

City of Hamilton Heritage Committee

Meeting December 13, 2024

108 James Street North,
111-115 Hughson

Introduction to the Applicant Team

Aventus Developments
Landwise Urban Planning
+VG Architects



Legislative Assembly of Ontario





Old Toronto City Hall





Union Station





Don Jail – Bridgepoint Heath





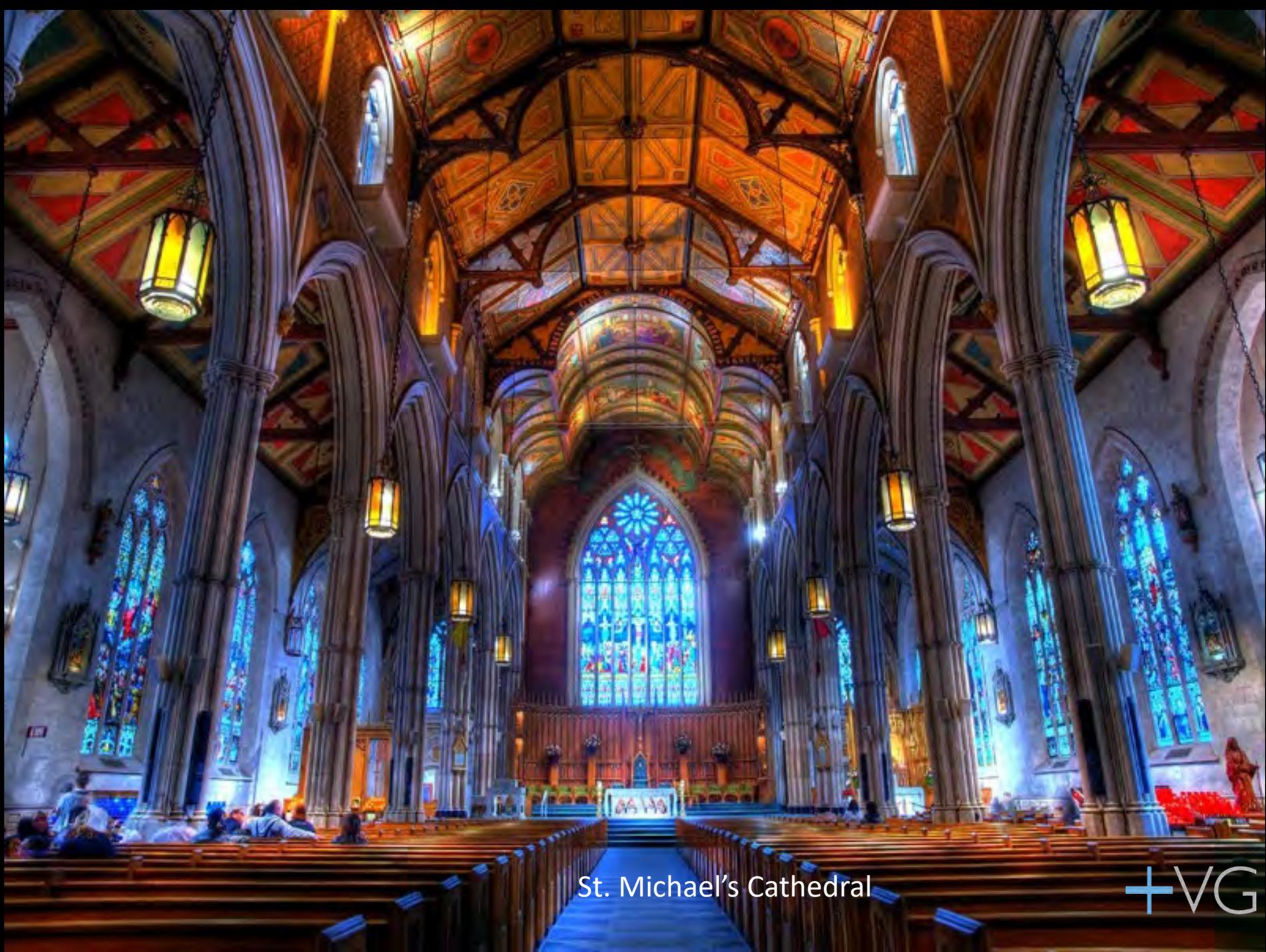
Law Society of Upper Canada





Niagara Parks Power Station





St. Michael's Cathedral



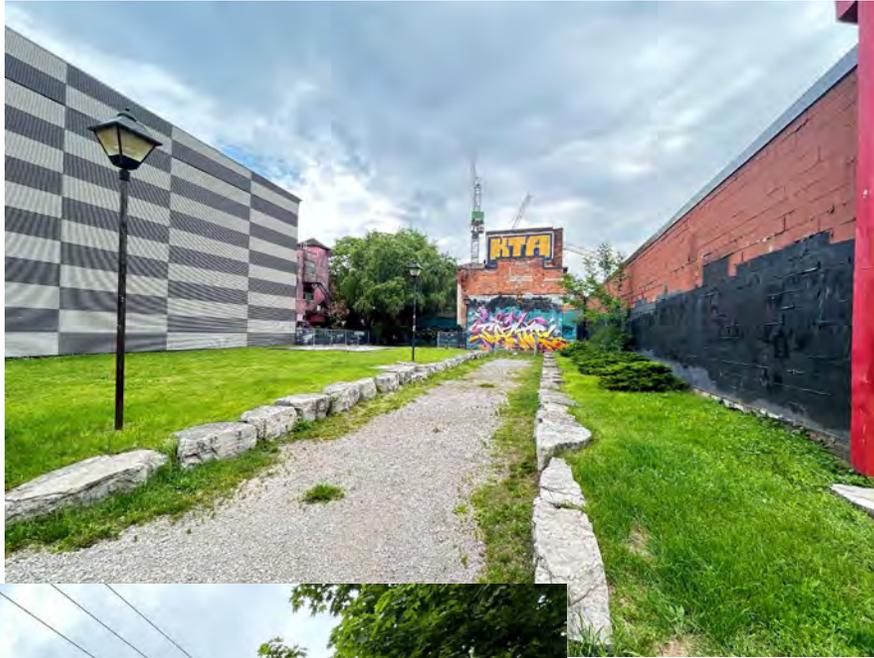


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Main E

Ontario Court of Justice
Provincial Offences Office
HAMILTON
Cour de Justice de l'Ontario
Bureau des infractions provinciales



View of lobby from
James St N



The scope of the application for a heritage permit includes demolition of the remaining lobby and auditorium of the Tivoli Theatre.



View of auditorium from
Hughson St N

Introduction

The purpose of the presentation is to provide the committee with a brief overview of the CHIA and additional information regarding this application including:

1. Heritage Value
2. Tivoli Theatre Timeline
3. Design Alternates & Investigations
4. Current Conditions
5. What Can be Done?

1 Heritage Value - Changes

Heritage value of the Tivoli Theatre has been recorded in the designations of 1990 and 2004. Using the evaluation criteria of O.Reg 569/22, the Cultural Heritage Impact Assessment (CHIA) confirmed value has been reduced to:

- Design or Physical Value in the remaining Italian Renaissance style interior of the Hughson St N auditorium, and
- Historical or Associative Value through:
 - the significance of the Tivoli Theatre in the development of Hamilton's theatre and film industry, and early entertainment district, and
 - the legacies of the architect of the original Carriage Factory and the architect of the 1925 Auditorium addition.

Contextual value has been lost with demolition of the James St N historic building.

1 Heritage Value - Attributes Lost

1990 Heritage Designation

- Carriage factory designed by architect Albert H. Hills in the Second Empire style characterized by:
 - Steeply-pitched mansard roof with dormers,
 - Bracketed cornices,
 - Rich classical detailing.
- Noteworthy features of this façade include:
 - Round-arched windows with two-over-two sash windows and ornate moulded surrounds,
 - Gabled dormer windows, and
 - Tall mansard-roofed tower. The convex-shaped tower displays paired arched dormers surmounted by circular windows and a bracketed cornice originally crowned by ornamental iron cresting.



2004 Heritage Demolition of 108-112 James St N



TED BRELLISFORD, THE HAMILTON SPECTATOR

Passersby study the gaping hole in the Tivoli wall. The building was erected in three sections, with the earliest dating to 1875.

LANDMARK FACADE CHANGES: Tivoli marquee removed



GARY YOKOYAMA, THE HAMILTON SPECTATOR

City crews removed the marquee of the Tivoli Theatre on James Street North on Saturday. A wall collapsed last week, and a civil engineer determined the sign was pulling away from the front of the theatre, creating a hazard for pedestrians and drivers. Dismantling of parts of the building continued yesterday.

HAMILTON SPECTATOR
JUL 05 2004



PAUL HOURIGAN, THE HAMILTON SPECTATOR

Debris flies as workers remove a section of the Tivoli's third-floor yesterday, which was in danger of falling.

