



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Tourism and Culture Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 18, 2014
SUBJECT/REPORT NO:	Downtown Built Heritage Inventory (PED14039) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Sonia Mrva (905) 546-2424 Ext. 4123
SUBMITTED BY:	Joe-Anne Priel Acting General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the property evaluation framework developed by ERA Architects Inc., *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039, be used to guide future inventory work;

NOTE: Due to the size and bulk of the ERA Architects report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, and its large scale appendices, a hard copy of the full report will be available for viewing in the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton and on the City’s website at:
<http://www.hamilton.ca/CityDepartments/CorporateServices/Clerks/AgendaMinutes/Planning/2014/March 18, 2014>

- (b) That staff be directed to consult with the Hamilton Municipal Heritage Committee and the owners of the properties listed in Appendix “C” of ERA Architects report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039, and report back to the Planning Committee regarding the addition of these properties to the Register of Property of Cultural Heritage Value or Interest as non-designated properties;
- (c) That staff be directed to consult with the Hamilton Municipal Heritage Committee and the owners of the properties listed in Appendix “C” of ERA Architects report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039, and report back to the Planning Committee regarding the priority of Cultural Heritage Assessment work for each property for potential designation under the Ontario Heritage Act;

- (d) That staff be directed to prepare a work plan for Recommendations (b) and (c) of Report PED14039 and for completion of the inventory and evaluation of the remaining properties in the City's *Inventory of Buildings of Architectural and/or Historical Interest*, including community engagement, volunteer opportunities, survey methodology, data management, and the feasibility of applying the evaluation framework identified in Recommendation (a) of Report PED14039;
- (e) That staff be directed to prepare a Capital Budget submission for the work described in Recommendation (d) of Report PED14039 to be brought forward in the 2015 Budget deliberations;
- (f) That the item on the Outstanding Business List respecting Downtown Built Heritage Inventory be identified as completed and removed from the Planning Committee Outstanding Business List.

EXECUTIVE SUMMARY

On February 19, 2008, the Planning and Economic Development Committee directed staff to conduct a pilot study of the Downtown which would re-evaluate the approximately 800 heritage properties currently identified in the *City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest*. Once complete, the pilot study would inform decisions regarding properties suitable for inclusion in the register or be suitable candidates for designation under Part IV or V of the Ontario Heritage Act.

Implicit in the pilot study was the development of a survey and evaluation framework to be used as a template to address the remaining 6,000+ properties outside the Downtown listed in the *City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest*.

From June 2011 to August 2012 staff completed Phase 1 of the pilot study. A comprehensive and consistent survey of individual properties was undertaken, including photographs of each property, the completion of survey sheets, and historical research.

With Phase 1 of the pilot study complete, staff contracted with ERA Architects Inc. (ERA) to complete the pilot study and develop an evaluation framework for the remaining inventoried properties. ERA has concluded that, while a detailed survey is useful as a heritage conservation management tool, it is both staff and time consuming. In order to better manage the built heritage concerns in a cost effective manner, ERA is recommending adopting a streamlined evaluation framework, attached as Appendix "A" to Report PED14039, which will minimize detailed and costly property by property analysis while still providing a comprehensive, consistent and transparent evaluation.

With the Urban Hamilton Official Plan now in force and effect, a range of new policies and goals support the proactive conservation of cultural heritage resources throughout

the City of Hamilton. Tangible features such as structures, sites and landscapes and intangible features such as customs, ways of life and values are the foundation for wise management and conservation of cultural heritage resources.

Section 3.4.2.6 of the Urban Official Plan states:

The City recognizes there may be *cultural heritage properties* that are not yet identified or included in the Register of Property of Cultural Heritage Value or Interest nor designated under the Ontario Heritage Act, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation.

