

Andrea Dear, City of Hamilton  
Planning and Economic Development Department  
Development Planning, Heritage and Design – Urban Team  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON  
L8P 4Y5

May 26, 2020

Dear Ms. Dear,

**RE: UHOPA-20-012 and ZAC20-016  
1107 Main Street West, Hamilton (Ward) 1  
Grace Lutheran Church “Community Gardens” and Cultural Heritage Landscape**

I have reviewed the Cultural Heritage Impact Assessment (CHIA) of Metropolitan Design Ltd. which was submitted in support of the redevelopment application, and it is my belief that the CHIA report has failed to comply with the set of criteria which were endorsed by the City of Hamilton Municipal Heritage Committee on June 19, 2003 and which were adopted by Council as The City of Hamilton: Cultural Heritage Evaluation Criteria on October 29, 2008.

**Cultural Heritage Landscape (CHL)**

The criteria are to be used to the cultural heritage value of a property, and pertain to a property’s archaeological resources, built heritage resources and place in a **cultural heritage landscape**. This evaluation can assist in determining a property’s merit for designation under the *Ontario Heritage Act* and for preparing a statement of Cultural Heritage Value or Interest and Description of Heritage Attributes.

Both the Provincial Policy Statement, 2020 and the Growth Plan for the Greater Golden Horseshoe 2019, have the same definition for Cultural Heritage Landscape which reads as follows:

*A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, **gardens**, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and area recognized by federal or international designation authorities (e.g., a National Historic Site or District designation, or a UNESCO World Heritage Site).*

### **Planning Decisions on CHLs**

Historical and cultural value has generally been signified by the listing of a property on an inventory of heritage property, but this is not the only signifier as there have been a number of decisions of the Ontario Municipal Board, (now the Local Planning Appeal Tribunal) which recognized the existence/value of cultural heritage landscapes that were not designated on a municipal inventory listing. In the case of Canadian *Niagara Hotels* (12 April 2005, L040295) the OMB Members held that the fact that a property is not designated under the OHA is not determinative of its heritage value: *“a site is designated in recognition of its heritage value. The heritage value does not flow from the designation”*.

Similarly in a City of Ottawa appeal case to the OMB (18 November 2014, PL140212), the OMB member held that a lack of a heritage designation is in no way determinative of a property’s heritage value or interest, particularly in the context of a broader understanding of built and landscape heritage values in the 2014PPS.

Finally, in the case of Corsica Developments Inc. (1 May 2013, PL101254) the OMB member held that the boundary of a Cultural Heritage Landscape (CHL) included a wide range of built form and natural features of historical, contextual and physical value, and that Cultural Heritage landscapes are complex, dynamic and evolve organically.

### **Grace Lutheran Church Gardens as a CHL**

With these cases in mind, it becomes clear that the Cultural Heritage Impact Assessment should have addressed the gardens and landscaping surrounding Grace Lutheran Church, (which were not in existence at the time of construction of the Church in 1959, but which were added and evolved over many years changing the property) and make a statement or recommendation as to whether these “dynamic and evolving” gardens constitute a Cultural Heritage Landscape. While the CHIA does briefly mention the “gardens” and has pictures of them in the report, the Planning and Urban Design Rationale was entirely dismissive of the “gardens” and only referred to it on page 5 of the Report, and then only described it as “a garden at the south west corner of Main Street and Dow Avenue”. This reference to a “garden” however, is the food bank garden, one of the many gardens on the property, and ignores the remaining gardens surrounding the Church and which are located on the south and west sides of the Church.

The CHIA submitted by the applicant should have referred the matter of the gardens to a third-party landscape architect or urban planner who was qualified to assess “cultural heritage landscapes” (CHLs) or a horticulturist qualified to make a determination of the contextual value of the community gardens to the neighbourhood. I therefore believe that it is incumbent upon someone who lives within 120m of the redevelopment site to briefly offer the following background information on the Grace Lutheran Church “community gardens” in order for the Cultural Heritage Planning Committee to properly assess the desirability of having the applicant or the City of Hamilton conduct another CHIA and CHVI on this specific matter.

### **Features of Grace Lutheran Church Gardens**

In many ways the gardens of Grace Lutheran Church are similar to a small scaled version of the Royal Botanical Gardens, with flowers, shrubs and trees blooming in spring and summer. The landscaped grounds are also a Permaculture Teaching Garden in which young people are hired to learn about plants and cultivating vegetables. (See Church bulletin). The Grace Lutheran Church also maintains a Pollinator Project Garden which is registered with Environment Hamilton.

In addition, Grace Lutheran Church has been an environmental leader in conservation and biodiversity by cultivating garden plots and growing food for the most vulnerable in our city. Many in our city are involved in food distribution ministries but few were able to accomplish what Grace Lutheran Church has successfully done year after year in providing vegetables for City of Hamilton food banks. The Church was also one of the earliest practitioners of “green” environmentalism as demonstrated by their Victory Gardens and Healing Gardens. (see pictures)

The gardens, with their winding paths, archways, trellises, park benches, landscaped alcoves, sculptures, and stone sitting areas, convey the solemn and meditative surroundings for truly appreciating nature and for reflection. One of the highlights of the gardens is the “Peace Pole” which was commissioned and erected by the Church in the middle of one of the landscaped sitting areas. It has a message in three languages on three of the sides of the pole. The first, in English reads “May Peace Prevail on Earth”. The second is the same verse translated into German, in recognition of the heritage of the Lutheran Church. The third language for the same verse is Hebrew, in honour of the Adas Israel Synagogue, its neighbour. (see pictures)

Every aspect of this “community garden”, be it environmentalism, conservation, education, promotion of biodiversity, charity for the poor and the hungry, interfaith relations, or just peaceful solitude and reflection in the midst of the beauty of flowers, shrubs and trees, is a community benefit to be appreciated by all. It is indeed no wonder, that at the Tribute dinner in honour of the memory of the late Rabbi Mordechai Green, the Pastor and Directors of Grace Lutheran Church made a dedication that reads as follows:

*In Honour of Rabbi Mordechai Green Z’L – With Great Admiration for his Leadership and Dedication to his Community and Faith. We very much enjoyed his visits to the Gardens at the Church*

This is exactly what the “community gardens” are associated with, and this demonstrates the visual and contextual focus of an evolving, dynamic “cultural heritage landscape” that Grace Lutheran Church has created over the years in the neighbourhood. In the block which is bounded by Dow Avenue and Cline Avenue South this CHL has especially been valued and appreciated by its residents and those of us who consider it an honour and privilege to be living across the street from both a Church and a Synagogue. It is this “landscape” and this “streetscape” which are to be measured against the redevelopment plans for the Church property. Most importantly it is the loss of this significant entire garden landscaping which will be erased from the existing community, and which in some manner must be remembered and preserved under thoughtful and meaningful conservation strategies.