HAMILTON SPECTATOR
JUL 06 2004
(... cont'd)

1 Heritage Value-Attributes Remaining

2004 Heritage Designation

Architecturally significant 'Italian Renaissance' style interior designed by Toronto architect B. Kingston Hall.

Heritage Attributes:

- Original architectural features of the Tivoli Theatre Auditorium building including:
 - Ceilings,
 - Proscenium,
 - Colonnades,
 - Statuary,
 - Other decorative wall elements.



2 Tivoli Theatre Timeline

OWNERSHIP AND EVENT TIMELINE		
TIMING	EVENT	SOURCE
1875	Carriage Factory.	National Trust
1901	Carriage Factory ceased.	
1907	Storefront Nickelodeon.	National Trust
1908	Wonderland Theatre, within original Carriage Factory.	Hamilton Public Library - Archives
1910-1912	Colonial Theatre, within original Carriage Factory.	
1913-1923	Princess Theatre, within original Carriage Factory.	
1924	Auditorium added and property renamed The Tivoli.	
1943, 1947 & 1954	Substantial renovations.	
09/28/1989	Movie theatre ceased and repurposed for music sales, then community theatre.	
July 1989 113 Hughson St N 114 James St N	Transfer to Sniderman Radio Sales and Service Limited	GeoWarehouse
March 1990 111 Hughson St N	Transfer to Main Entrance Entertainments Inc.	GeoWarehouse
1995	Venue for live stage shows.	National Trust
May 1997 113 Hughson St N 114 James St N	Transfer to STRM INC	GeoWarehouse
1998-2004	Rented to local theatre company, Tivoli Renaissance Project, as last known use.	2023 Article
June 2004	Structural failure of roof and masonry wall on southern Carriage Factory façade, pushing debris through an exterior wall. City took over property to secure it and removed the third floor, front wall, cupola and light-bulb encrusted Tivoli marquee.	National Trust & 2013 Article
09/15/2004	City Council approved demolition for the remainder of the Carriage Factory, excluding 1908 lobby.	
Late 2004	City demolished front portion of the building, including original facade on James Street North and long lobby leading to theatre and washrooms, at their expense of \$300K.	2013 Article
2005	Owner applied for permit to demolish everything that remained, including auditorium.	National Trust
April 2006 111 Hughson St N	Transfer to STRM INC	GeoWarehouse

1990 Designation

2004 Demolition

2004 Designation

OWNERSHIP AND EVENT TIMELINE		
TIMING	EVENT	SOURCE
September 2006 111 Hughson St N 113 Hughson St N 114 James St N 108 James St N	Transfer to Hamilton Ballet Youth Ensemble	GeoWarehouse
August 2007 115 Hughson St N	Transfer to John Bondy; Patricia Bondy	GeoWarehouse
2008	City issued \$20K grant to pay for heritage feasibility study.	2013 Article
2009	City issued \$75,455 grant for building stabilization and heating improvements.	
December 2009	City issued \$50K interest-free loan to retrofit the theatre's roof, which remained outstanding as of 02/14/2013.	
March 2013 108 James St N	Transfer to 1150735 Ontario Ltd.	GeoWarehouse
March 2013 108/114 James St N & 111/113/115 Hughson St N	Transfer to 1867470 Ontario Inc.	GeoWarehouse
January 2020 108/114 James St N & 111/113/115 Hughson St N	Transfer to 1150735 Ontario Ltd.	GeoWarehouse
2021	Approved Risk Assessment, required under MOE, per Diamante Investments.	2021 Article
Unknown	Structural reinforcement and heating added, per Diamante Investments.	
March 2022 108/114 James St N & 111/113/115 Hughson St N	Transfer to 1000052623 Ontario Inc.	GeoWarehouse
2023	Formal Consultation (FC-23-053).	Development Map

2022
Purchase by
Current Owner

Changes of Ownership beginning in 1989

3 Proposed Design & Alternatives

The current owner purchased the property in 2022. As part of the proposed residential complex, the design explored:

- Various configurations on the property to include the theatre auditorium, and
- Adaptive reuse of the theatre for new occupancy.

As well, studies were conducted to assess the current conditions. The building--including all details and character-defining elements, has been documented via 3D imaging for future reference and use.

3 Building Investigations

The current owner undertook studies into the extent of deterioration of the building including:

- Structural review, which indicates:
 - significant deterioration of exterior brick and clay tile walls on both the interior and exterior,
 - loss of roof structure integrity due to ingress of water which has damaged the gypsum-based deck panels and roof collapse in areas. Rebuilding of the roof is required.
 - Floor framing requires removal and reinforcement to meet current loading requirements.

The report concludes that the building “should be considered past the point of restoration.”

The building is currently shored to prevent further damage.

3 Building Investigations

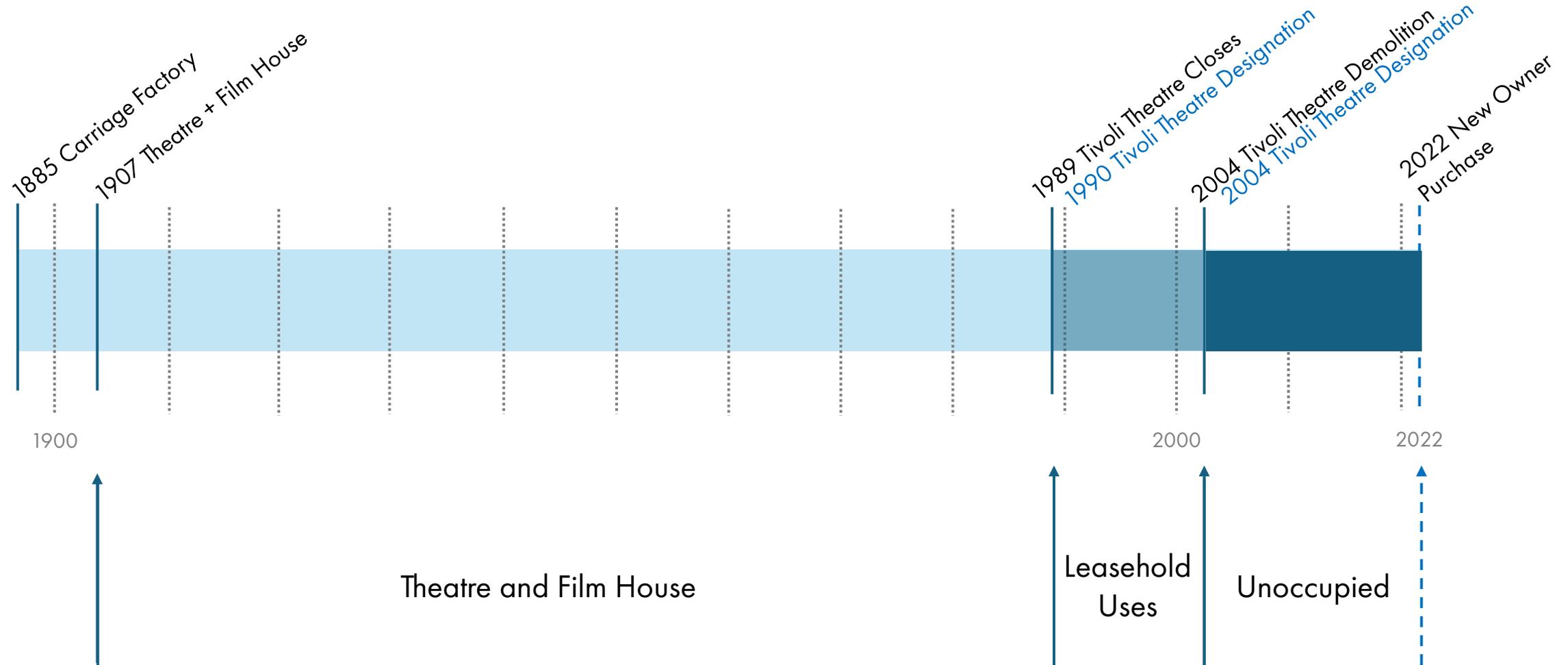
An environmental review indicates that there are designated substances and hazardous materials throughout the building including:

- Lead in various paint and surface coatings, which were found to be in deteriorating conditions with extensive peeling and flaking and debris on surfaces throughout the premises.
- Suspected lead, mercury, silica, PCBs in various materials.
- Mould growth is prevalent on various surfaces throughout the building due to water damage and leaks. Temperature and humidity are unregulated, which contributes to conditions that promote mould growth.