Section 3.4.2.11 of the Urban Official Plan states:

The City shall prepare *cultural heritage conservation plan statements* for areas where the concentration or significance of *cultural heritage resources* require that detailed guidance be provided for the conservation and enhancement of these resources, in accordance with Section F.3.1.4 - Cultural Heritage Conservation Plan Statements. The statements will, in part, be prepared to ensure that development, site alteration and *redevelopment* proposals demonstrate appropriate consideration for their impact on *cultural heritage resources*.

In Report PED08053, *Register of Properties of Cultural Heritage Value or Interest and the City's Heritage Inventory*, City of Hamilton Heritage Planning staff suggested, with the amendment to the Ontario Heritage Act, the municipal register could now potentially function as a heritage conservation management tool by allowing temporary protection of non-designated properties.

In 2013, staff initiated the second and final phase of the pilot study, working with ERA to develop an evaluation framework that streamlines the inventory and evaluation process through the use of citywide surveys.

Given the scope of properties contained in the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest and the Urban Official Plan Policies for Cultural Heritage Resources, ERA concluded that employing elements of the citywide survey approach in Hamilton would address both short and long-term heritage conservation goals for the City.

ERA writes in their report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix "A" to Report PED14039:

Citywide surveys are comprehensive studies that are carried out in a systematic manner, using historic context statements to help identify significant properties, based on their type, character or connection to a locally significant narrative or

historical theme. It is a streamlined approach that attempts to minimize detailed (and costly) property-by-property research and analysis, emphasizing the themes and patterns that shape urban areas.

The use of citywide surveys provides the opportunity to address the large number (approximately 7,000) of outstanding properties in the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest in an efficient and timely manner. This approach emphasizes the themes and patterns that shape urban areas allowing staff to prioritize individual properties for further research possibly leading to listing on the register or formal designation.

The draft framework was applied to the Downtown inventory, both to address and evaluate the inventory of buildings themselves and to test the validity of the framework.

The pilot study area was sub-divided into seven precincts based on analysis and mapping. Each of these precincts is considered to be a distinct urban landscape with its own distinct narrative. Working from feedback and insights gained from multiple community consultations, Historic Context Statements were developed for each of the seven precincts which guide evaluation decisions and assess the contribution each property makes to its historic context rather than treating each property in isolation. This approach is based on emerging best practice which aims to better integrate heritage conservation and urban development.

The framework adopted to complete Phase 2 of the pilot study employs three tools to guide the preliminary evaluation of individual properties: the property information currently contained in Phase 1 of the Downtown Built Heritage Inventory Pilot Study; historic context statements for each of the sub-areas of the Downtown; and an evaluation checklist based on the Ontario's Regulation 9/06 and the City of Hamilton's municipal criteria.

In order to address the approximately 7,000 remaining properties on the inventory, staff is recommending developing a work program for consideration during the 2015 Budget process. The work program will outline the application of the framework for the remaining 7,000 properties as well as associated staffing costs. Currently, staff work plans in both Heritage Planning and Tourism and Culture cannot accommodate the next phase of this project. This is a multi-year Capital commitment.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications associated with the recommendations in Report PED14039.

Staffing: There are no staffing implications associated with the recommendations in Report PED14039.

Legal: Section 27(1.2) of the Ontario Heritage Act states:

In addition to the property listed in the register under subsection (1.1), the register may include property that has not been designated under this Part but that the council of the municipality believes to be of cultural heritage value or interest and shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property. 2005, c. 6, s. 15.

HISTORICAL BACKGROUND

At the Planning and Economic Development Committee meeting of February 19, 2008, the recommendations of Report PED08053, *Register of Properties of Cultural Heritage Value or Interest and the City's Heritage Inventory*, were passed and later ratified by Council on February 27, 2008. Council directed staff to conduct a pilot study of the downtown which would re-evaluate the approximately 800 heritage properties currently identified in the *City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest*.

Changes to the Ontario Heritage Act in 2005 altered the primary function of the register from an administrative record keeping tool to a potential heritage conservation tool for municipalities. The amendments to the Act allowed municipalities to include non-designated heritage properties to the "Register of Properties of Cultural Heritage Value or Interest" resulting in short-term, interim protection of heritage properties from demolition.