### **Analysis of Proposed Landscape Plan of GSP Group**

It is recognized that the Church will be demolished, but this should not be a licence to destroy and rip up the community gardens and not make any attempt to re-landscape the property. If the Church building can have no other preservation or mitigation plan than to save the front door main entry and re-assemble it in “the entry experience of the new building’s north-west corner” then it is imperative to see if a more valid and worthwhile mitigation and conservation strategy can be implemented for the Church’s cultural heritage landscape.

The Tree Management Plan of GSP Group identifies 25 trees on the subject property and of these, only four trees fronting on Main Street West are to remain. The Landscape Plan for the Ground Level, and which refers to the project as being a 13-storey building, (rather than the 15-storey building in the application) shows seven trees to be planted. One tree on the corner of Cline Avenue South and Main Street, two trees on the corner of Dow Avenue and Main Street, and four trees in the courtyard boxed in between the two 10-storey towers, with two in planters and two in the lawn.

The remaining extent of the ground level landscape plan are to have ten small private planter boxes on Dow Avenue and Cline Avenue South. A concrete sidewalk is to run behind the 10-storey towers and between the school playground of the Hamilton Hebrew Academy, but is not clear if this sidewalk is even accessible to pedestrian travel or access to Dow Avenue or Cline Avenue South.

The landscape plan indicates four trees to be planted on the roof tops on level 8 of the step-back of the two towers. The greatest amount of landscaping for the entire project, however, is assigned to Level 10 of the two towers with rooftop paver tiles, raised planters, low planters, picnic tables, bar height table tops facing Dow Avenue and Cline Avenue South, BBQ stations, ornamental grasses, and eight proposed trees.

In my opinion this landscape plan does very little to replace or conserve the community gardens that belong to Grace Lutheran Church and which are now part of the “Cultural Heritage Landscape” of the property. The landscaping and amenities on the rooftops, although of great convenience to the student residents of the new building, add nothing to the existing community nor does it have any value for the neighbours living on Dow Avenue and Cline Avenue South. The ground level landscaping plan is so sparse and insufficient compared to the community gardens that were appreciated by all, that it does not add to the streetscape and only serves to make the absence of the Grace Lutheran Church community gardens even more acute.

### **Step backs or set backs in a TOC1 Zone**

The Planning & Urban Design Rationale believes “that from a built form and urban design perspective the proposal and landscaping plans will complement and reinforce the mid-rise urban structure vision of the UHOP and recently adopted OPA65”. It also believes that the new building will frame the Main Street frontage “*while transitioning with generous step backs*

*toward the interior of the neighbourhood, particularly along Cline Avenue South and Dow Avenue and the Synagogue site located south of the subject site”.*

It is my opinion that this proposed building does not complement and reinforce the mid-rise urban structure, and that it permanently eradicates the cultural heritage landscape of the subject site. The built form does not even comply with the minimum set backs of the TOC1 Zoning, and as a result the proposed building grossly intrudes into an area that should have been set aside for landscaping, thereby impacting upon the single-detached homes along Cline Avenue South and Dow Avenue and the Adas Israel Synagogue.

### **Support for lower density, height and scale in the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe 2019**

Although both the PPS and GPGGH refer to intensification and redevelopment it is clear that in both Statements the complex inter-relationships among environmental, economic and social factors in land use planning and that one section can not be read in isolation nor be the overriding priority to the exclusion of other factors. Rather the two documents state that they are to be read in their entirety, that “when more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how the policies are to be implemented”.

With respect to the subject site it is clear that it is not a “brownfield” nor a “greyfield”. Rather it is an actively utilized Church with community gardens constituting a cultural heritage landscape, and thereby fulfills a vital role in the community and in the City of Hamilton. It is a site which has a building on both the Inventory of Significant Places of Worship in Hamilton and the Inventory of Buildings of Architectural Interest and History. It is a site that is adjacent to a Synagogue which is also on the same two inventory lists, and both the Church and the Synagogue have valid claims for being designated under the Ontario Heritage Act.

Accordingly, the subject site should be only considered as a “last resort or last instance” for major intensification and underutilization principles, even by the standards, provisions and policies of the PPS and GPGGH. It is not a high priority or first choice for the intensification that applies to other types of properties in other growth areas. Most importantly it is the local planning policies and provisions under the UHOP, the cultural heritage, conservation and biodiversity criterion of the City of Hamilton Planning Department, the provisions set out in the Ainslie Wood Westdale Secondary Plan, the planning principles set out in the City-Wide Corridor guidelines and the Transit Oriented Development guidelines of the City of Hamilton which help complement and direct which of the many policies and provisions in the PPS and GPGGH should apply for the subject site.

### **Cultural Heritage Resource and Cultural Heritage Landscape**

The Developer was to provide a strong planning justification for any increase in height over three storeys or the permitted height allowed in the TOC1 Zoning. In light of the fact that Grace Lutheran Church is a cultural heritage resource and that sufficient grounds exist for considering the subject site to also be a cultural heritage landscape, the application for the UHOP amendment

and the Zoning By-law amendment should not be granted. Rather the Developer should be required to resubmit an amended application for a building form and ground level landscaping that meets the cultural heritage landscaping, conservation and biodiversity criterion of the City of Hamilton, and which is in full compliance with the height, density, mass and scale of a TOC1 Zoned 6-storey building on the subject site.

Yours truly,

A black rectangular redaction box covering the signature of John Ross.

John Ross

A large black rectangular redaction box covering the contact information of John Ross.

Cc. Maureen Wilson, Councillor Ward 1



## Grace Lutheran Church

### Garden Programs

One of the first things you'll notice when you arrive at GLC are the gardens. Not only are they beautiful, but they serve a significant purpose.

The walkway from the parking lot will lead you along beautiful gardens of hydrangea, Japanese maple, lilac, iris, poppy and tall grasses to the front doors of the church. Did you see the statue of St. Francis of Assisi?



In the spring of 2015 we expanded our gardens to include a **Permaculture Teaching Garden** made possible, in part, by a grant from the [Retired Teachers of Ontario](#). This garden was designed by [Shawn McCarty of Chickabee Farm](#) and installed with the help of many volunteers.

In 2016 we created a **Healing Garden** made possible, in part, by a grant from the [ELCIC Women of Faith Fund](#). Our inspiration for this garden comes from a workshop on Healing Gardens lead by Dan Bissonnette of the [Naturalized Habitat Network](#). This garden will be a quiet place for spiritual meditation and reflection.



In 2016 we also completed a **Pollinator Garden** along the new pathway to Grace Hall. We are now registered through [Environment Hamilton](#) as a [Pollinator Project Garden](#).