3 Building Investigations

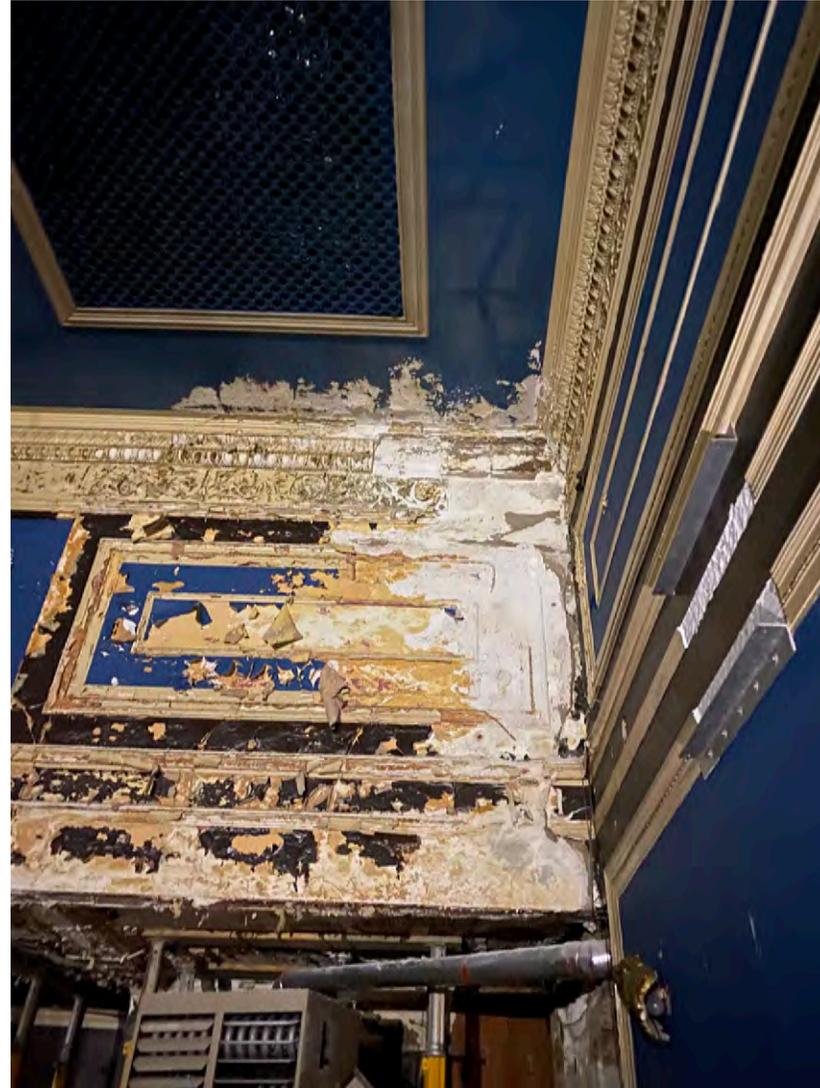
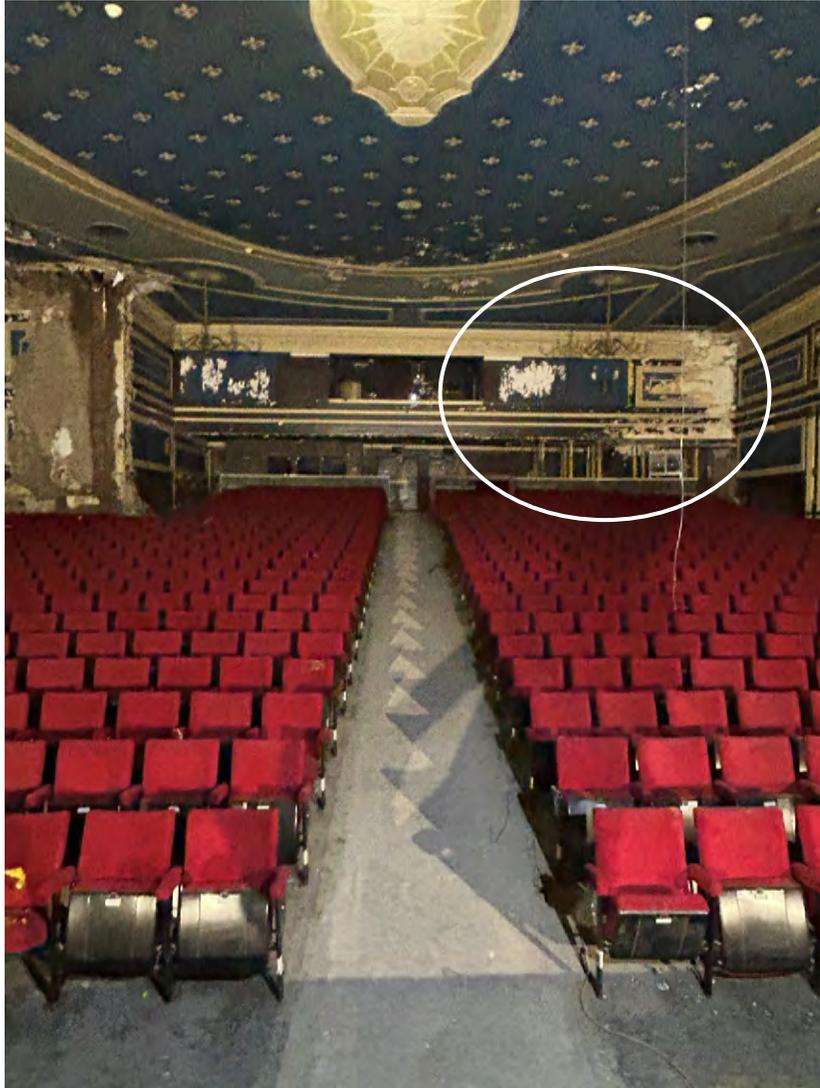
- Asbestos on:
 - parging insulation at the brick chimney,
 - Floor tile and mastic in the second-floor projector room and washroom area,
 - Various floor-levelling compounds and underlying floor mastic present in the front entrance area,
 - Parging cement fitting insulation on pipes in crawlspace,
 - Thermal pipe insulation in crawl space below front lobby,
 - Plaster on walls, ceilings, ornamental mouldings throughout the building,
 - Texture finish on walls and ceilings in storage room at right corner of backstage area.

4 Conditions



Tivoli Theatre Event Timeline showing extensive property deterioration since 2004.

4 Conditions



Observation:
Projection room finishes are damaged due to structural deterioration of the floor and roof systems.