The 60 day period under the Ontario Heritage Act for properties on the "Register of Properties of Cultural Heritage Value or Interest" was intended to allow a municipality and their Municipal Heritage Committee time to pursue a number of options. These options included:

- A period of time to allow for discussion with the owner respecting retention, adaptive re-use and any financial assistance;
- Interim protection allowing time for proper photo-documentation to be undertaken prior to demolition of the heritage resource; and,
- A period of time during which designation under the Ontario Heritage Act could be processed.

Heritage Planning staff concluded that to process and administer potential designations within a two-month time frame was unrealistic. In order for staff to prepare a comprehensive, sound and defensible designation, staff concluded that a minimum of eight weeks of in-house report processing was required. This timeline did not include the preparing of the cultural heritage assessment research and writing.

Given the time required to process designations the efficacy of the register as a conservation management tool remains questionable, however sound heritage conservation management begins with survey and inventory work.

From June 2011 to August 2012 Planning staff initiated the Downtown Built Heritage Inventory Pilot Study. The pilot study took a pro-active heritage approach with the goal to develop a consistent, traceable and transparent approach.

The objectives of Phase 1 of the Downtown Built Heritage Inventory Pilot Study were to complete an updated, consistent and comprehensive survey of all properties within the Downtown Core.

Phase 1 of the project involved the collection of detailed information about each inventoried property through field surveys and historical research. The survey information included property location, form, key exterior features, materials, current condition of the property, and estimated date of construction. City directories, fire insurance plans, historic photos, existing inventories and secondary sources formed the basis for historical research. The exterior of each property was photographed in its current location.

Staff identified Phase 2 as the development and piloting of a consistent nomination and evaluation strategy for properties. The evaluation strategy informs and prioritizes potential property inclusion in the Register of Properties of Cultural Heritage Value or Interest or formal designation under the Ontario Heritage Act.

The objectives of Phase 2 were to:

- Analyze and identify from the new and updated inventory those properties and structures that may be under threat and suitable for inclusion in the register;
- Identify cultural heritage properties that may be suitable candidates for formal designation under Parts IV and V of the Ontario Heritage Act;
- Consult with both the public and the Hamilton Municipal Heritage Committee to solicit feedback on the process; and,
- Review and assess the results of the pilot study as the basis for developing a City-wide survey methodology.

In March 2013, ERA was contracted by the City to complete Phase 2 of the study. Phase 2 included the development of an evaluation framework for the approximately 800 previously inventoried Downtown properties on the *Inventory of Buildings of Architectural and/or Historical Interest*.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Planning Act, Section 2(d) identifies “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” as a “provincial interest” and a key component of good land use planning.

The Provincial Policy Statement (PPS), 2005 further identifies the wise use and management of cultural heritage and archaeological resources as a Provincial interest and thus an important consideration for municipal planning policy development and decisions.

Subsection 2.6 of the PPS states that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

Those PPS policies of particular relevance for the conservation of cultural heritage resources are found in Section 2, Wise Use and Management of Resources:

Ontario’s long-term prosperity, environmental health, and social well-being depend on protection natural of heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

The PPS defines “conserved” as:

The identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact statement.

The idea of identification as part of meaningful action directed to conserve cultural heritage clearly supports the concept of inventorying such resources, features and properties.

The Urban Hamilton Official Plan further identifies the management and conservation of cultural heritage resources as beneficial to communities in the City.

Identified in the policy goals for the care, protection and management of cultural heritage resources in Hamilton are as follows:

- 3.4.1.1 Identify and *conserve* the City’s *cultural heritage resources* through the adoption and implementation of policies and programs, including partnerships among various public and private agencies and organizations.