If you enjoy the fun, challenge and reward of gardening, you are welcome to volunteer in one of our gardens.

Spend time by yourself or bring your skills to teach and instruct children and adults, or be part of an educational session to learn new skills.

GLC site also hosts a [Hamilton Victory Gardens](#) growing garden and orchard.



### SUMMER 2020 GARDENING INTERNSHIPS

This is an eight week, 30 hr/wk position working mostly outdoors in the gardens. \$14.25/hr. 4 positions available  
May 11 - July 4 or July 6 - August 29

In a team setting with supervision, the intern will help to: develop/teach food/nutrition program, manage growing gardens, meditation garden and outdoor cooking program; facilitate relationship building with program participants, networking, gathering and distribution of harvest. You will be working with participants from community programs including the Good Food Box program.

**Position Requirements:** No gardening or cooking experience needed. We will teach you! Interns will be required to wear long pants, closed toed shoes and hat and adhere to safe practices. Training provided in the safe use of gardening tools and products.

You must be reliable, dependable, on time for work and be interested in working with seniors, refugees, those with mental health challenges and a wide variety of disabilities.

Must work well in a team, take direction well from supervisor and team leaders and carry out assigned tasks.

Suitable for post-secondary students in nutrition, social work, mental health, horticulture, chef training, nursing, medicine, gerontology, community food sustainability.

For more information or to apply please send your resume and cover letter to:

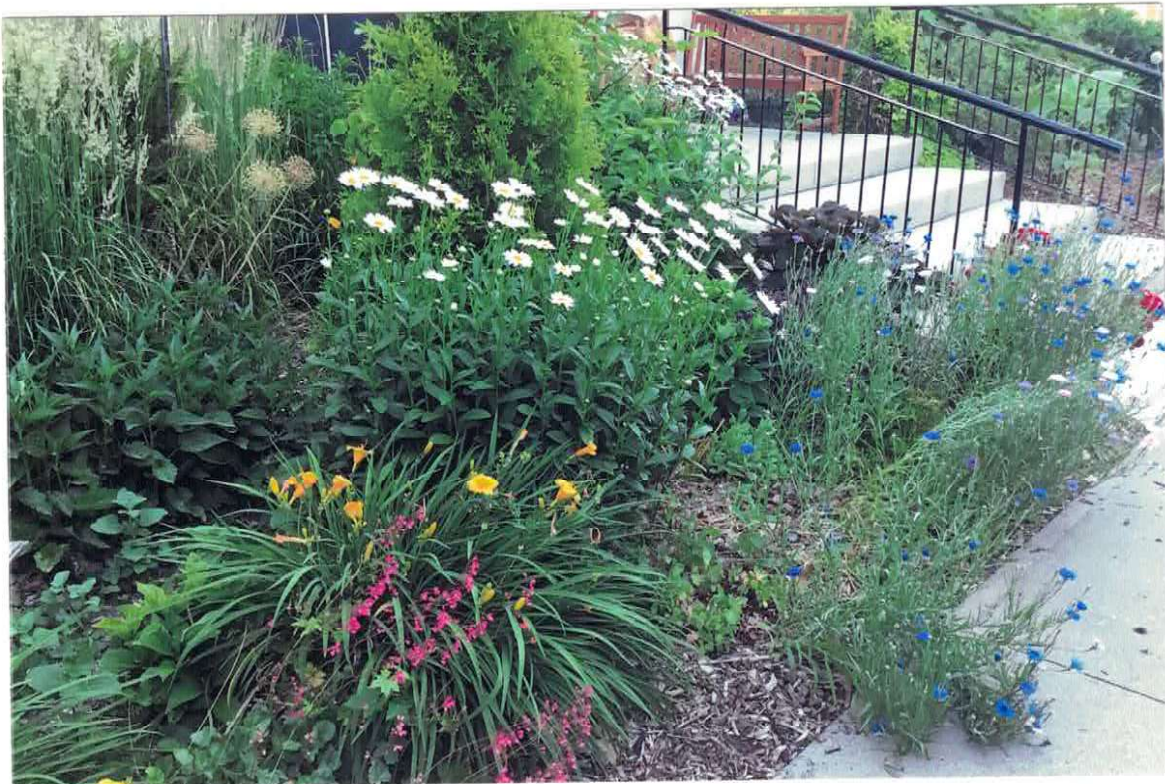
Pastor Loretta Jaunzarins

info.glc.hamilton@gmail.com

**Application Deadline: March 6, 2020**

p://glc.ca/

2020-03-05







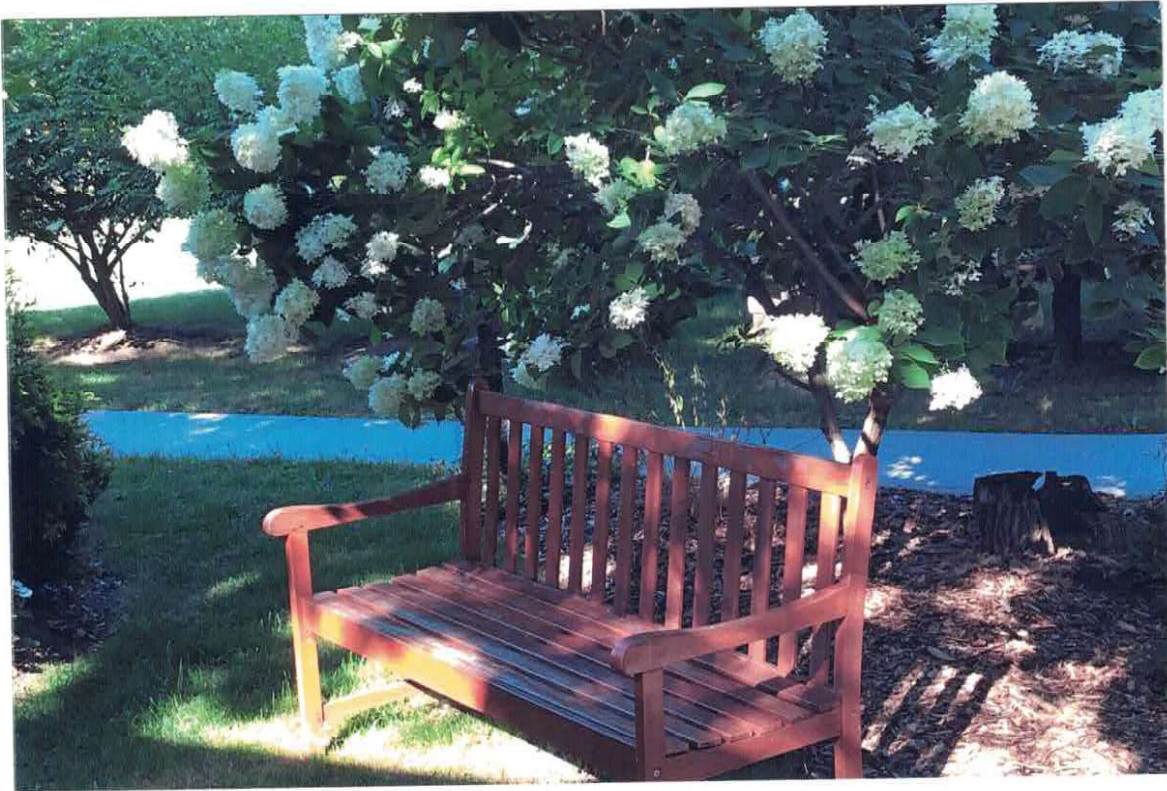


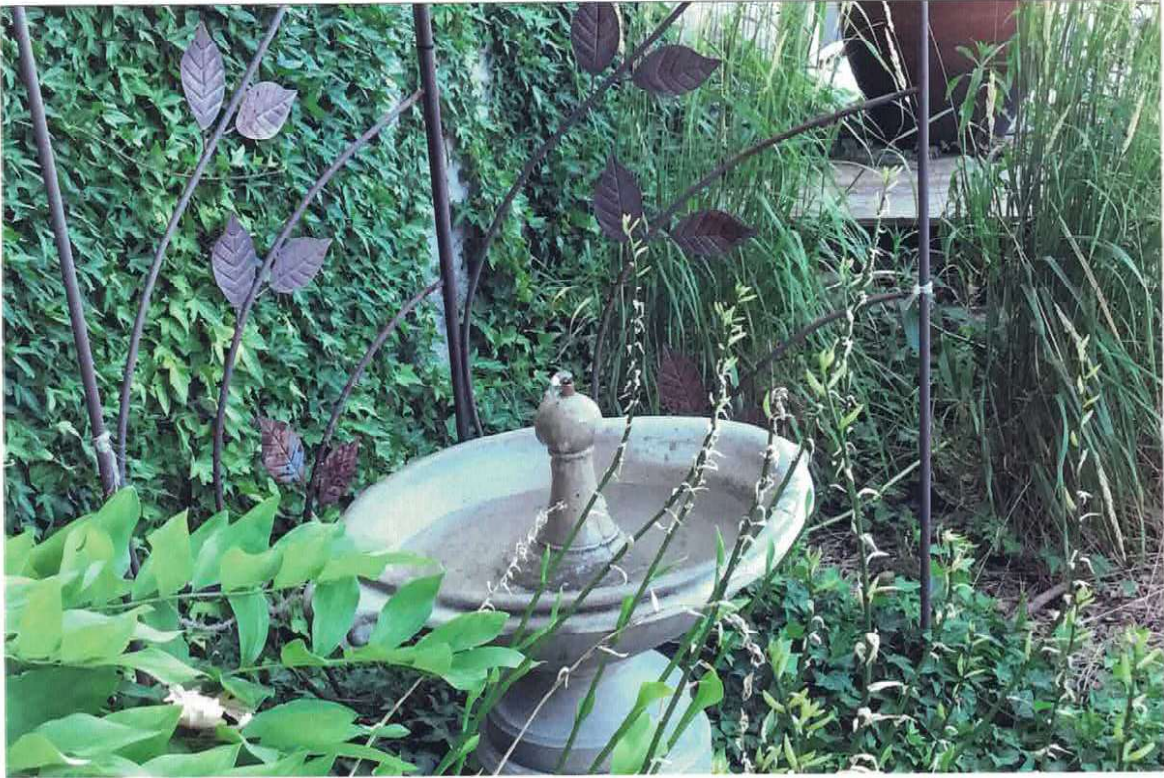
*Bronze*  
BASE DEDICATION

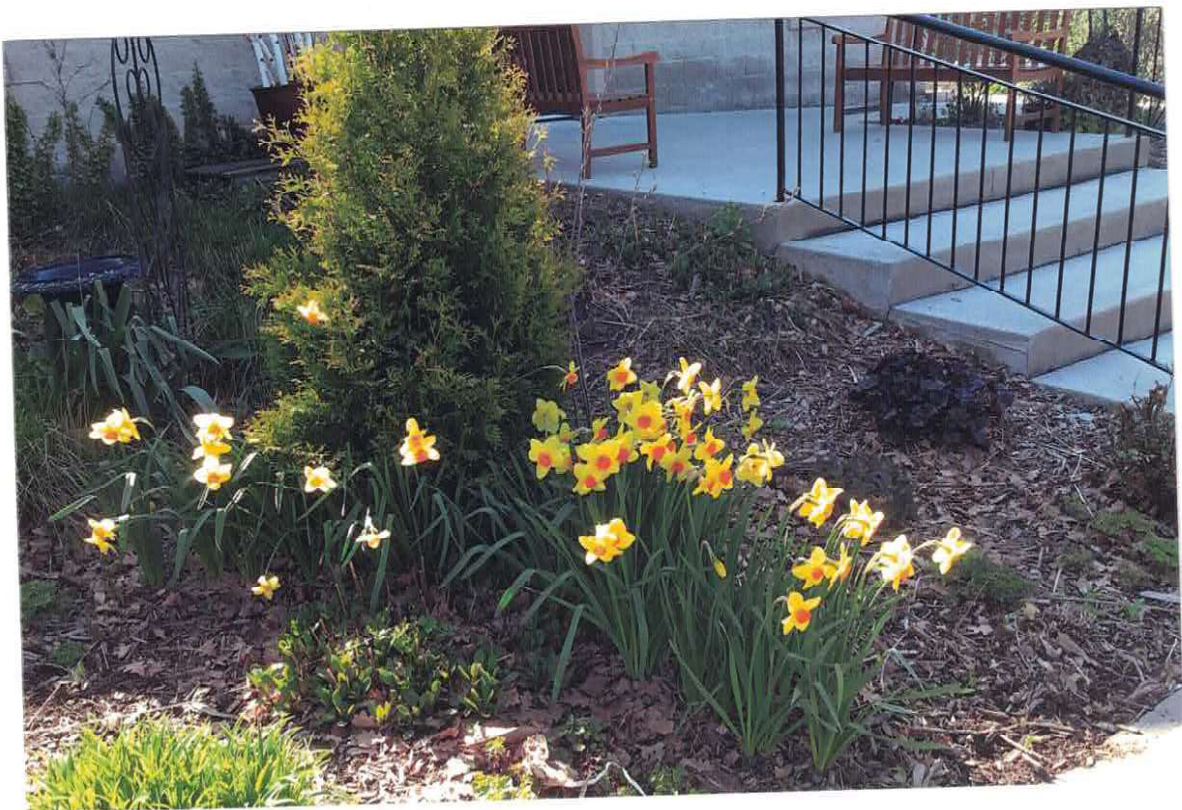
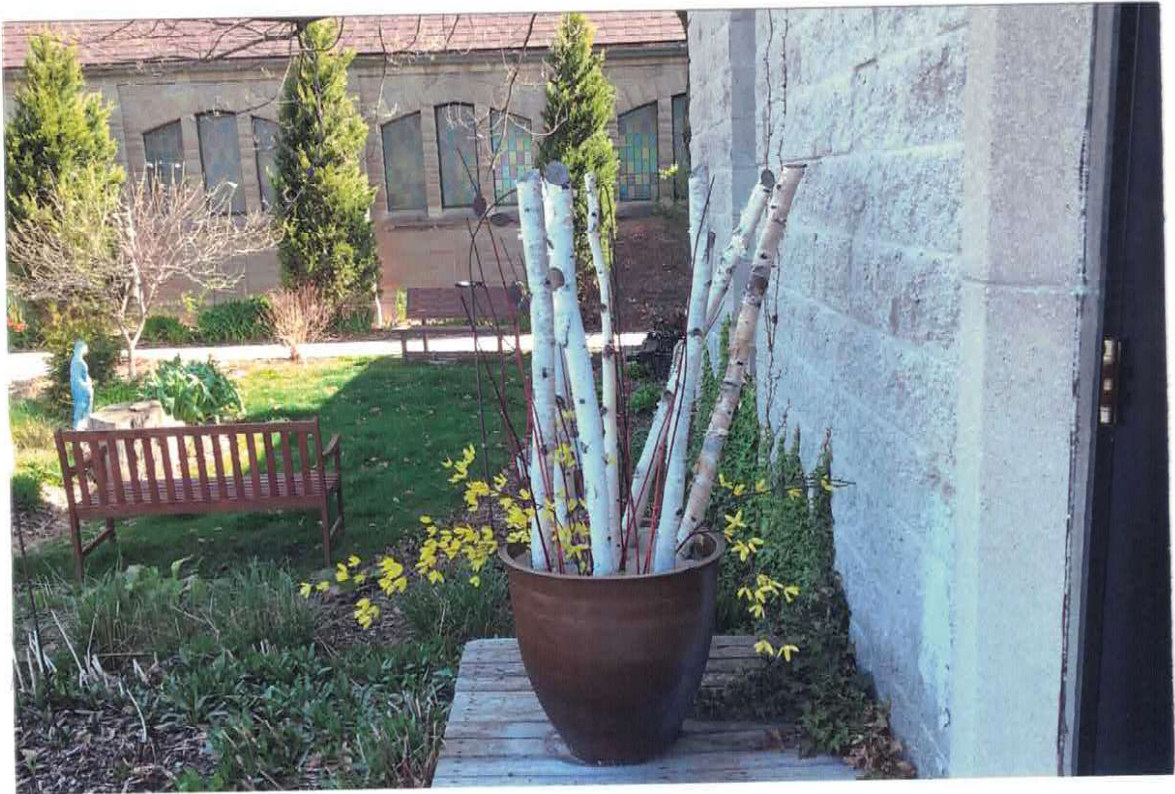
IN HONOUR OF  
RABBI MORDECHAI GREEN Z'L  
WITH GREAT ADMIRATION FOR HIS  