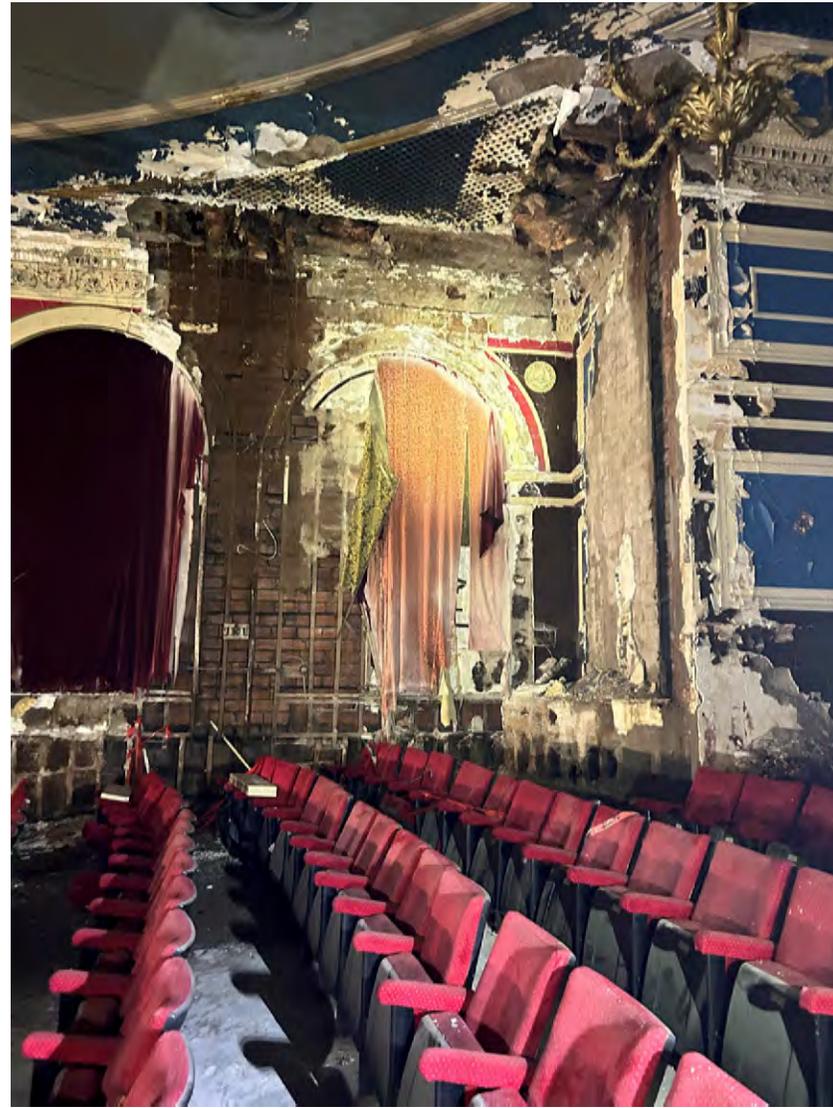
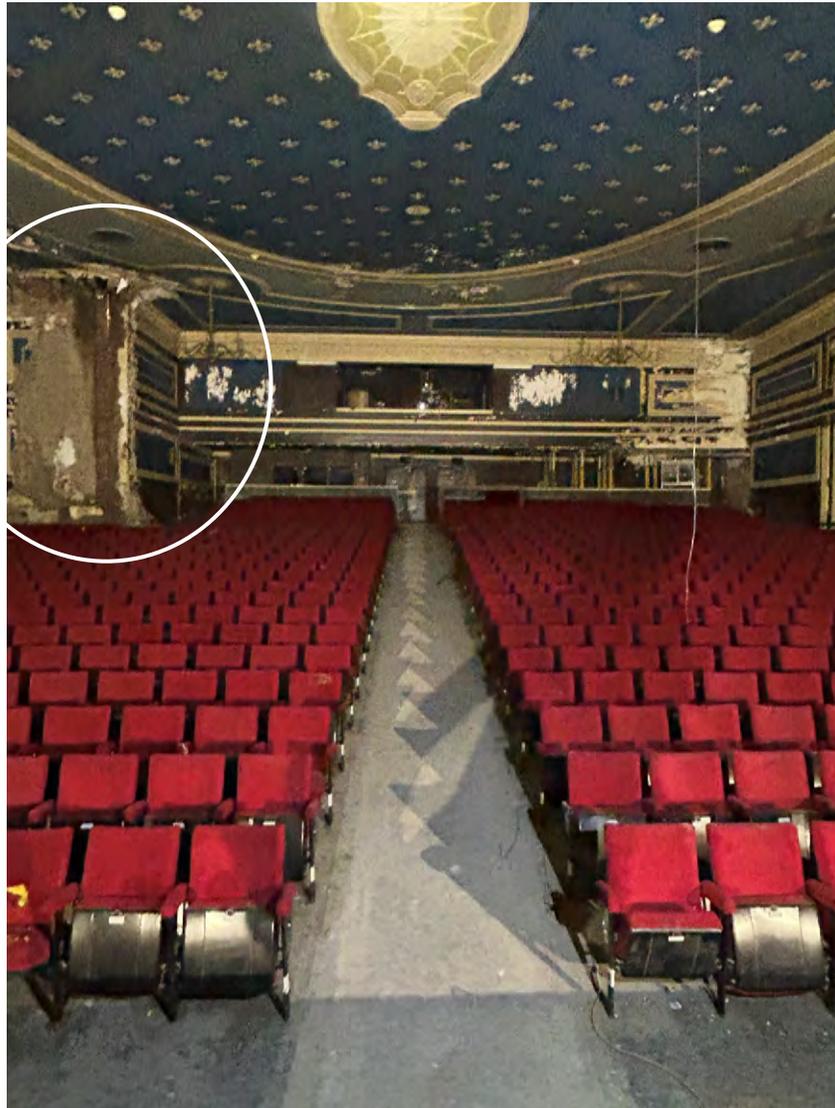
4 Conditions



Observation: Shoring up to ceiling of roof structure. Ceiling has significant moisture damage and is on the verge of collapse. Shoring is installed but may not prevent collapse of moisture ridden gypsum panels.

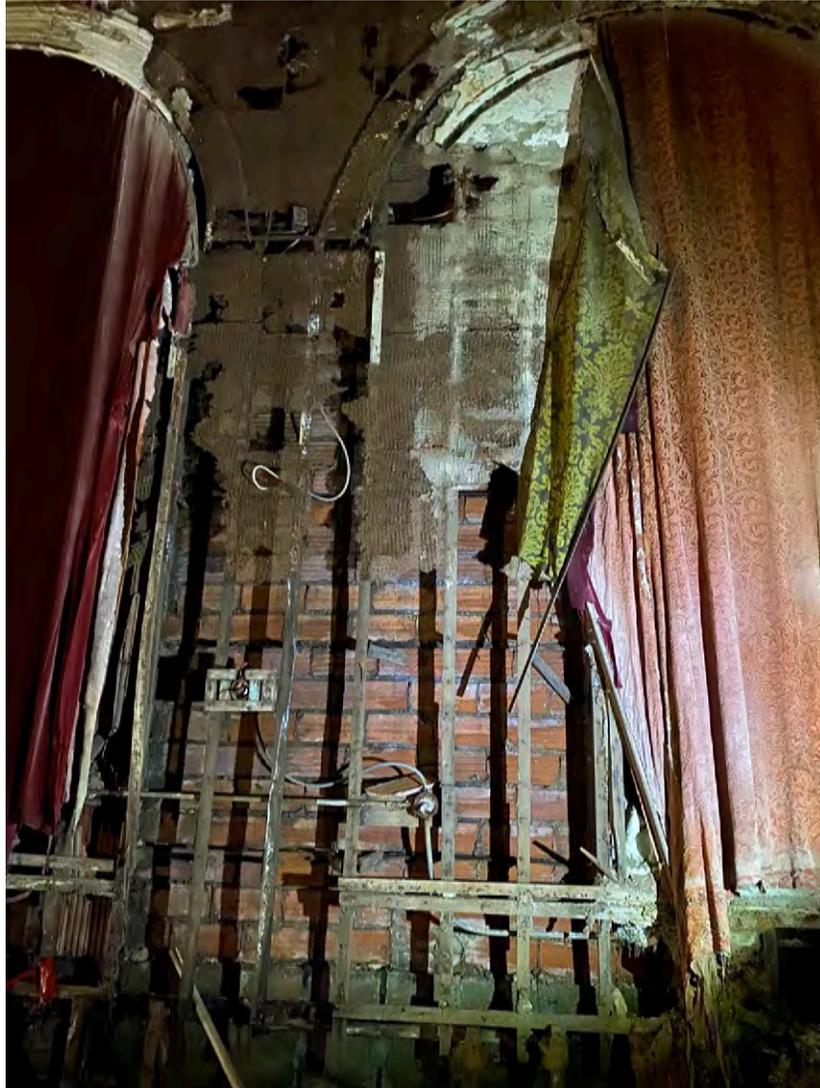


4 Conditions



Observation: Brick and clay tile interior walls covered with plaster finish in most areas. Plaster is in poor condition; where visible, clay tiles and bricks are in poor condition.

4 Conditions



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4 Conditions



Auditorium Walls



Observation: Plaster is attached to metal lath which is corroding.

4 Conditions



Observation:
Deterioration of plaster finishes in friable condition and clay tile column support. Structural steel column baseplates are corroded making investigation of the superstructure requires removal of all of the clay tile.

Auditorium Ceiling Structure

4 Conditions



Observation:
Deterioration to clay tile and brick at inside of walls. Walls are in poor condition where viewed. Considerable cracking of brick walls was observed.

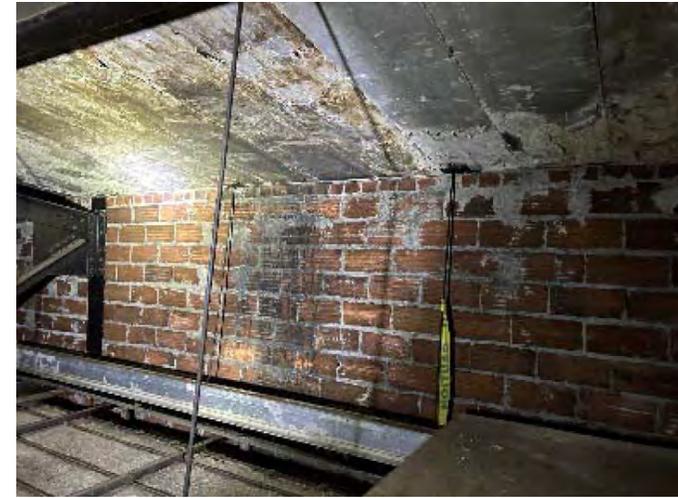
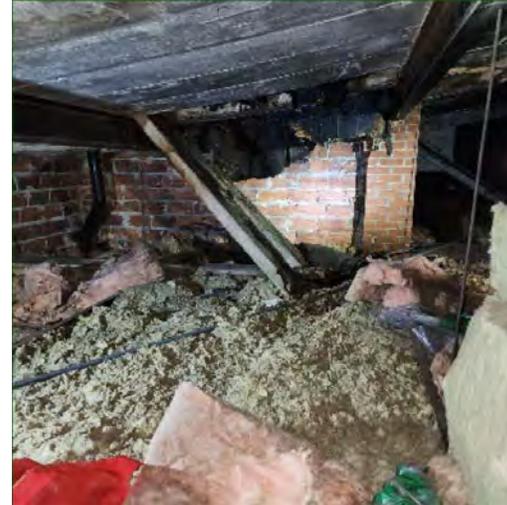
Airborne contamination observed.

