate staff representative(s) provide a presentation update to HMHC, specific to the Plaquing Workplan.

(Motion by R.McKee / Seconded by J.Brown)

1. Changes to the Agenda

1. Added Meeting Notes for Review, dated February 5, 2020 (Copy attached)

2. Declaration of Interest

1. A.Denham-Robinson and K.Stacey declared interest regarding award nominations (where noted).

3. Previous Meeting Notes

1. February 5, 2020 (Copy attached) – Approved by general consensus, the notes prepared by Chair A.Denham-Robinson.

2. March 4, 2020 (Copy attached) – Approved by general consensus, the notes prepared by Chair A.Denham-Robinson.

4. Publications & Print Projects:

1. Word Search Puzzles (Project On-going)

- a. Brief update provided by C.Dimitry.
- b. 10 puzzles have been completed and packaged
- c. Works in progress include a puzzle for Hamilton Mountain and Schools (past and present) – C.Dimitry volunteered to work on the preparation of 2 versions of the School Puzzle for elementary and secondary level – the list of potential names will be sent out to Working Group members to review and provide comment.
- d. C.Dimitry had previously reached out to local print media to gauge interest in publishing puzzles for readers. No response has been received.
- e. The Working Group discussed options for public outreach:
 - Engagement with School Board Programming and History Curriculum (J.Brown to reach out to Elementary School Contacts. G.Carroll to reach out to Secondary School Contacts to inquire).
**There may be opportunity to have school children contribute historical Hamilton words that we can use to generate a puzzle.*
 - Engagement with Archives (L.Lunstead is making use of the Waterdown Word Search at their Local Archive to inquire)
 - Engagement with Library (G.Carroll to reach out to the Manager the Local History & Archives to inquire)
 - Engagement with Tourism & Culture Division (A.Denham-Robinson to reach out to Sonja Mirva to inquire) – link to Children's Museum
 - Engagement with Dundas Museum & Archives (K.Stacey to reach out to Museum Staff to inquire)
 - Engagement via the City's Website under Heritage Resources (Miranda Brunton to connect with Planning Staff and City IT services to inquire)
- f. Working Group to package Word Puzzles and Colour Pages together as a resource that can be distributed.

2. Heritage Colouring Pages – Volume 2 (Project On-going)

- a. Brief update provided by J. Brown.
- b. The Thank You gift for our volunteer student artist, (donated by Working Group members and including sketchbook, fine-line pens, pencil crayons and other art supplies), was delivered by the student's teacher. The artist was delighted to receive.
- c. The Student Artist is excited to continue to assist our Working Group for the remainder of the year and beyond.
- d. Artwork for Peace Memorial Arch is complete. Requires text and logo to be

added.

- e. Artwork for Battlefield House is complete. Final scan to be provided by Teacher/Student Artist, once school reopens. Requires text and logo to be added.
- f. Working Group Members discussed future properties to be sketched. These include:
 - i. Heritage Places of Education (ex Delta, Cathedral Boys, etc.)
 - ii. Jimmy Thompson Pool
 - iii. 2 Hatt Street, Dundas
 - iv. Valley City, Dundas
 - v. Old Post Office, Dundas,
 - vi. Dundas District High school,
 - vii. Theatre (Horn of Plenty?)
 - viii. Masonic Hall
 - ix. Oddfellows Hall
 - x. Collins Hotel
 - xi. 7 Rolph, Dundas (Mushroom House) – M.Brunton to send photos to J.Brown
C.Dimitry found the following link:
<https://www.gteam.ca/wp-content/uploads/02-19-940x627.jpg>
 - xii. Cannon Knitting Mills
 - xiii. Corktown Building
 - xiv. 270 Sherman – Cotton Factory

Working Group to create a work plan for the student artist.

5. Public Outreach and Events:

1. HMHC Heritage Recognition Awards Celebration 2019-20

- a. The Working Group reviewed available options for this event including,
 - cancellation,
 - rescheduling until Covid-19 restrictions are lifted; as well as
 - virtual / social media opportunities as a way to proceed.
- b. If the event is not held in the typical format, members want to ensure that the proposed new format still honours property owners and award recipients well.
- c. M.Brunton to reach out to Jason Thorne and Arts Council to discuss example events and ideas.
- d. J.Brown to review options she has found while researching virtual garden tours.
- e. WG to meet July 22, 2020 for a dedicated meeting for an in-depth review of Awards Nominations and Recommendations to HMHC.
- f. A.Denham-Robinson to provide shared files including nomination information for the WG to review in advance of the next meeting.