LEADERSHIP, AND DEDICATION TO HIS  
COMMUNITY AND FAITH. WE VERY MUCH  
ENJOYED HIS VISITS TO THE GARDENS AT THE  
CHURCH.

*Grace Evangelical Lutheran Church Hamilton*  
*Pastor Loretta Jaunzarins*  
*Board of Directors; Sparrow Rabideau, Shawn McKenzie,*  
*Melody Van Veen, Monique Jacobsen, Mair Davies,*  
*Diane Garvin, & Zel Firisa*

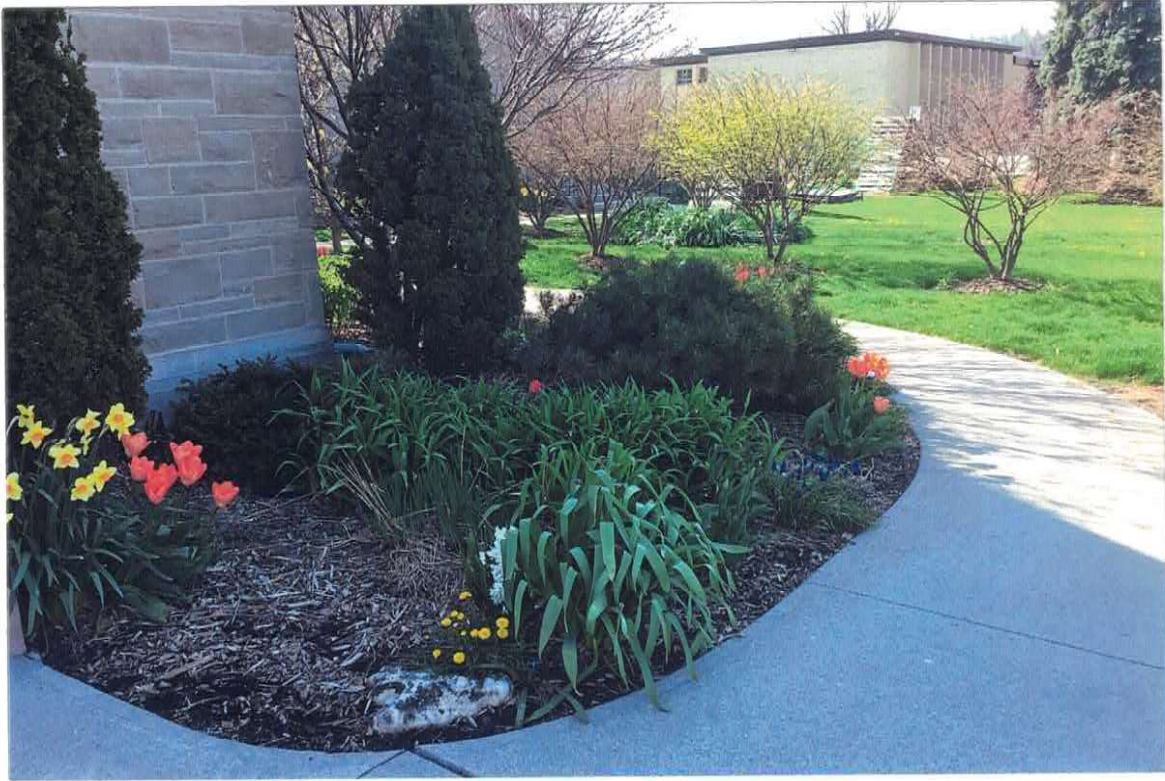
*Raising the Torch*  
Rabbi Mordechai Green Z'L  
Memorial Gala Tribute