Wall Structure

4 Conditions

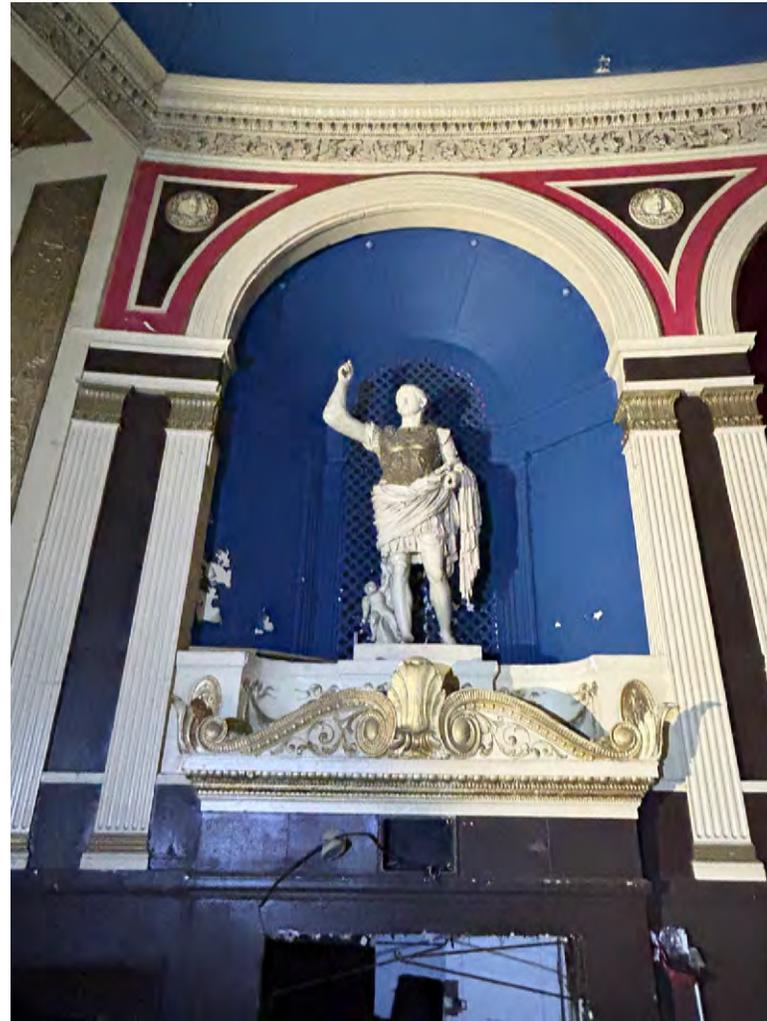
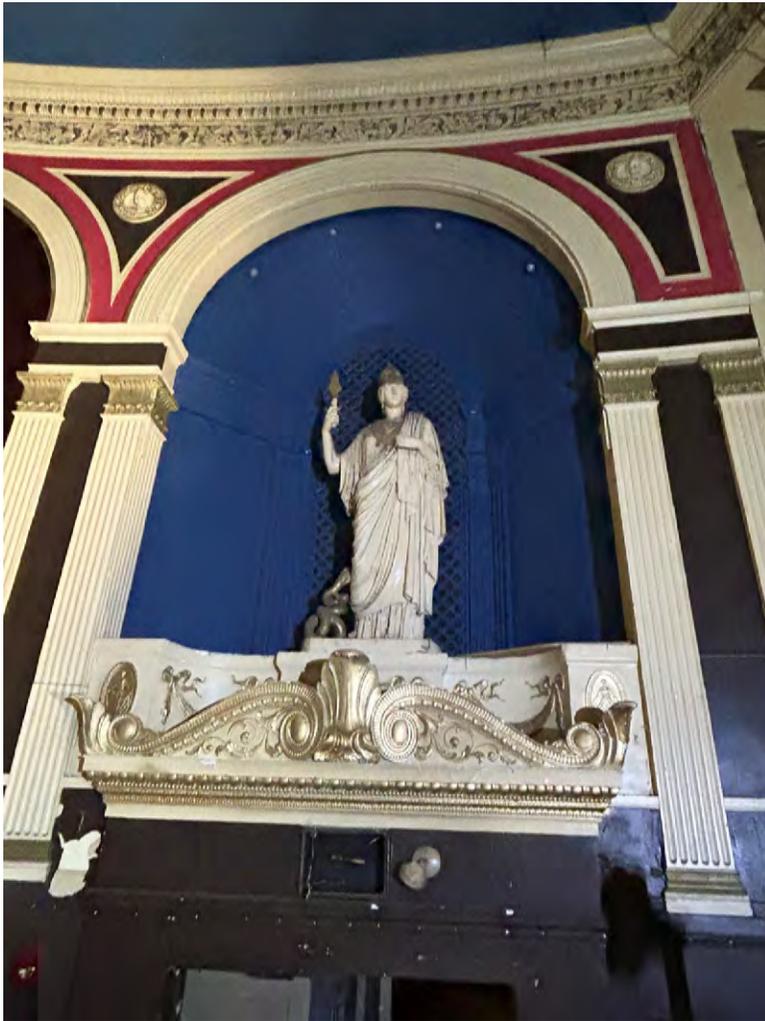


Observation: Gypsum panel roof structure with damage at penetrations, several areas are stained with moisture damage. Panel roof structure loses significant structural integrity when wet.



Conditions – Roof Structure

4 Conditions



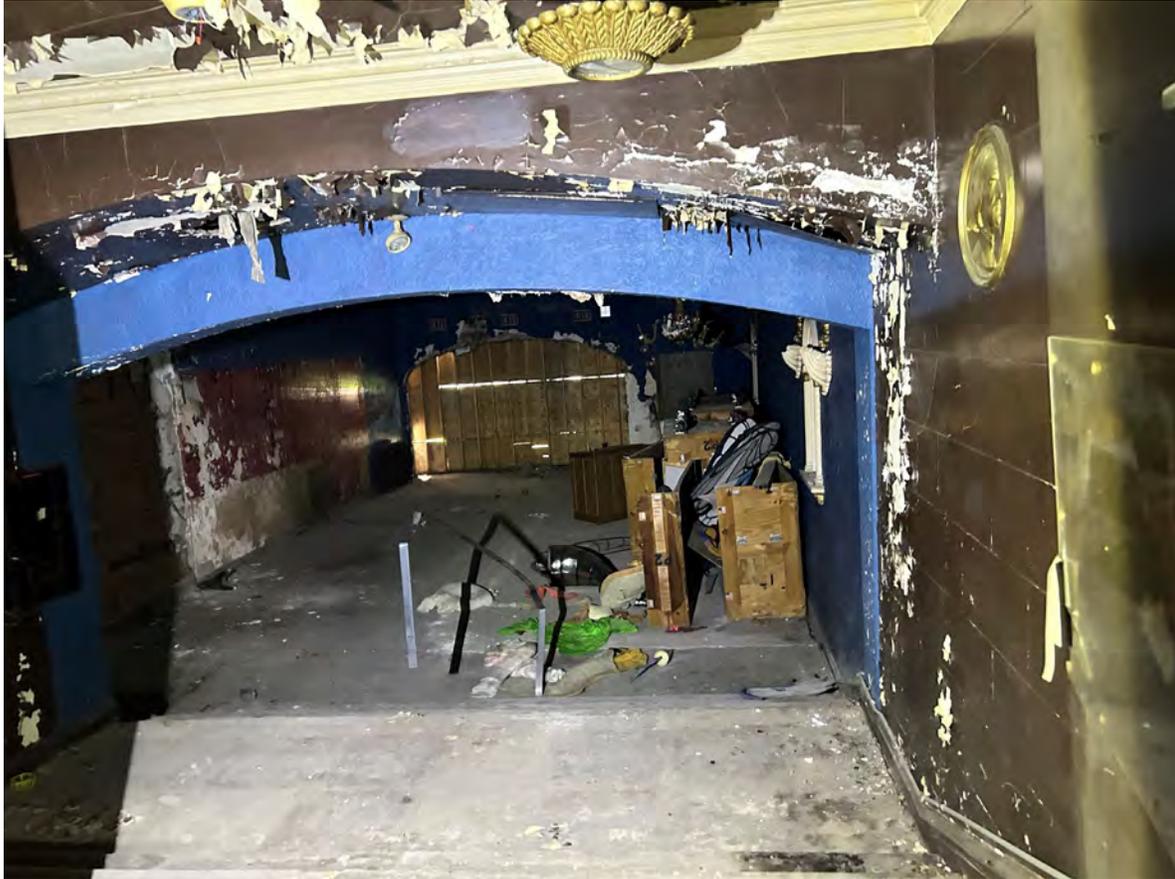
Both statues are plaster, not bronze as per the designations. They are finished in a porcelain paint to mimic original sculptures which were marble.