6. Policy & Administration:

1. HMHC Notice of Motion: Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans

- a. Members in general agreement that Work Plan should include listed items on-going (as noted above). No new projects are suggested. Chair to draft and submit to Heritage Planning to be included on HMHC's August Agenda.

7. New Business:

1. Plaquing of Designated Properties

- a. R.McKee raised concern that designated properties are not being plaqued.
- b. Culture has a budget available for up to 5 plaques. For the past year, 2 of 4 designated properties should be plaqued. M. Brunton commented that they can contact Christopher Redford to inquire. R.McKee volunteered to write text if required. Properties include the following:
 - 231 Ferguson Ave. S – Pumping Stn.
 - 24 Main St. West – Centenary United Church (New Vision)
 - 127 Hughson St. N. (on-hold)
 - 1389 Pregreston Rd. (under appeal)
- c. R.McKee suggested that the WG recommend the following to HMHC:
 - That staff follow-up with Culture regarding outstanding plaquing for designated properties; and
 - That where there are only 2 of 5 plaques can be completed, that the remaining budget be used to plaque outstanding properties to alleviate any backlog.

(Motion brought forward by R.McKee and seconded by J.Brown)

8. Next Meeting: Wednesday July 22nd, 2020 at 6pm

DEMOLITION CONTROL AS A POSITIVE FORCE—A DELEGATION TO HAMILTON CITY COUNCIL

Protecting our Heritage.....Welcoming Positive
Development

Abstract

Demolition in Hamilton has created many negative outcomes for the community. The Ancaster Village Heritage Community believes it is past time to move decisions on demolition of important buildings from the shadows and restore accountability to the public

EXECUTIVE SUMMARY

Leadership in Development:

A Call to Hamilton City Council

1. **Ancaster Village Heritage Community**, an incorporated association of Ancaster residents based mainly in the Heritage District, is concerned about issues that affect our lives and those living in Hamilton. Ancaster's heritage dates from the 1700s. Heritage, people, and quality of life are the foundation of our efforts to improve the well-being of our community. **Our goal is to end the devastation caused by City demolition policies. We offer six possible solutions. (Page 5)**

2. **Stealth Demolition:** The loss of one of the most prominent buildings in the Ancaster streetscape, Brandon House, was the catalyst for AVHC to research the City process for demolition decisions. The result is a strong view that **demolition decisions have largely become an unaccountable, private transaction between City staff and demolition applicants.** (Photos Page 8)

3. **This is Public:** Demolition is NOT a private matter. Demolition may spark development or may result in a vacant lot. In either case the public has an interest as the streetscape defines a community, and significant changes to it are a public matter. **It is time for change.**

4. **Not Just One:** Besides Brandon House, demolition decisions taken by staff have resulted in the loss of important buildings and created empty lots. **Neighbours** live with weeds, dirt, unsightly views, likely loss in value. **Who spoke for them as these decisions were made behind closed doors?**

5. **Vacant lots** destroy streetscapes, have a significant negative financial effect on the city, and pressure Council to permit inappropriate development as developers attempt to build higher and lessen setbacks. This creates traffic issues, challenges infrastructure, alters the character of the community and creates stress. **AVHC cannot think of any city decisions less appropriate for closed door discussion.** The remarkable negative public reaction to losing Brandon House underlines this. (Photos Page 9)

6. **Encouraging Bad Outcomes:** It appears the City encourages vacant lots, a prime example of inappropriate Council delegation of authority to staff. Staff has significant latitude in determining if they can approve a demolition. **The current bylaw was created in 2009 through what appears to be a closed process with no public input. We hope the 2020 Council can do better.** There are many examples where it is clear from public reaction that the staff decision was not in accordance with community views. **Demolition management clearly needs a reset.**

7. **Often Ward Councilors are the Only Ones Who Know:** While Heritage properties designated under the Ontario Heritage Act cannot be summarily demolished, demolitions of other important structures, historical or otherwise, should be reviewed by City Council. These decisions are left to a ward councilor to try to influence a staff decision or decide to allow staff to proceed.

8. **Relieve Community Stress:** Issuance of Demolition permits for any building over 90 years, and for any building or series of buildings that will significantly alter a community streetscape must be made by Council to prevent "surprise" demolitions of important buildings. (Page 6)

9. **AVHC is mindful that Council time is valuable.** Important buildings need Council involvement. The decision process must preserve efficiency for routine demolitions.

