

The Planning Committee, Hamilton

Meeting Tuesday January 13, 2015, Hamilton Council Chambers

James St Baptist Church 98 James St

Planning Committee Members:

Councillor Judi Partridge/Councilor Brenda Johnson/Councillor Maria Pearson
Councillor Aidan Johnson/Councillor Jason Farr/Councilor Matt Green
Councillor Chad Collins/Councillor Doug Conley/Councillor Rober Pasuta

Presentation:

Thank you for the opportunity to speak

It seems I may be the only person present who is not in favour of the intensification project at James St Baptist Church. In my opinion, intensification, a commitment made by Hamilton Council, should be directed to vacant sites and parking lots in the core – owned privately and by the City of Hamilton –NOT at the expense of the demolition of Hamilton's designated buildings.

We are here today because of Delegated Authority.

IN 2003/2005 Tim McCabe, Senior Planning wanted heritage permits to advance through the system more quickly. The delegated authority by-law was to permit Mr Tim. McCabe to approve heritage permits for minor alterations to designated buildings such as new paint, the replacement of a door or window --something minor. Delegated authority should never apply for demolition of ¾ or 80% of a designated building.

FYI --- Had we not had delegated authority, this heritage permit would have gone to the Municipal Heritage Committee and Planning Committee and City Council where public input is allowed. In my opinion the demolition of ¾ or 80% of a heritage building should have had public input. There was no opportunity for public participation for the demolition of ¾ or 80% of James St Baptist – a designated building. I requested a peer review but that request was denied. During the Permit Review meeting David Cuming, former Senior Planner, City Hall and Philip Hoad a heritage consultant were texting me to insist on a peer review of the stability of the building by a heritage engineer. Since I turn off my Blackberry at meetings I unfortunately missed that request.

Four members of the Permit Review, a subcommittee of the Municipal Heritage Committee, approved the conditions. Two members denied approval. For the first time in my memory, the conditions for approval were not in written form but read by the chair to members of Permit Review – even though we complained the recommendations were not distributed in written form nothing was done. Members did not receive copies of the approved recommendations until three months later. Since there are no minutes,

some of us wonder if the recommendations that were read are identical to the ones that were sent to us at our request in January 2014.

FYI – Following the demolition of the front of the Tivoli Theatre, a designated building, David Cuming told me it would in the future be required that a heritage engineer from a city approved list report on the stability of a designated building before any demolition could take place. I hope members of council will confirm if that is correct.

Without delegated authority members of Hamilton City Council in collaboration with Hamilton citizens promoted preservation of designated building rather than demolition.

Successful examples of adaptive reuse are:

1. Carnegie Library – now the Unified Family Court
2. The Bank of Montreal – now Gowlings Law office
3. Pigott/Sun Life – now condos
4. Central Public School – now full with students
5. The Main Post Office – now the Sopinka Court House -- to name a few

Conclusion – My concerns:

1. Intensification should not be at the expense of demolition of designated buildings. Intensification should be on vacant lots. And demolition only following a peer review to confirm the stability of the building.
2. Delegated Authority – which is still in place – means no public input.
3. Has a Heritage Engineer from the city roster confirmed the stability of a 30 storey tower at that site because of the wet conditions at the base?
4. What are the negative effects of reduced parking on the surrounding neighbourhood?
5. The Light Easement. Is council fully aware of the implication of this easement?
6. Security of heritage elements removed for replacement in the new building? The Ontario Heritage Trust confirmed in a message to me that the owner is responsible for repair of these heritage artifacts. Is the letter of credit sufficient to ensure this?

Thank you,

Diane Gower Dent