Overall shape of these pieces are fair, and structurally sound, and can be restored and finished for future use.

-- Steven Dall, Designs by Dall Painting and Restoration

Statuary – surface contamination of asbestos-fibers as per Environmental Report.

4 Conditions



Lobby Area – peeling lead paint indicates moisture intrusion.

4 Conditions



Example of moisture damage on lower walls throughout rooms below stage area.



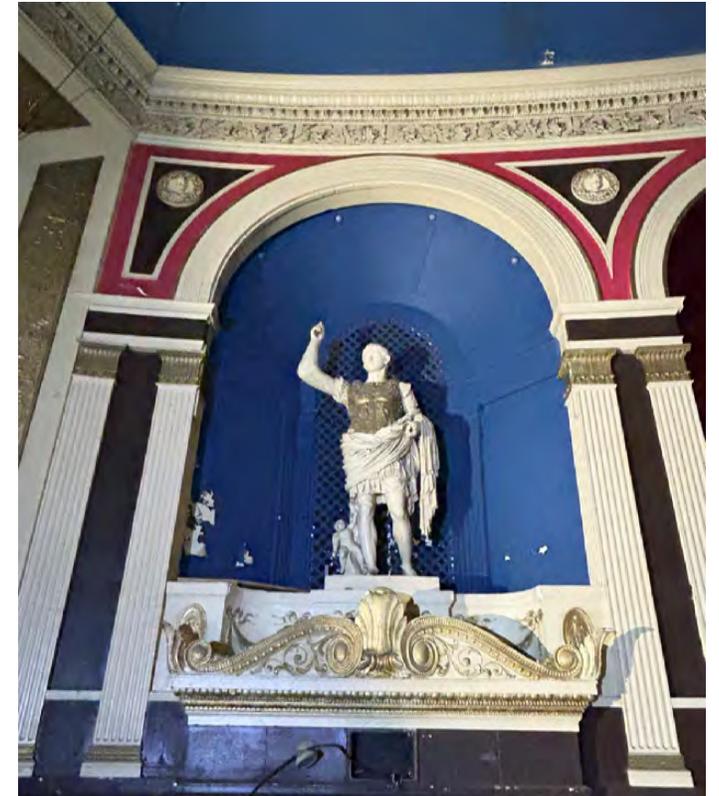
Water damage and mould growth in west corner of south elevation, seen from the second floor.



Water-damaged ceiling and mould growth on second floor.

4 Conditions

The condition of the asbestos-containing plaster throughout the building is extremely poor, evidenced by widespread damage to plaster walls and ceilings. Debris from this asbestos plaster can be found throughout the premises. Consequently, it is recommended to treat all building surfaces as contaminated with asbestos fibers due to the extent of plaster damage and debris present. -- *Access Environmental Solutions, April 9, 2024*



Hazardous Materials Report – Asbestos throughout the building.

4 Conditions

Area/Item Reviewed	Photograph
<p>Item 1.1 East Elevation</p> <p><u>Observation</u> East elevation of the building consists of brick. Brick has been parged over approximately 3m above grade. The brick is in fair condition. Some deterioration and staining of brick around existing window/door openings.</p>	
<p>Item 1.2 North Elevation</p> <p><u>Observation</u> North elevation of the building consists of brick and a parge coat approximately 3m above grade. Brick wall is in poor condition.</p> <p>Some deterioration of brick and cracking was observed.</p>	
<p>Item 1.3 North Elevation</p> <p><u>Observation</u> Significant mortar loss at brick joints throughout wall. Significant staining throughout wall.</p>	 

Area/Item Reviewed	Photograph
<p>Item 1.4 West Elevation</p> <p><u>Observation</u> Brick wall with plywood used to infill majority of the wall. Wall is in poor condition.</p>	 
<p>Item 1.5 West Elevation</p> <p><u>Observation</u> Brick is loose, crumbling and missing in several areas. Large portion of wall is missing in the south west corner. Area of wall missing in north west corner.</p>	    

4 Conditions - Summary

The value of the Tivoli Theatre has diminished over the years, especially with:

- Closure of the theatre in 1989,
- Demolition of the 1875 Second Empire style original building on James St N in 2004 after partial collapse of the roof and south wall,
- Deferred maintenance by previous owners since that time, and
- Extensive deterioration by neglect over the past 20+ years.

4 Heritage Permit Subcommittee Follow-up

Following the Subcommittee Meeting on November 12th, additional information was obtained to address the Subcommittee's questions and concerns:

1. Structural Heritage Engineer Cooke & Associates, (Canadian Association of Heritage Professionals - CAHP) were retained to review conditions and potential repair work, and
2. Access Environmental Solutions was retained to provide an opinion on abatement work required for renovation or demolition.

4 Heritage Permit Subcommittee Follow-up

1. Structural Findings

- **Structural repair required for the building exterior, roof and framing system requires major construction** – replacement, reinforcement or rebuilding.
- **Structural repair of clay tile walls requires demolition, reinforcement and/or new structural elements**, which requires that the plaster fabric be completely removed to allow access to the building structural elements that require upgrading or replacement.
- **Plaster, clay tile walls and exterior brick walls are integral to one another.** Plaster on the interior side of the exterior walls is installed on metal lath which has corroded due to moisture and can't be reused. Structural interior clay tile walls where lath and plaster are attached have moisture damage.
- **Given the moisture and asbestos in the plaster, removal and replacement of the plaster sections is not feasible.**

4 Heritage Permit Subcommittee Follow-up

2. Abatement Findings – Requirements for Renovation or Demolition

- **Plaster finishes of the walls, ceilings and ornamental mouldings are asbestos containing.**
- **Plaster finishes of the walls, ceilings and ornamental mouldings (and all interior surfaces) are coated in asbestos fibres** due to the extent of plaster damage and debris present.
- **Plaster finishes of the walls, ceilings and ornamental mouldings are in friable condition and moisture has compromised its integrity significantly.**
- **Type 3 abatement operations are required.** The process requires containment of the contaminated area(s) which won't be possible with structural work underway and would require full removal of the contaminated plaster.
- **The statuary are independent elements** and could be encapsulated and relocated elsewhere.

4 Heritage Permit Subcommittee Follow-up

Questions: Is it safe/feasible to salvage the decorative plasterwork, given the asbestos throughout the building? Are there challenges to safely storing plaster, if salvaged?

- No, it is not safe or feasible to salvage any of the decorative plasterwork. The plaster is installed on metal lath and nailing strips, which are in turn mounted onto a structural terracotta tile base. If removed, the asbestos-containing plaster would become friable, meaning it could easily crumble and break apart, increasing the risk of airborne asbestos contamination.

5 What can we do?

Capturing the history, the excitement and experience of the Tivoli Theatre is important to maintaining its presence in the future which can be achieved through interpretation planning and design. These methods include:

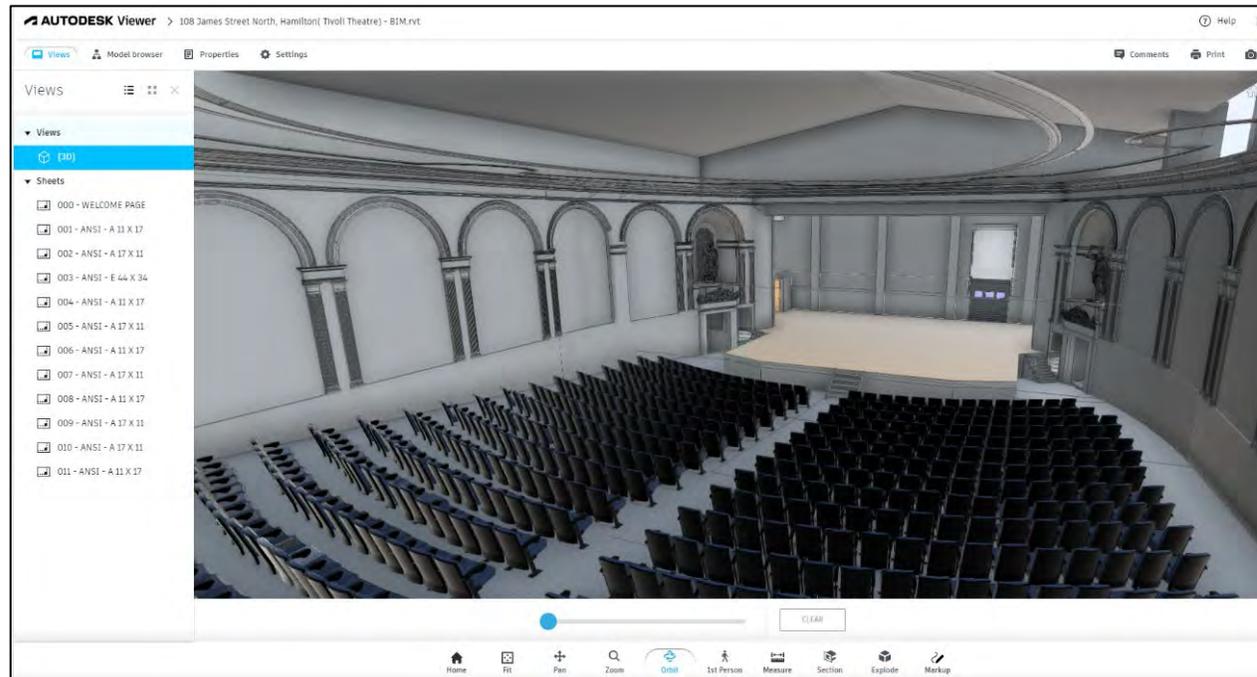
1. Protection/ Salvage
 - Donation and storage of designated features such as medallions and statuary,
 - Detailed documentation for future study and replication.
2. Interpretation
 - Design of the building will reference or dialogue with the unique features of the Tivoli Theatre.
3. Commemoration
 - Through public access and events.

5 What can we do?

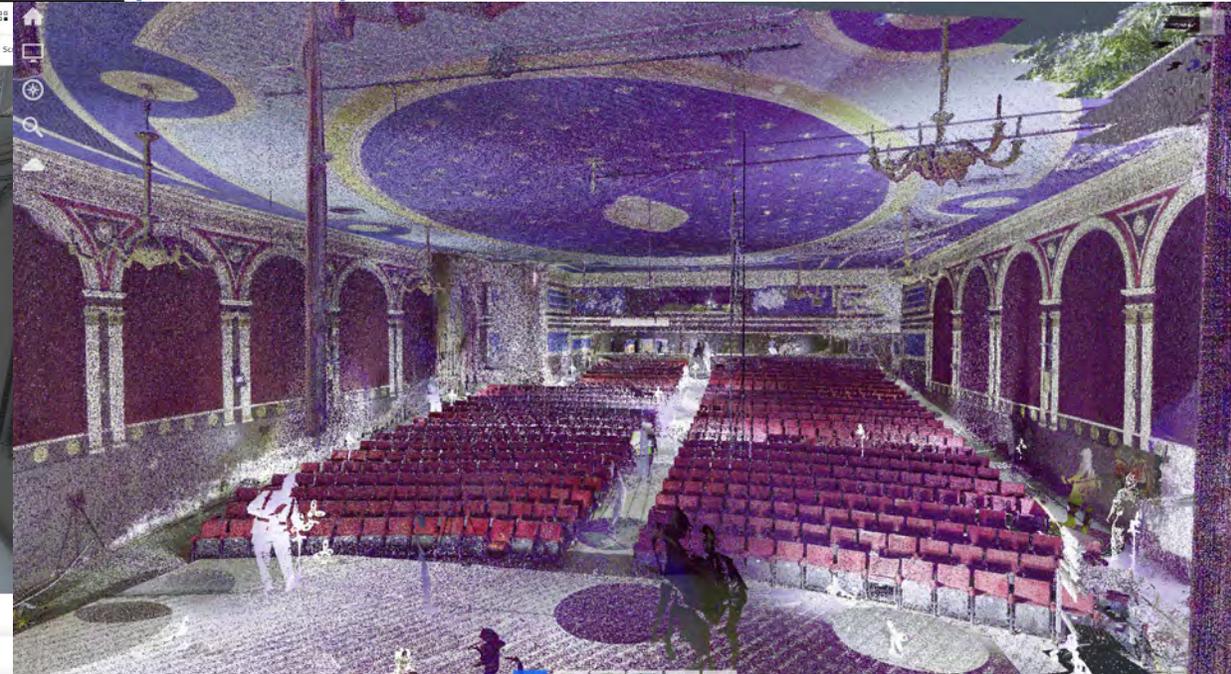
Guiding Principles include:

1. Protection/ Salvage

- Donation and storage of designated features such as medallions and statuary,
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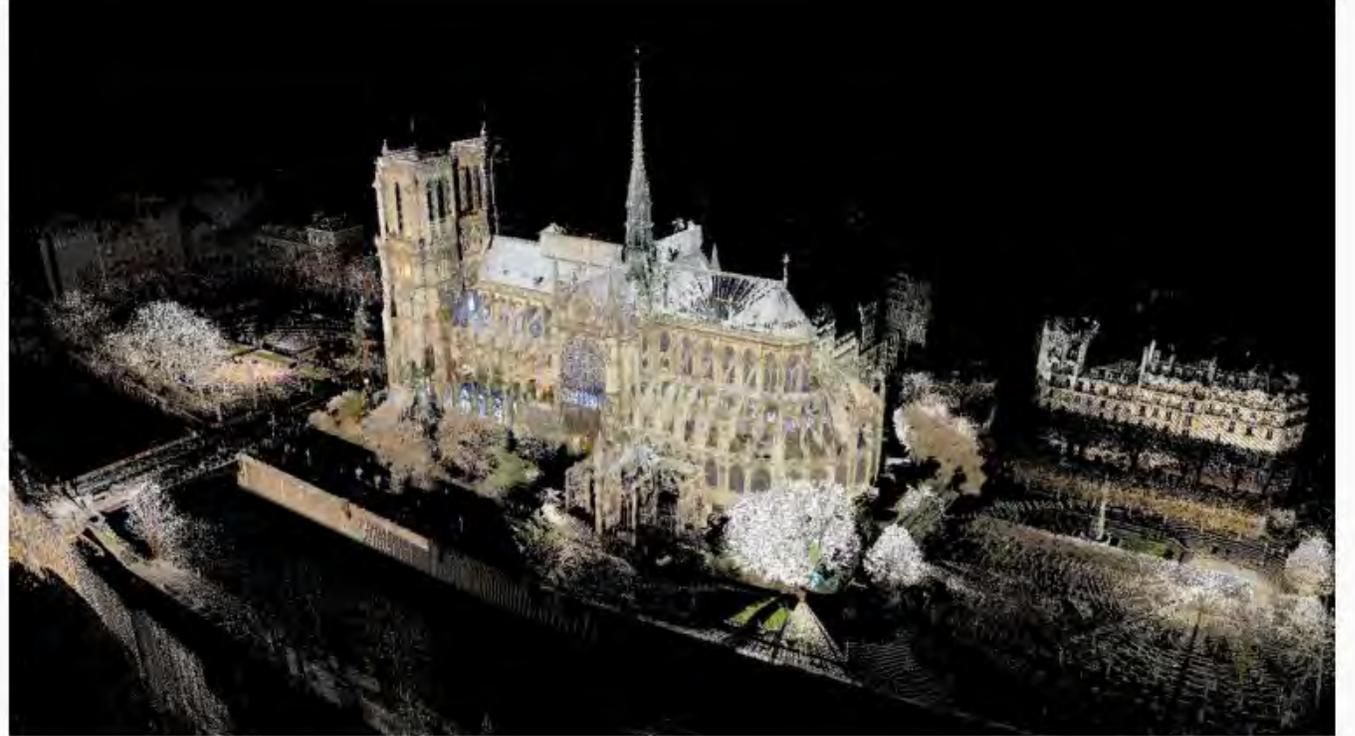


REVIT model shows modeling capabilities.



PointCloud model provides measurement data.