CALL TO ACTION

AVHC is asking Council to immediately create a process to draft a replacement Demolition Control Bylaw that will cover ALL demolitions and ensure demolition is the basis of positive community development, not a strategy employed by developers to attain zoning changes and variances to improve their bottom line. AVHC offers positive suggestions in this presentation on how a 2020 Demolition Control Bylaw could be a win for Council, the community, and developers.

We ask that the process be considered urgent, include meaningful public consultation, and in recognition of the incredible negative effects of Demolition on our community that Council direct staff to immediately place all applications for a Demolition Permit for a building more than 90 years old on the Council agenda for public consideration.

BACKGROUND

Our appearance today reflects our belief that, other than the provision of basic services, there is nothing more important for a City Council than providing leadership in development.

Streetscapes define a community. They are community assets. Ancaster's buildings tell the tale of who we are and how we got here. A visit to Hamilton's communities will show each is unique—it only takes a quick glance to know you are in Dundas, not Stoney Creek, for example. New buildings are needed but they dramatically affect density, traffic and alter the character of a community.

AVHC believes strongly development done well renews and improves a community. Ancaster has many successful developments that preserved the buildings but brought a new life to them. The Carriageworks, Panabaker House, Rousseau House, the 1812 Barracks, the Union Hotel and more are on that list. There are many newer buildings that try to fit in and are an important part of the streetscape. **In short, we need to keep the best of what we have and welcome positive new development.** This requires Council leadership and community input.

Demolition is the start of most development, and **AVHC believes a demolition should lead to development in a timely manner**, NOT leave vacant lots for years while developers seek zoning variances to improve their bottom line.

Here is the issue and the ask: We ask Hamilton City Council to put an end to the developer strategy of creating vacant lots to pressure Council for zoning changes. **The streetscape is community property, not an asset to be manipulated for profit. Neighbours who have no voice in the decision to create a vacant lot need to be protected.**

Demolition of buildings in semi-residential zones seem to escape the process of Bylaw 09-298. That is wrong. **All demolition must be covered.**

AVHC only sees one solution, and that is to start over on how Hamilton manages demolitions.

CURRENT BYLAW: A copy of Hamilton ByLaw 09-208 is attached for reference.

THE ISSUES

- Stealth demolition of the pre-Confederation (1860) Brandon House without so much as a hint that a prominent heritage building at the gateway to Ancaster was about to be destroyed. The result: a vacant lot. Ancaster streetscape significantly harmed.
- Partial demolition of James Street Baptist Church downtown leaving the façade and an ugly vacant lot on a main downtown street and a bankrupt developer. This illustrates that our concern is broader than just Ancaster.
- Two recently created gaping holes in the Ancaster Wilson Streetscape are the scars of ill-advised demolition done with no notice. Unkempt vacant lots in the most characterful heart of town create a seriously negative image for our community. A few photos follow.
- AVHC notes significant negative effects on neighbouring properties, typical well cared for unpretentious older homes. Weeds. Dust. Unattractive views. Likely loss of value. They had no warning a dirty vacant lot was coming, nor do they know what is coming next. **Who spoke for their interests in this closed door granting of Demolition Permits?**
- Demolition of many buildings with no evidence of an approved future use is demolition for the sole purpose of creating vacant lots. These vacant lots are often part of a developer's strategy.
- Vacant lots cost the City of Hamilton significant tax revenue. Tax losses on the vacant lots on Wilson Street will likely be in the hundreds of thousands of dollars before any tax producing development is created. This amounts to other taxpayers subsidizing the developers. Immediate replacement of demolished buildings will increase tax revenues.
- A significant ongoing threat to a circa 1840 stone home (the Phillip House). It was designated heritage in 1981 but now stands alone in a vast vacant dirt lot after the demolition of all surrounding buildings. We have heard this referred to as "demolition by neglect". (Marr House, built 1840, was next door and in good condition but was demolished in 2019 to create the vacant lots)
- The threatened demolition of two other properties near the now-gone Brandon House, one of which pre-dates the Brandon House.
- Vacant lots increase the pressure on the City to allow variances as vacant lots are a detriment to the community. Granting a variance, for example to build higher than zoning allows, is the precedent. Hard to deny the same variance down the street. The first ill-advised demolition starts a process that could destroy the full streetscape, so it is critical the first demolition be handled well.

This is the heart of the concern that brings us to Council: There is not a single development plan filed with the City for any of the Ancaster vacant lots. Rumours about condos and retirement homes that will be almost double zoning height requirements are fuel for further aggravation of the community. Why should the community be subject to this pressure?