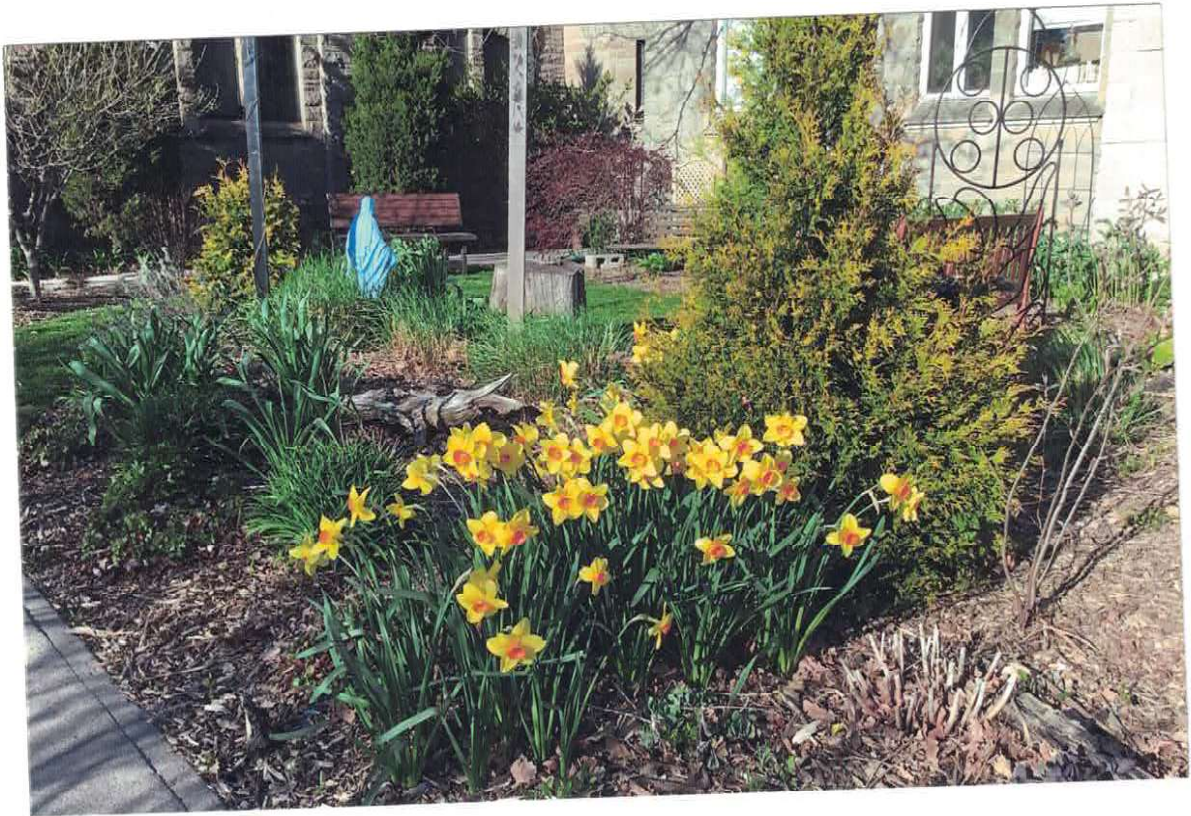
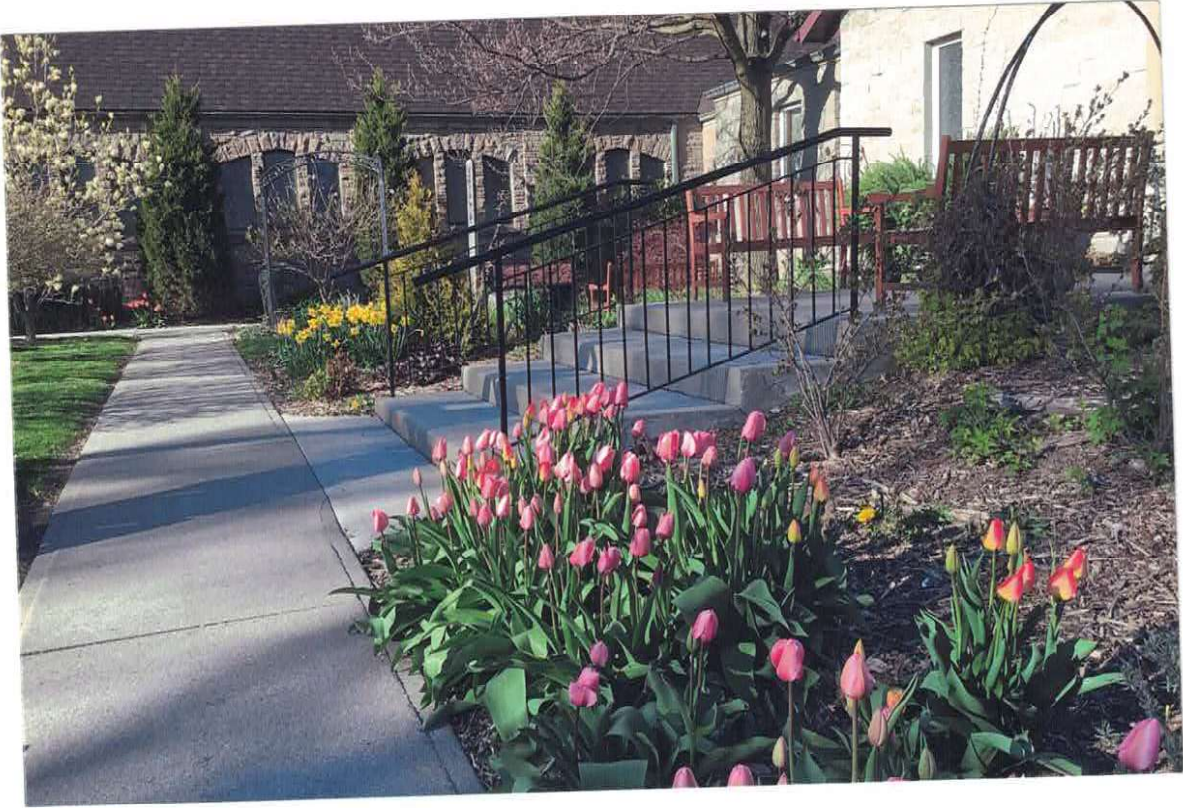