- 3.4.1.2 Encourage as city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic, and social strategy, where *cultural heritage resources* contribute to achieving sustainable, healthy, and prosperous communities.
- 3.4.1.3 Ensure that all new *development*, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or *adjacent cultural heritage resources*.
- 3.4.1.4 Encourage the rehabilitation, renovation, and restoration of built *heritage resources* in order that they remain in active use.
- 3.4.1.5 Promote public and private awareness, appreciation, and enjoyment of Hamilton's cultural heritage through public programmes or heritage interpretation activities, heritage tourism, and guidance on appropriate conservation practices.

RELEVANT CONSULTATION

Director, Planning Division, Planning and Economic Development Department
Cultural Heritage Planners, Development Planning, Heritage and Design, Planning Division, Planning and Economic Development Department

- Report PED14039 was reviewed and recommendations were endorsed.

Hamilton Municipal Heritage Committee

- Tourism and Culture staff presented Report PED14039 on February 20, 2014 for comment and approval of the recommendations.

External Consultation

On July 10 and December 2, 2013, public consultation was held at LIUNA Station and the Workers' Arts and Heritage Centre. Both public consultations were well attended with over 100 people attending.

The July 10 consultation provided the public with the opportunity to provide input on the development of the Historic Context Statements for each precinct within the study area. The input was incorporated into the final Historic Context Statements developed by ERA.

The December 2 consultation provided the public with an overview and explanation of the development of the survey and evaluation framework. Comments were collected through surveys and the presentation was available on-line from December 5 – 31, 2013.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Many heritage conservation strategies or programs in Ontario, and elsewhere in Canada, begin with a survey of properties, within a defined geographic area. Surveys are used in cultural heritage planning in order to understand what exists, its condition and where it is located. These initial surveys are often carried out by trained volunteers and heritage planners who tour areas, making note of places that are historic and that may be of heritage value to the community.

An inventory is typically created from the initial survey which is a formal list of historic properties. The resulting inventories are used in a variety of ways including municipal planning and heritage conservation strategies. Generally, the inventory does not impose any legal restrictions on property.

Shortly after passing the Ontario Heritage Act in 1975, each of the former local municipalities of the amalgamated City of Hamilton began to undertake heritage surveys of buildings and structures. These heritage surveys typically resulted in the compilation of “lists” or “inventories” of heritage properties. These municipal inventories consist of a wide range of rural and urban properties including a variety of building types such as residential, ecclesiastical, public and institutional buildings.

Using the former municipalities’ inventories for heritage planning purposes, staff concluded that the quality of the data is sound. Further, the evaluation criteria, research and documentation which form the basis of these inventories are generally consistent with current practice to maintain the validity of the data.

Deficiencies in the existing inventory do not stem from the quality of the data but rather the lack of consistent monitoring or field surveys to verify whether properties identified in previous years are still in the same condition as when originally recorded. For instance, some inventoried properties either no longer exist or have been physically altered beyond recognition since first surveyed.

Staff concluded there was value in maintaining the former municipal inventories in the City of Hamilton’s *Inventory of Buildings of Architectural and/or Historical Interest*. Since amalgamation the information contained in the *Inventory of Buildings of Architectural and/or Historical Interest* has been used in a number of ways from aiding property owners, local historians and film companies for purposes of research and as a basis for a variety of designation applications under the Ontario Heritage Act.

Given the complexity and issues regarding the large number of inventoried heritage properties in the Hamilton Downtown, staff recommended that a one-year pilot study be initiated to re-evaluate those approximately 800 heritage properties identified in the *Inventory of Buildings of Architectural and/or Historical Interest*.

The Downtown Built Heritage Inventory Pilot Study, Phase 1 completed in August 2012, addressed those approximately 800 heritage properties and updated data contained in the *Inventory of Buildings of Architectural and/or Historical Interest* through detailed property by property field surveys.

Phase 2 of the Downtown Built Heritage Inventory Pilot Study addressed the development and piloting of a consistent and traceable evaluation methodology. The methodology was applied to properties of heritage value resulting in recommendations for inclusion on the Municipal Register as non-designated properties.