CONCLUSIONS

Advantage: Developers

Not only are there gaping holes in the ground around us in the Village, but there is a parallel gaping hole in the City development process that tilts it almost completely to a developer's advantage.

Why do Developers Demolish First? They Love Vacant Lots: It is a strategy. That simple. When an application is ultimately filed to fill an unsightly vacant lot, there is less public involvement than when there is no building the community values. Developers leverage zoning changes and other benefits from the City by first creating a highly contentious vacant lot. The vacant lot is often a detriment to the community and developments are approved that may not have been approved otherwise. Often the community is fed up with the mess and settles for less than ideal development. In short, irresponsible development and unfairness to the community.

Disadvantage: City and the Community

It is ironic that Hamilton taxpayers are forced to subsidize these developer strategies. New development should bring new tax revenue and if demolition is tied to development that happens very quickly. With vacant lots the City will lose incalculable amounts of revenue before there is tax-producing development. It is surely unfair to place this burden on taxpayers.

Constant developer pressure on the City to allow increased heights, smaller setbacks, is amplified when there is a vacant lot in the mix. Zoning bylaws are well thought through with significant community input BUT attempts to circumvent these zoning provisions are done on a spot basis and often before the broader community even knows.

The bottom line is: Demolition first, Development later advantages ONLY the developer, HURTS the City and the Community

It is Past Time to Give the Public A Say Through Council for the Important Decisions

SIX POSSIBLE SOLUTIONS:

We believe the current Demolition Control Bylaw 09-208 should be amended to:

1. **Return Authority to Council:** The previous 2008 Hamilton City Demolition Control Bylaw required Council approval for issuance of every Demolition Permit. Staff prepared a full report for each application for review by Council. This is not a good use of Council time. We propose efficient staff handling of ONLY non-contentious applications.

2. **Lessen Delegated Authority to Staff:** The Ontario Planning Act permits the City to delegate Council responsibility for issuance of Demolition Permits to staff. This led to radical revision of the 2008 bylaw procedures in 2009 Demolition Control Bylaw, 09-208. Demolition approval went from total Council involvement to almost total staff authority. This significant delegated authority means no accountability to the public with decisions made behind closed doors.

This matters: The process that led to this was a report to Council by staff recommending streamlining of the issuance of Demolition Permits by delegating authority for most Permits to staff. The draft bylaw was attached. AVHC sees no evidence of public input. We ask Council to ensure this process is NOT repeated and that changes be made with meaningful input by the public.

3. **Support Individual Ward Councilors:** Individual ward councilors are effectively the only line of defense when inappropriate demolition is applied for. Councilors are informed by staff in writing when an application for a demolition permit is filed in their ward. This leaves the responsibility for a contentious demolition with the councilor. Different wards may see different approaches and there is the potential for conflict with staff. There should be a consistent approach across the city to each demolition application that takes pressure off individual councilors to “save” buildings. Council should be responsible for contentious demolitions, not a lone councilor.

4. **Give Staff Clear Definitions:** Paragraph 4 of 09-208 delegates approval of “routine” applications to the Chief Building Official. Paragraph 5 provides examples of “routine” but then provides the definition “is not limited to” the items set out. In Section 6, the conditions under which a demolition permit may be issued by staff are preceded by use of the word “may”, giving staff complete discretion in issuing demolition permits, and renders the conditions for issuance irrelevant.

The criteria for dealing with “routine” applications set out in Paragraph 5 are efficient and reasonable. The resulting exceptions created by “may” and “not limited to” are NOT reasonable. The criteria should be unequivocal.

If an application does not meet the criteria, it should not be considered “routine” and should be handled by Council. Non-residential zoned demolitions can be done with no replacement plan. This needs to end. A vacant lot is a vacant lot and demolition should not create them.

5. A Great Start—Expectations for Demolitions: The City of Waterloo provides an enlightened example of how Hamilton could set clear expectations easily understood by the public, property owners, and developers. No one would wonder if a demolition application would be approved with similar wording in Hamilton. It is not in the community’s interest to lose significant buildings and end up with vacant lots with no replacements in sight. The City of Waterloo sets out clearly the intent of its Demolition Bylaw:

“The intent of demolition control shall be:

- 1. to prevent the premature loss of housing stock and the creation of vacant parcels of land;*
- 2. to prevent the premature loss of assessment;*
- 3. to retain existing residential units until new uses have been considered and zoning or site plans approved;*
- 4. to prevent block busting within residential neighbourhoods;*
- 5. to prohibit the use of Demolition to reduce maintenance costs; and*
- 6. to prohibit the use of Demolition as a tactic to obtain zoning or other City approvals.*

AVHC believes a statement of intent in a revised Demolition Control Bylaw would be the single most important change Council could introduce.