5 What can we do?



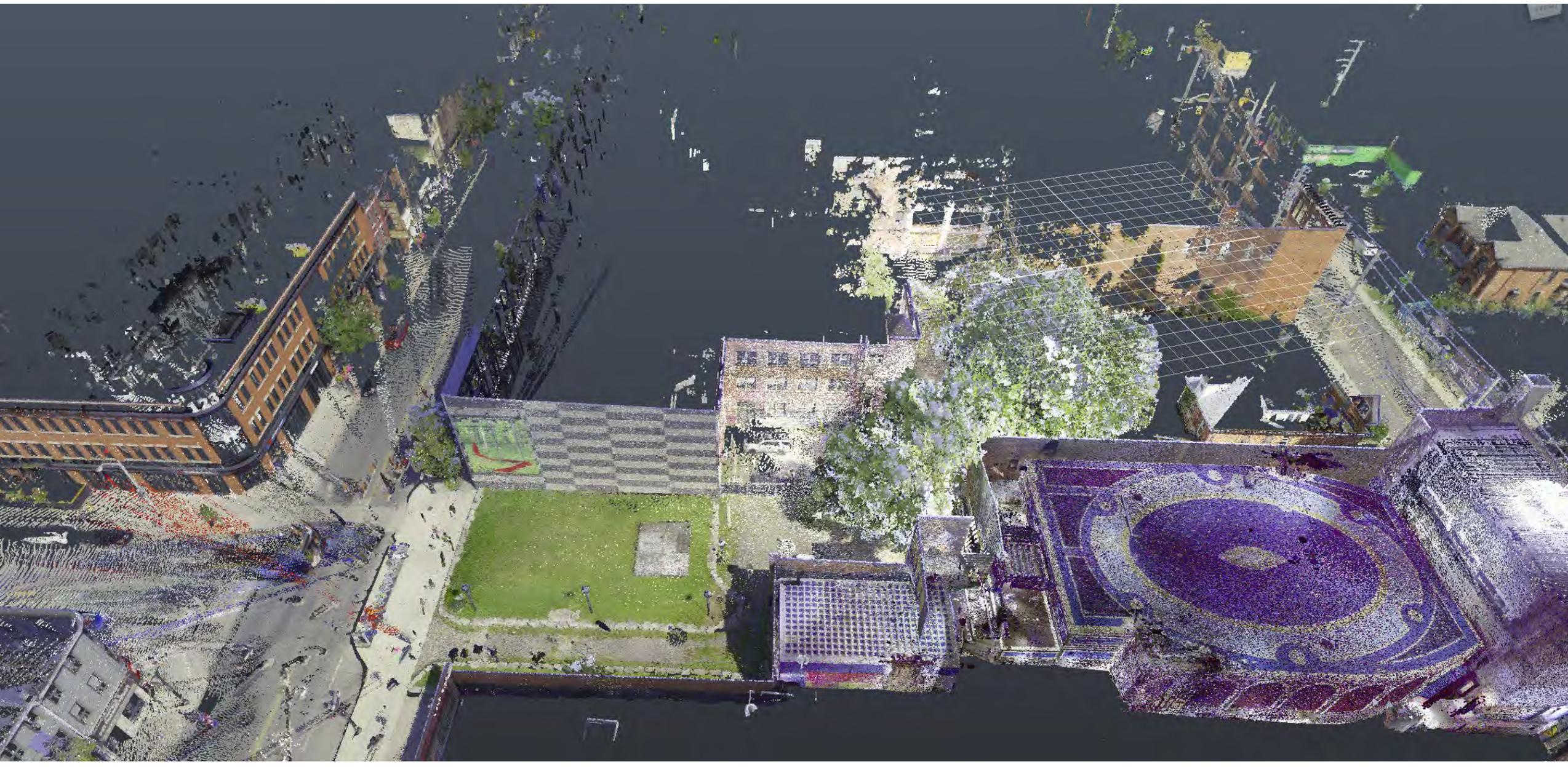
The indispensable role of point cloud data in rebuilding Notre Dame

December 3, 2024







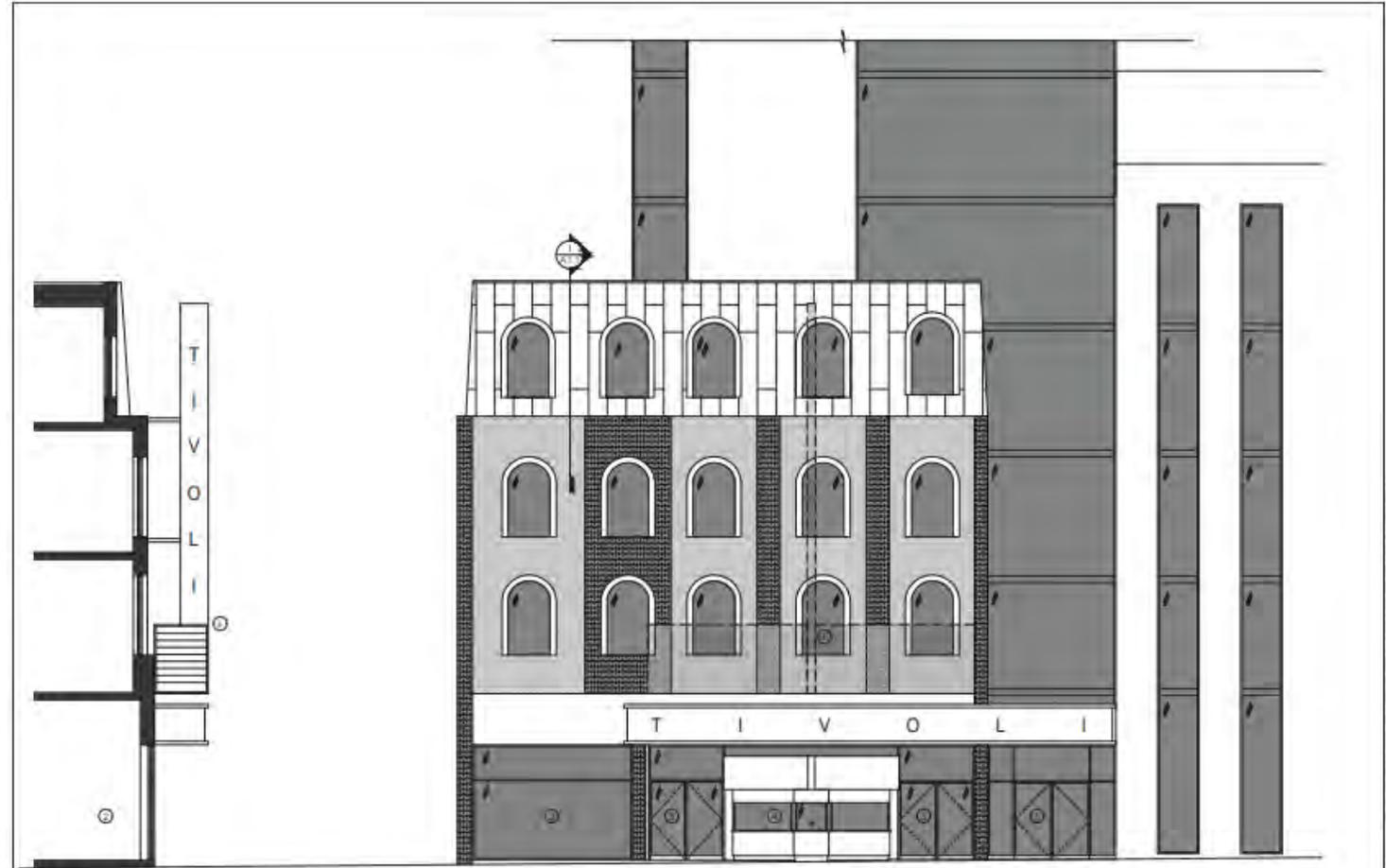


5 What can we do?

Guiding Principles include:

2. Interpretation

- Design of new building that references or dialogues with the unique features of the Tivoli Theatre such as:
 - the James St N entrance,
 - the marquee,
 - the building prominence such as massing, materiality and fenestration, and the grandeur of the theatre space.
- Part of James St N cultural heritage landscape.



5 What can we do?

Guiding Principles include:

3. Commemoration

- Through public access and events in the event space.

The proposed residential development will honour the legacy of the Tivoli Theatre through multiple measures including architectural and interpretive material:

- Reinstatement of the lobby and new marquee in the same location as the original Tivoli theatre along James St N,
- Introducing a reinterpretation and commemoration of the original carriage factory building in the heritage streetscape.
- a publicly accessible interpretive lobby space at ground level with a collection of interpretive materials from the original Tivoli Theatre.

5 What can we do?

The proposed residential development will honour the legacy of the Tivoli Theatre through multiple measures including architectural and interpretive material:

- Reinstatement of the lobby and new marquee in the same location as the original Tivoli theatre along James St N,
- Reinterpretation and commemoration of the original carriage factory building in the heritage streetscape.
- A publicly accessible interpretive lobby space at ground level,
- A dedicated elevator will take visitors to an event space designed in the grandeur of the Tivoli Theatre auditorium.

5 What can we do?

- The commemorative elements and interpretive materials will chronologically document the detailed history of the Tivoli Theatre, from its origins as a carriage factory to its eventual closing.
- This rich history will be showcased through various multimedia exhibits, including
 - print and electronic publications,
 - interactive installations, and
 - a virtual reality tour. The VR experience will incorporate point cloud building scans undertaken by the owner, allowing visitors to immerse themselves in the grandeur of the theatre space and explore it as though they were physically present.

Thank you, questions?