Evaluation Framework and Summary

Based on emerging best practice, ERA developed a Hamilton specific evaluation framework using the “citywide surveys” approach. ERA faced a number of challenges in developing a Hamilton specific evaluation framework:

1. The need for a highly efficient evaluation tool to assess the large number of properties in the study area while at the same time being clear and defensible;
2. The highly fragmented urban landscape. For example, modest residential properties adjacent to vacant lots, adjacent to prominent buildings; and,
3. The geographic study area which comprises Queen, Cannon, Wellington and Hunter Streets. The study area does not relate to any one neighbourhood or area with a coherent character.

In order to better understand and define the study area, ERA began with a review of secondary sources and existing City heritage reports to identify key themes, drivers of development and events that shaped the urban development of Downtown Hamilton. Mapping was also carried out to better analyze the built heritage resources in the Downtown, referenced in Appendix “D” to ERA’s report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039.

Based on this analysis seven precincts were identified within the Downtown: Beasley, Central, Durand, Corktown, The Crossroads, The Gore, The Civic Precinct.

Once the precincts were identified, Historic Context Statements were developed for each precinct. The Historic Context Statement provides a framework from which the character of these precincts can be understood and the contribution of the properties within them can be evaluated. The Historic Context Statements are meant to be concise documents that both emphasize and succinctly explain the current character and role of the precinct, how it developed into what it is today and the factors that contributed to its identity. Each Historic Context Statement contains an introduction,

historical overview, historical themes and attributes, referenced in Appendix “A” to ERA’s report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039.

An evaluation template was developed to evaluate individual properties located in each precinct. The template is based on the criteria in Ontario Regulation 9/06 and the City of Hamilton’s heritage criteria. The template is specifically designed to assess the contribution that each property makes to its historic context rather than treating each property individually, referenced on Page 22 of Appendix “A” to ERA’s report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039.

The evaluated properties within the study area were then classified according to the role they play in their historic context. Five classification categories were developed by ERA:

1. Significant built resource: the property is of considerable historical, aesthetic and/or contextual value; it is likely well known to citizens at a local, municipal or regional level;
2. Character-defining resource: the property strongly reinforces its historic context(s), clearly reflecting a characteristic pattern of development or activity, property type, or attribute of the area;
3. Character-supporting resource: the property maintains or supports its historic context(s), and can be related to a characteristic pattern of development or activity, property type, or attribute of the area;
4. Inventoried property: the property is not currently considered to contribute to its historic context, but could acquire value in the future; or the property has been heavily modified to the point where its heritage value may have been lost (could be confirmed through further research and detailed field investigation); and,
5. No longer on Inventory: the property is not considered to contribute to its historic context and is unlikely to be valued in the future; or the property has been heavily modified to the point where its heritage value has been lost.

Any property classified significant built resource, character defining resource or character supporting resource would be prioritized for inclusion in the Register of Property of Cultural Heritage Value or Interest as a non-designated property. Inventoried properties remain on the inventory and those properties deemed no longer on the Inventory, are removed from the inventory. An example of the property classification can be found, referenced in Appendix “C” to ERA’s report, *Hamilton*

Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities, attached as Appendix "A" to Report PED14039.

The framework developed by ERA can be readily adapted and applied to the approximately 6,000+ inventoried properties. The development of Historic Context Statements provides authentic community participation and volunteer opportunities. Further, this type of methodology aims to better integrate heritage within the broader urban planning discourse and treat heritage as a resource, not something in conflict with development.

ALTERNATIVES FOR CONSIDERATION

There are no alternatives to the recommendations in Report PED14039.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.1 Continue to grow the non-residential tax base.
- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.3 Promote economic opportunities with a focus on Hamilton's Downtown core, all downtown areas and waterfronts.
- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.1 Implement processes to improve services, leverage technology and validate cost effectiveness and efficiencies across the Corporation.
- 2.2 Improve the City's approach to engaging and informing citizens and stakeholders.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED14039 - *Hamilton Downtown Built Heritage Inventory
DRAFT Heritage Constraints and Opportunities* – ERA Architects Inc. – February 2014

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