6 Clarify the Definition of “Routine”: Efficient handling of permits is an important goal, and the addition of an Intent section to the bylaw and further examples of “routine” could help ensure Council is not bogged down and handles only the significant Applications for Demolition.

An important item to include is the age of a structure. AVHC believes “routine” applications should generally apply to structures newer than 90 years. This would alleviate a lot of the community concern about structures that are historical, but which have not been considered for some level of heritage status.

Placing Demolition applications for these structures on a public Council agenda automatically provides transparency and public accountability that does not exist today.

This Matters to the Public Image of Council: Our suggested changes may see Council dealing with more Applications. If the changes are drafted well those will be the ones that truly matter.

AVHC believes it is in Council’s interest to prevent the recriminations and criticisms that arise after a structure that is highly valued by a community is suddenly demolished, to be replaced by a vacant lot. In these cases, there will inevitably be a sense that the encroachment on the community was improper, even though all rules were followed.

AVHC suggests that even the developer would be in a better place. Development without community support is never a positive move; if this developer had known the extent of community feeling for Brandon House, its historical importance to the community as a heritage site, and if our proposals had been in place, it is inevitable that a different plan would have come forward which would have met with agreement from all parties.

IN SUMMARY

- Demolition is part of development, which can be positive for a community, and requires a Hamilton permit under the Ontario Planning Act;
- A development plan is a bargain between the developer, the City, and the community—without community acceptance changes to the streetscape are criticized and most developments will not thrive;
- The contingencies involved should be on full display on the table in a full proposal in such cases, including what the community loses by demolition and what they gain by the proposed development;
- Demolition to create vacant lots tilts the process to developers; costs significant tax revenue; destroys neighbourhoods; and presents an inevitable downside to everyone AND SHOULD BE PREVENTED;
- Link Demolition to Development and create a fair bargain between all parties. Swapping an almost pristine heritage home for an unsightly vacant lot is NOT a fair bargain;
- The multiple demolitions that have created a far less attractive streetscape in Ancaster cannot be undone—this is an important lesson for all of us. There is one chance to get this right.

We can, however, make changes to create a better future for our community, by ensuring development creates a win for the community, a win for the City, and a win for the developer.

WILSON STREET TRANSFORMED BY DEMOLITION



**THERE IS NO DEVELOPMENT
PLAN FOR THE BRANDON
HOUSE PROPERTY.**

**THIS APPEARS TO BE
DEMOLITION TO CREATE A
VACANT LOT**

BRANDON HOUSE IN 2019 AS GENERATIONS KNEW IT



THE CITY DEMOLITION PERMIT WAS ACTED UPON IMMEDIATELY



DIRT, WEEDS, RUBBLE--ALL THAT IS LEFT OF A ONCE PROUD HOME



JUST WEST OF BRANDON HOUSE A HUGE EMPTY LOT THANKS TO MULTIPLE DEMOLITIONS



LIKE THE BRANDON HOUSE LOT THERE IS NO FILED PLAN FOR THESE PROPERTIES.

ALL INDICATIONS ARE DEMOLITION WAS DONE SOLELY TO CREATE THESE UNSIGHTLY DIRT LOTS

MARR-PHILLIPO HOUSE, A DESIGNATED PROPERTY BY ONTARIO HERITAGE, NOW SITS IN A VAST DIRT LOT CREATED BY THESE DEMOLITIONS AWAITING ITS UNKNOWN FATE WITH NO PUBLIC INPUT



ESTABLISHED RESIDENTIAL AREAS BORDER THE VACANT LOTS. ADJACENT PROPERTY OWNERS HAVE NO IDEA WHAT DEVELOPMENT WILL ULTIMATELY FILL THE LOTS, AND IN THE MEANTIME HAVE TO PUT UP WITH UNKEMPT VACANT LOTS AS NEIGHBOURS.



A GLANCE EAST FROM THE LARGE VACANT LOTS (RIGHT) AND WEST (BELOW) SHOWS THE BEAUTIFUL COMMUNITY ANCASTER IS, AND UNDERLINES WHY HAMILTON NEEDS TO RESET HOW DEMOLITIONS ARE MANAGED TO PREVENT THESE UGLY SCARS ON THE STREETScape WITH NO DEVELOPMENT IN PLACE TO FILL THEM



THE CLOSEST BUILDING IN THE PHOTO TO THE LEFT IS NEW DEVELOPMENT, ABOUT 2018. IT FITS THE STREETScape. DEMOLITION OF THE FORMER BUILDING WAS FOLLOWED QUICKLY BY CONSTRUCTION OF THIS ONE. CLEARLY EMPTY LOT DEMOLITIONS ARE NOT NECESSARY.

