

Chamberlain, Lisa

From: Hilary Pyper <
Sent: September 16, 2019 8:39 AM
To: Chamberlain, Lisa
Subject: 29 Berry hill Ave Waterdown

Hello Lisa,

The following is our letter regarding the Motion going to the September 17th Planning Committee meeting, respecting Properties of Potential Cultural Heritage Interest in Waterdown.

BACKGROUND

My family resides in and continues to enjoy our home at 29 Berry hill Ave in Waterdown. We purchased this property in 2006. The house is less than 80 years old. It was empty at the time of our purchase, was sold "As is", with extensive flaws that were either initially evident and understood, or subsequent surprises discovered. The purchase price was considerable. Risks were taken on acquiring such a property. We invested blood, sweat, tears, and great expense on renovations, repairs, and maintenance with associated high property taxes. We looked forward to an enjoyable future in our home, defined in part by an ability to demonstrate independent pride of ownership. We were quite unaware of the bending anxiety and upheaval that arrived with "The letter".

THE LETTER

At about 4:30 pm, on 28 August 2019, a letter was hand delivered to our home. There was no knock on the door or use of doorbell. The front of the envelope listed "Property owner" --no specific family name. Inside the letter has "FILE FINANCE HOUSE" ---the relation to us being incomprehensible. We have tried to digest this request to add our home to the Municipal Register, but this process has been very superficial and incomplete. We has two business days to respond before a Council Meeting immediately following the Labour Day long weekend at 9:30 am on Tuesday September 3rd.

INITIAL QUESTIONS

We have many! Who made such an application? Why was this done at all? Why now? What is the "Cultural heritage value or interest"? Why such unreasonable urgency? When was this submitted to, processed and debated by - Municipal Heritage Committee? Who is on this committee? When do they meet? What terms of reference do they operate under? What other Waterdown properties were included? What is the definition of property alterations? What are the implications/timelines/nature of reviews when City staff are directed to review the property for potential designation? If changes or impacts are proposed - define the definition of, the power of, staff "Comment" on how to accommodate changes. Who pays for a potential Cultural Heritage Impact Assessment? Does the "Building" extend to a pool and such necessary modification that may be required there? Is heritage interest limited to outside the home - or inside as well? What is related to the whole issue of possible grants - for what, process, funding amounts, likelihood of success etc?And there are many more questions!

INITIAL RESPONSE

On August 29, 2019, my husband took considerable time away from his busy working day and had lengthy unhelpful conversations with Christine Digiantomasso, assistant to Councillor Partridge, Ms Miranda Brunton, Cultural Heritage Planner, and Ms Yvette Rybensky Senior Project Manager Development Planning.

Ms Partridge was completely unavailable with no known office return date. There was no one available in her absence, and yet all of the above conversations directed my husband back to Ms Partridge. How frustrating period. Questions and concerns were posed. It was clearly stated that we would be out of the country - and we still are. Ms Brunton claimed to understand but provide no specific answers - no pathway forward. Ms Rybensky stated simply, "That's democracy". Oh really?

We understand that property owner notification should at least have our names on it, that we be made aware of why a property may be placed on the Register, and that we would have 30 days to respond. How could we possibly prepare a reasonable response when we do not know why the house is potentially of some "cultural Heritage value or interest"?

Council must be given 60 days notice for issues of notice to them - yet we have been provided with minimal time to respond to having our property added to the register.

Within the 60 day period of interim protection, staff can simply, unilaterally change our home from the Register to a designation under The Heritage Act, with a whole new set of implications for us. The Register is therefor not a benign list, but a dangerous first step whereby a City of Hamilton Council will control the enjoyment/independence/and future financial value of our home! Would you, Hamilton City Council like that? Would anyone like that?

The freedom to demonstrate our pride of ownership as we have done in the past, and to possibly alter, improve, seek to subdivide as other non listed owners are able to, is stolen from us! There is also a sense of loss of faith in government due process. Ultimately, the future selling price is restricted. Where is an independent real estate expert to outline for us the potential financial constraints that we may be under? All of this without compensation.

We are away. This issue has generated significant disruption of our holiday in order to navigate through this process, and provide some kind of reasonable response. Attempting to research this, without opportunity to review it with other affected property owners, or seek counsel as necessary, is logistically challenging, incomplete, and stressful.

Again, what is the possible heritage value or interest? Perhaps so that someone might drive to the end of Berry hill Avenue, a dead end street, and just glimpse at our house while they turn around?

At a high level of analysis, presumably such a Register, or eventual designation, is so that the public, even just one member of the public, does not lose something?a visual image, a sense of nostalgia. Now turn that thinking upside down. Such a listing/designation will most certainly create a loss for myself and family. Is that fair when there is no conceivable reasons in our view for Designation? We will agree, it is a nice house, but what possible heritage, or cultural aspects make it necessary to designate?

This process completely disrespects the home owner. Please understand the concept of ownership! Costs for purchase, maintenance, repair, etc fall to us, yet the city could hijack control of "Our" home. You, Councillors, may feel protected by Bylaws and Acts, but my family feels truly violated by this process so far. We feel that this has been unilateral, unjust, underhanded, and even secretive. We are therefore justifiably confused and angry.

We feel strongly that our home should not be added to any Register.

Thank you for your consideration of all of the above.

Sincerely

Hilary and Alex Pyper

September 16, 2019

Sent from my iP