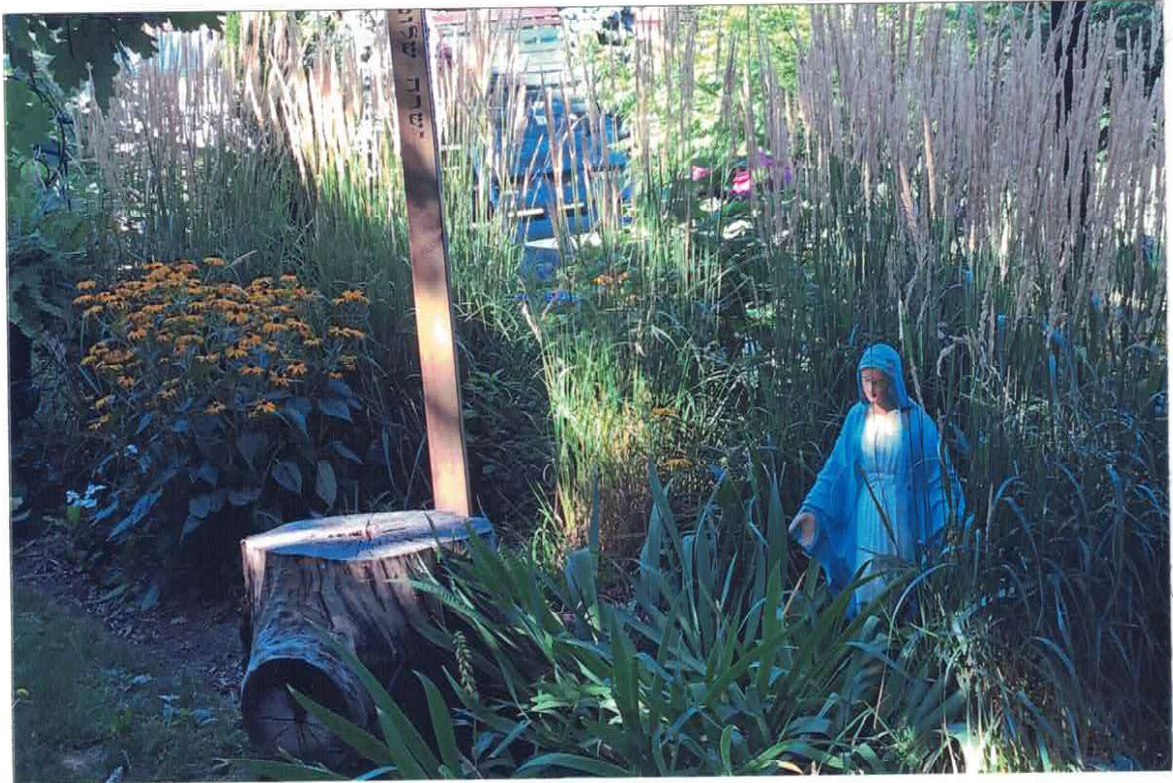






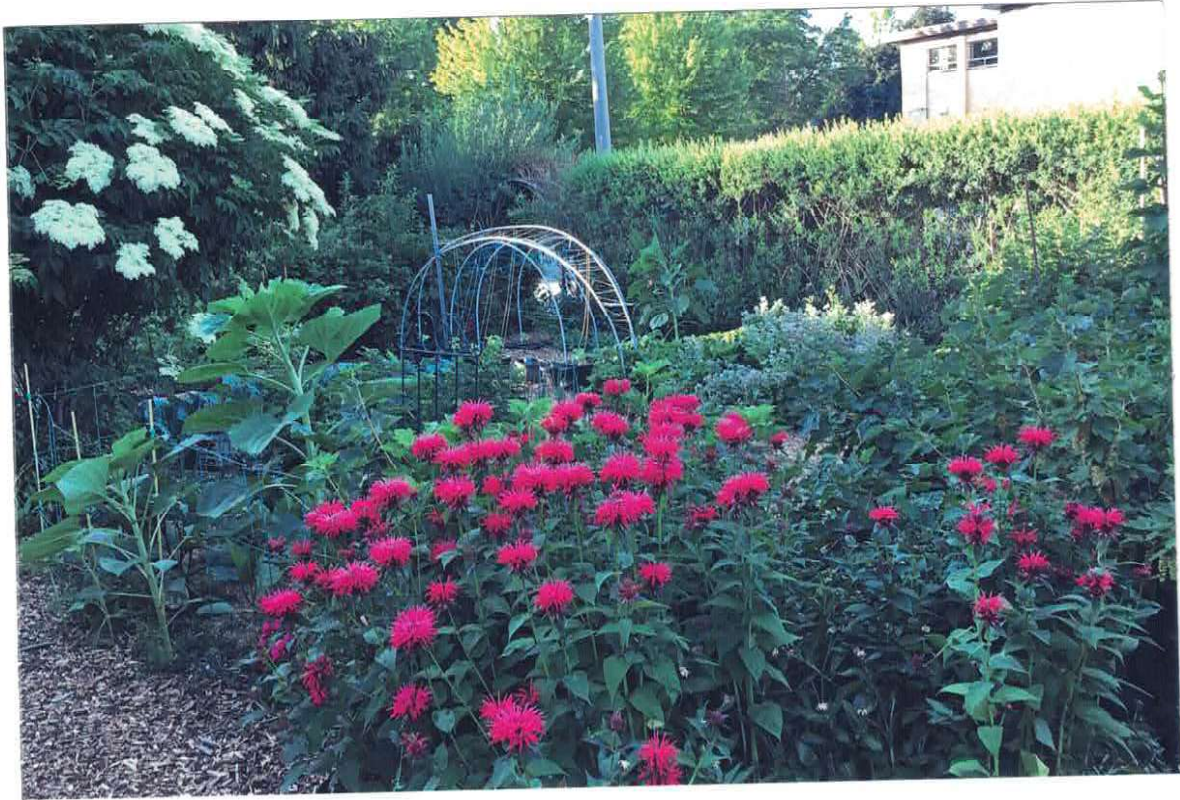


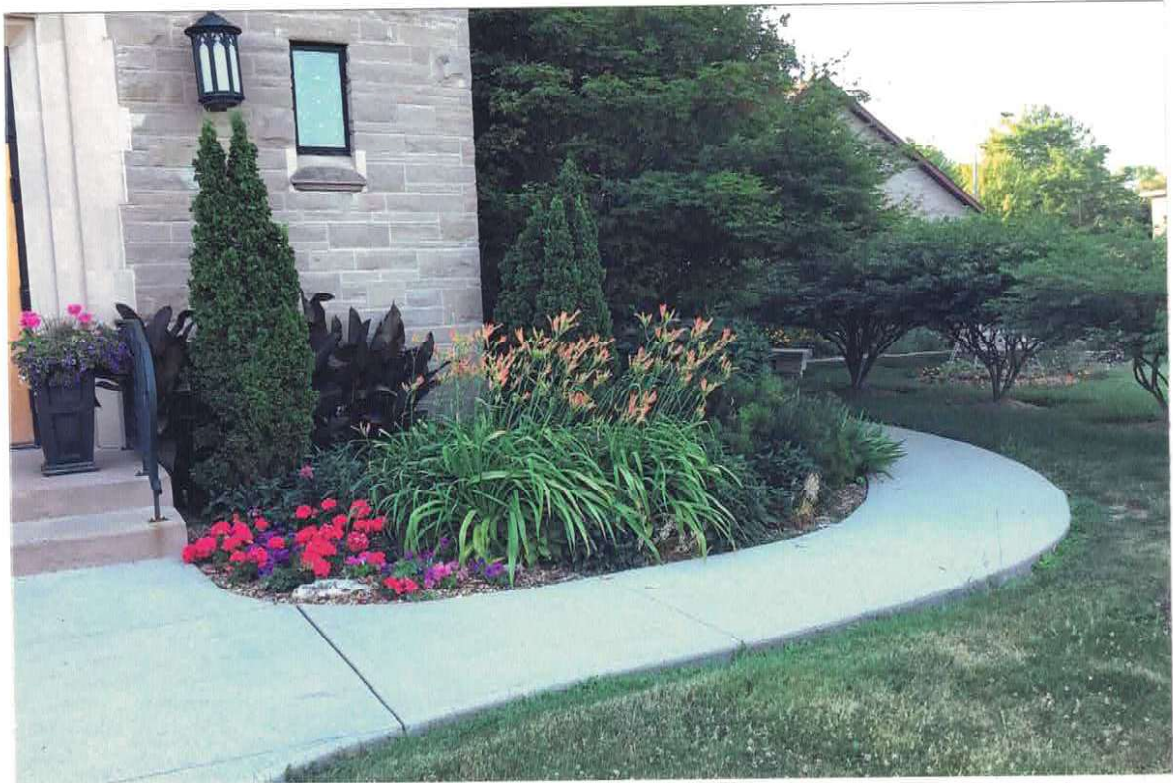


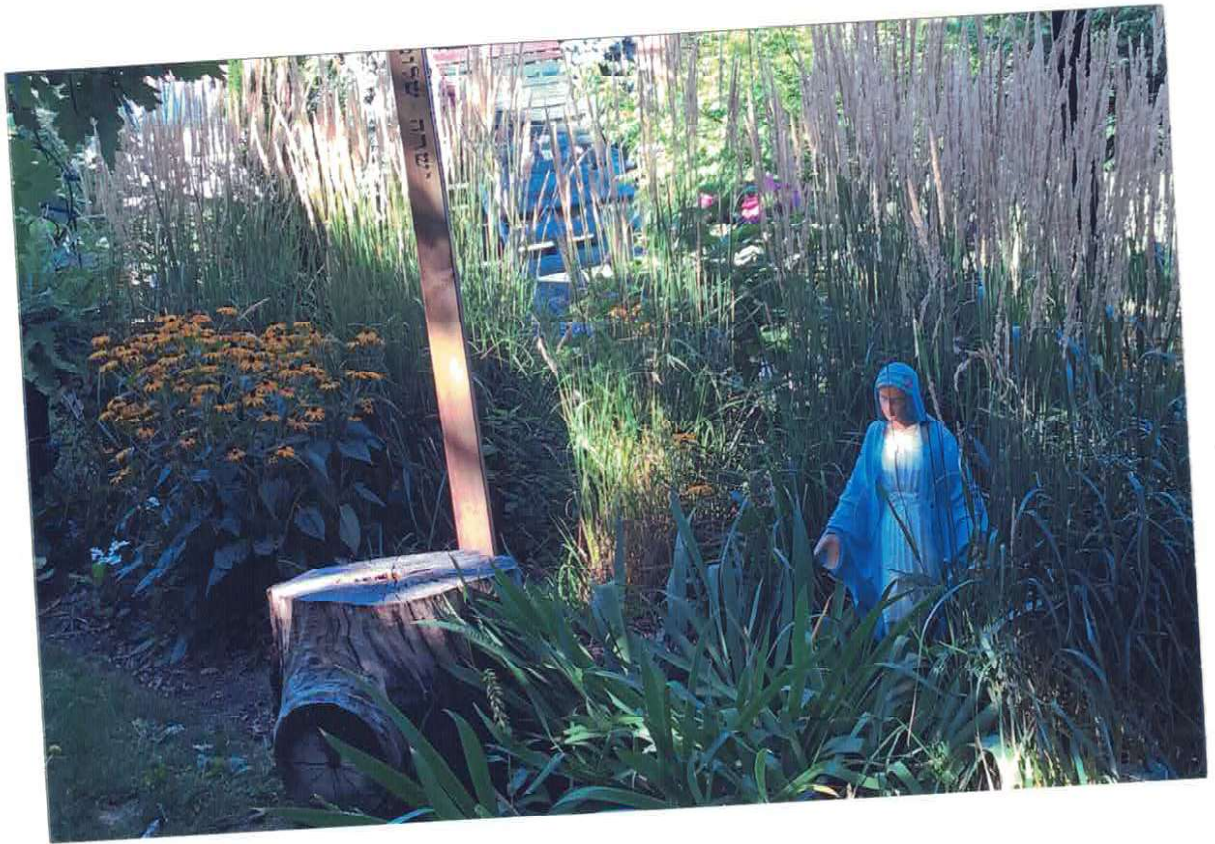
























# COMMUNITY GARDEN GUIDELINES DURING COVID-19



**HELP PREVENT THE SPREAD  
OF COVID-19.**

## **DO NOT ENTER IF:**

- You have been in contact with someone who has COVID-19
- You have symptoms of COVID-19:

Common symptoms include:

- Fever
- New or worsening cough
- Shortness of breath
- Other symptoms may include sore throat, hoarse voice, difficulty swallowing, new smell or taste disorder(s), nausea/vomiting, diarrhea, abdominal pain, runny nose, sneezing, or nasal congestion.

Visit  
[hamilton.ca/coronavirus](https://www.hamilton.ca/coronavirus)  
for more information  
on COVID-19.

**GARDEN ACCESS is permitted for  
registered members, staff and volunteers  
to plant, maintain and harvest food only.**

**NO VISITORS.**

## **WHILE WORKING IN THE GARDEN:**

- You must keep 6 feet (2 metres) space between yourself and others.
- Do not organize work parties or gatherings.
- Avoid bringing children into the garden when possible.
- Wash hands using soap and water or use alcohol-based hand sanitizer frequently, especially before entering, before/after using shared tools, and when you leave.
- Clean and disinfect frequently touched surfaces *to be done* daily.

For additional guidelines, visit [www.hamilton.ca/coronavirus](https://www.hamilton.ca/coronavirus) for more information on COVID-19.