APPENDIX A—Current Hamilton Bylaw—09-208

Authority: Item 10, Economic Development
and Planning Committee Report;
09-018 (PED09258) CM:
September 30, 2009

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 09-208

To Enact a Demolition Control Area By-law and to Repeal and Replace By-law No. 08-226 Entitled "Demolition Control"

WHEREAS section 33 of the Planning Act, R.S.O. 1990, c. P. 13, provides that Council of the City of Hamilton may by by-law designate any area within the City of Hamilton as a demolition control area when a property standards by-law under section 15.1 of the Building Code Act, 1992, S.O. 1992, c. 23, is in force in the City of Hamilton;

AND WHEREAS Property Standards By-law No. 03-1 17 was enacted on May 14, 2003 and is in force in the City of Hamilton;

AND WHEREAS no person shall demolish the whole or any part of any residential property in a demolition control area unless the person has been issued a demolition permit by the Council of the City of Hamilton;

AND WHEREAS under subsections 33(3) and 33(6) of the Planning Act, R.S.O. 1990,

c. P. 13, the Council of the City of Hamilton is the decision-maker in respect of consenting to the demolition of a residential property in an area of demolition control;

AND WHEREAS under sections 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, in accordance with section 23.1 of the Municipal Act, 2001, the powers of a municipality under that or any other Act may be delegated to a person or a body subject to the restrictions set in sections 23.2 to 23.5, inclusive, of the Municipal Act,

2001;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. In this By-law:

"Chief Building Official" means the City's Chief Building Official and includes the City's Deputy Chief Building Officials as directed by the Chief Building Official or in his/her absence;

"City" means the geographical area of the City of Hamilton or the municipal corporation as the context requires;

"Council" means the City's Council;

"dwelling unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; and

"residential property" means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building or a building used as a lodging house, residential care facility, retirement home, long term care facility or hotel as defined under the City's zoning by-laws.

Demolition Control Area

2. All of the lands within the boundaries of the City are designated as a demolition control area.

3. This By-law does not apply when:

(a) the demolition of a part of the residential property does not reduce the number of dwelling units;

(b) the residential property is owned by the City and the demolition is required for the imminent implementation of a City capital works project previously approved by Council, except if the residential property is designated under the Ontario Heritage Act;

(c) the residential property is a mobile home;

(d) the owner of the residential property has entered into a demolition agreement with City;

(e) the residential property is exempted under any federal or provincial statute or regulation; or

(f) the residential building has been found to be unsafe under section 15.9 of the Building Code Act, 1992 and an order has been issued under that section.

Delegation of Authority

4. Council delegates to the Chief Building Official power with respect to the issuing of demolition permits for routine applications which was given to Council under subsections 33(3) and 33(6) of the Planning Act.
5. For the purposes of section 4, "routine applications" include, but are not limited to, an application to demolish a residential building:
 - in an established neighbourhood when the standard conditions in section 6 would apply; _
 - to facilitate a development under an approved site plan or approved draft plan of subdivision; _
 - in a zone that does not permit a residential use; _
 - when another non-residential use is permitted; _
 - to facilitate land assembly for future development; _
 - in the Rural Area when abutting lands would not be impacted.
6. A demolition permit issued by the Chief Building Official under section 4 may be subject to the following conditions:
 - (a) that the applicant for the demolition permit has applied for and received a building permit for a replacement building on the property;
 - (b) that the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
 - (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - (ii) is a lien or charge on the property until paid; and
 - (c) that the applicant for the demolition permit has registered on title to the property notice of conditions (a) and (b) in a form satisfactory to the Chief Building Official and the City Solicitor.
7. The delegated power under section 4 does not include the power to:
 - (a) refuse to issue a demolition permit and where the Chief Building Official would refuse to issue a demolition permit, he/she shall so

advise Council which retains all power with respect to issuing or refusing to issue that demolition permit;
 - (b) attach conditions as set out in section 6 to a demolition permit with which an owner of residential property is not in agreement and where this is the case, the Chief Building Official shall so advise Council which retains all power with respect to issuing or refusing to issue the demolition permit; or
 - (c) issue or refuse to issue a demolition permit for a building designated under the Ontario Heritage Act.
8. The Chief Building Official is authorized to undertake all acts necessary to carry out the delegated power under section 4, including the authority to sign any required documents.

Title, Repeal and Effective Date

9. This By-law may be cited as the "Hamilton Demolition Control Area By-law" or the "Demolition Control Area By-law".

10. By-law 08-226 is repealed as of the day on which this By-law comes into force.

11. This By-law comes into force on the date of its passing.

PASSED and ENACTED this 30th day of September 2009.



Fred Eisenberger
Mayor




Kevin C. Christenson
City Clerk



Hamilton

INFORMATION REPORT

| | |
|---------------------------|---|
| TO: | Chair and Members Hamilton Municipal Heritage Committee |
| COMMITTEE DATE: | August 20, 2020 |
| SUBJECT/REPORT NO: | Location of the Cross of Lorraine located at 828 Sanatorium Road, Hamilton (PED20141) (Ward 8) |
| WARD(S) AFFECTED: | Ward 8 |
| PREPARED BY: | Miranda Brunton (905) 546-2424 Ext. 1202 |
| SUBMITTED BY: | Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department |
| SIGNATURE: |  |

At the Hamilton Municipal Heritage Committee (HMHC) meeting on September 13, 2018, the Committee reviewed the initial recommendation to designate the property located at 828 Sanatorium Road, Hamilton (refer to Report PED18214). The identified heritage attributes of the subject property include the Long and Bisby Building and multiple landscape features, including the Cross of Lorraine.

The HMHC supported the recommendation to designate the property located at 828 Sanatorium Road and forwarded the recommendation to Planning Committee for review and consideration (refer to Appendix "A" to Report PED20141). In 2018, the HMHC was unclear about the location of the Cross of Lorraine and requested that staff report back to the HMHC clarifying the location of the Cross of Lorraine (please see excerpt from HMHC report (18-009) below):

- "(a) That staff be directed to determine if the Cross of Lorraine is situated on private property or escarpment lands, with a report back to the Hamilton Municipal Heritage Committee; and
- (b) That if the Cross of Lorraine is determined to be situated on private property, it should be removed from the Statement of Cultural Heritage Value or Interest, attached as Appendix "C" to Report PED18214 respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act*."

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Location of the Cross of Lorraine located at 828 Sanatorium Road, Hamilton (PED20141) (Ward 8)- Page 2 of 2

This report will address the HMHC request (a) of the direction to staff regarding the location of the Cross of Lorraine. Staff will follow up with another report regarding part (b) of the HMHC request at a later date.

Cross of Lorraine

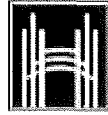
The Cross of Lorraine was erected by the E.L. Ruddy Company in November of 1953 and stands as a tangible reminder of the former use of the property as a Sanatorium and the wider struggle to contain and eradicate Tuberculosis. The Cross is 7.62 m (25 feet) tall, constructed of metal and includes neon lights for illumination. When lit, the Cross is noted to be clearly visible from the city and bay below the escarpment. For a comprehensive history of the Cross of Lorraine, refer to PED18214.

During the HMHC meeting on September 13, 2018, the ownership of the Cross was called into question and the HMHC directed staff to determine the location and ownership of the Cross and report back to the HMHC (refer to Appendix "A" to Report PED20141). To determine the location of the Cross, Heritage staff consulted with Public Works staff (David Lamont, Manager, Geomatic & Corridor Management), GIS staff in the Planning and Economic Development Department, as well as the City's legal staff. Based on this consultation and review of site data information and surveys, staff have determined the Cross of Lorraine is on private property, that is located within the boundary of 828 Sanatorium Road, Hamilton (refer to Appendix "B" to Report PED20141).

APPENDICES

- Appendix "A" - Excerpts from HMHC 18-009
- Appendix "B" - Registered Plan 62R-17555 geo-reference on top of an Aerial showing the Cross of Lorraine

Excerpts from Hamilton Municipal Heritage Committee meeting report 18-009



Hamilton

**HAMILTON MUNICIPAL HERITAGE COMMITTEE
MINUTES 18-009
12:00 p.m.
September 13, 2018
Room 264, 2nd Floor
Hamilton City Hall
71 Main Street West**

Present: Councillor M. Pearson and J. Partridge
A. Denham-Robinson (Chair), D. Beland, C. Dmitry, K. Garay, M.
McGaw, T. Ritchie, K. Stacey

**Absent with
Regrets:** Councillor A. Johnson – Personal, W. Arndt, G. Carroll, R. Sinclair
and T. Wallis

**THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR
CONSIDERATION:**

1. **Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**

(Pearson/Garay)

- (a) That the designation of 828 Sanatorium Road, Hamilton, shown in Appendix "A" to Report PED18214, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "C" to PED18214, be approved;
- (c) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix "D" to Report PED18214

CARRIED

From the 'For Information' section of the Hamilton Municipal Heritage Committee meeting report 18-009:

(g) STAFF PRESENTATIONS (Item 7)

(i) Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)

Jeremy Parsons, Cultural Heritage Planner, addressed the Committee respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

(Pearson/Garay)

That the presentation respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8), be received.

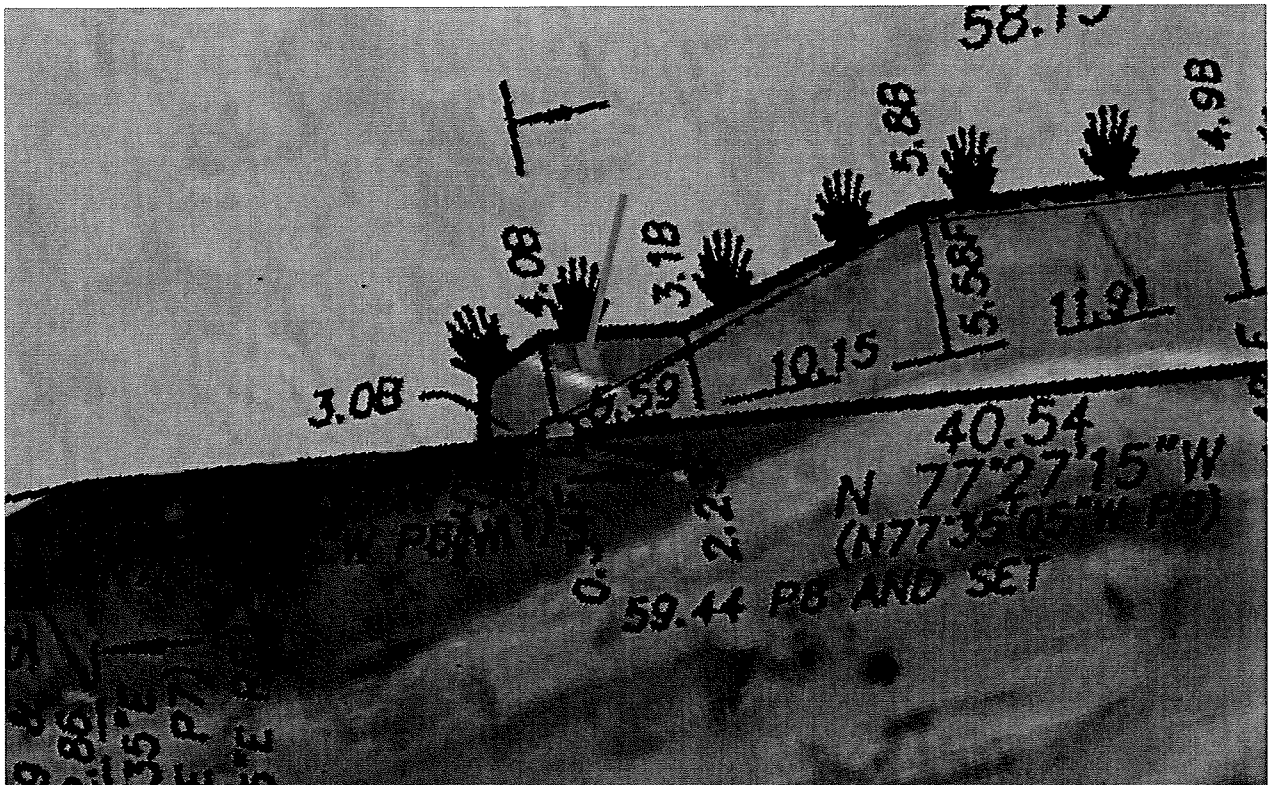
CARRIED

Councillor Pearson wished to be recorded as OPPOSED to the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8).

(Dmitry/Partridge)

- (a) That staff be directed to determine if the Cross of Lorraine is situated on private property or escarpment lands, with a report back to the Hamilton Municipal Heritage Committee; and
- (b) That if the Cross of Lorraine is determined to be situated on private property, it should be removed from the Statement of Cultural Heritage Value of Interest, attached as Appendix "C" to Report PED18214 respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act*.

CARRIED



Registered plan 62R-17555 - geo-reference on top of an aerial showing Cross of Lorraine within subject property. The orange arrow indicates the location of the Cross.