



Hamilton

**LISTER BLOCK  
HERITAGE IMPACT ASSESSMENT  
PEER REVIEW**

Our File: 6436

Prepared by:



**McCORMICK RANKIN  
CORPORATION**

920 Princess Street, Suite 101, Kingston, ON K7L 1G6

Tel: (613) 546-2227 Fax: (613) 546-3555

Email: [mrc-kingston@mrc.ca](mailto:mrc-kingston@mrc.ca)

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## 1. INTRODUCTION

McCormick Rankin Corporation (MRC) was asked by the City of Hamilton to complete an independent evaluation of the owner's submission for the heritage impact assessment for the properties at 28 to 50 James Street North, 5 to 21 and 33 to 35 King William Street, in the City of Hamilton. The submission to the City was part of a proposal for redevelopment of this site. The intent of the document was to satisfy the City's and the province's requirements when alterations are proposed to designated heritage building or building of historical interest. Within the area to be developed, the properties are on the inventory of buildings of architectural and/or historical interest and one building in particular, the Lister Block, is designated under Part 4 of the Ontario Heritage Act.

The following review attempts to evaluate whether the Heritage Impact Assessment (HIA) as submitted answers the requirements and questions of the City of Hamilton. The version of the HIA that is being reviewed was submitted in February 2006 and is an updated version of the original HIA that was submitted after amendments based on comments from the City of Hamilton's Heritage Department. The peer review is being completed in three, more or less, independent sections; an architect, a heritage building material specialist, and a structural engineer (MRC) will be reviewing the submitted work based on their specialties and the general requirements of the HIA. There will be some overlap between the various reviews because they are being prepared independently and any questions regarding discrepancies or contradiction between this report and the other reviews can be clarified should they arise.

## 2. GENERAL

After the submission of the original HIA the City of Hamilton's Heritage department responded clarifying the requirements of the submission and providing reference documents for submission. Included in this package to the Developer was a copy of the applicable Heritage Impact Assessment Guidelines. The Guidelines provide a general background of how Heritage Impact Assessments will be evaluated within the City of Hamilton but also provide some requirements as to how they are to be prepared. In the section on what information is required for a Heritage Impact Assessment, there is:

1. Reference to the 8 Guiding Principles in the Conservation of Historic Properties
2. Four specific requirements to be included in the assessment
3. And, most importantly, a general list of conservation options in order of preference.

Of the four requirements to be included listed in the document the first two involve the identification of evaluation and recording of the heritage resources, the third is an

explanation of how the proposal may impact on the heritage resources and, the fourth is identification of several conservation options taking into account the significance of the heritage feature. The submitted heritage impact statement in its current form has evolved in response to the original review through the addition of appendices and tabs. It is difficult to divide the report such that it guides the evaluation through the process of considering the less evasive options leading to the conclusion that a more severe intervention is required. Heritage preservation in general is guided by the principal of minimum intervention and during the development process the heritage impact statement is intended as a means of defining and providing the context of the heritage elements, identifying the current condition, assessing the value of those elements and defining the minimum intervention that allows the heritage assets to continue in some form. The process is intended to present a clear image of the heritage assets and the affect of the proposed alterations thus allowing a clear evaluation of the change.

There is a significant amount of information within the over 200 pages submitted but, in order to make a decision such as proposed in the conclusions of the report, one would expect that a detailed inventory of the heritage value and a summary was provided which gave reasons for not pursuing each of the more preferred options and described the potential to mitigate the lost heritage value. Because the options in the HIA guidelines are listed in order of preference, following this order would provide a systematic justification for pursuing the recommended alternative and eliminating less invasive alternatives that have less impact on the heritage fabric. The submitted HIA includes a good portion of the required information however, there are some key elements missing and it is not presented in a sequence that leads to support of an alternative. This is partly due to the fact that it was submitted in two stages with a core and amendments and partly due to that within the amendment process, the focus and recommended alternative appears to have changed.

### **3. TREATMENT OF DESIGNATED FEATURES**

The designated features identified in the statement of the reasons for designation are the elements of the structure perceived to have the most heritage value. The street facades, original windows, one original store front, terracotta and copper work are all individually listed. The two level interior arcade including shop fronts, plasterwork, marble, terrazzo and skylights are also listed.

Each of the above features should have been identified and the impact of each alternative as well as methods to mitigate negative impacts should have been presented. A significant portion of the description of the treatment of each feature was truncated after it was concluded that no portion of the building could be salvaged. As later will be described this assumption is not well documented and supported with hard evidence. In any case the treatment of each of these features and mitigation should have been included in the proposed alternative including painstaking detail of the fate and materials of the old and the new.

## 4. STRUCTURAL ASSESSMENT

As the member of the peer reviewers charged with the review of structural aspects the following review based on the submitted document and a cursory visual inspection is presented to review the information presented within the report.

For the purposes of structural assessment, the building can be divided into two main sections; the exterior façade and the interior frame. Within the HIA there is only brief reference to the condition of the interior frame of the building. No specific areas of significant deterioration are identified and during the site inspection the frame appeared to be in excellent condition.

Under the section on structure, a discussion of the floor heights is presented. The floor heights are listed from the first floor at 12'-9" to the second at 10'-10" and floors three to six at 9'-10". It is also indicated that the concrete beams reduce the clear height by approximately 14" thus the respective space under the beams is 11'-7", 9'-8" and 8'-8". During the inspection, the floor slabs and the beams in general appeared pristine. No indication of significant patterns of cracking or any distress was noted. Nowhere in the HIA does it indicate that any structural deficiencies related to condition affect the decision making process. The issues with the concrete frame are completely based on floor to floor heights.

Included in the HIA are construction photographs illustrating the progress of construction in 1923. In addition to the photographs a set of structural drawings was provided which show that the building is constructed with a steel frame encased in concrete. While there is no hard evidence to the contrary, the presence of the steel should be confirmed if the frame is to be reused as the steel is not specifically visible in any of the small sample of construction photographs that were provided.

Without the benefit of detailed calculations, only an impression of the strength of the structure can be provided. The structure appears to be robust and it is quite possible that it is capable of carrying the loads required by the current building codes. There may be issues with the lateral load carrying capacity in earthquake or the structural detailing associated with this loading however, there are methods to address these deficiencies. This may not be disputed by the owner as all of the issues related to the frame that have been illustrated in the HIA relate to the floor to floor height and geometry.

## 5. FAÇADE CONDITION

Most people's interaction with the Lister Block is from the outside and is specifically related to the appearance of the façade. In the HIA as presented, a significant amount of material develops options where the façade is retained or reused. After the amendment, this premise was abruptly changed to the point where new construction would be used to sympathetically reflect the original structure. The basis for this shift appears to be related to condition and cost. The condemnation of the condition of the terracotta is based on a

report by Construction Control Incorporated from a street level visual inspection. The report concludes that, “The state of deterioration of the existing masonry is in many locations beyond economical repair and some locations the decorative terracotta moulding, parapets and cornices are in immediate danger of collapse. We strongly recommend that a detailed inspection of the exterior be undertaken to identify locations where removal of loosened or damaged material is required to ensure pedestrians are not in danger by pieces of falling masonry”. This evaluation paints a picture of crisis however, no record of further action is provided to confirm that the suggested inspections occurred or that an effort was made to protect the public from the perceived danger. Later in the inspection report, the author states that, “Though it’s decorative value still exists, conservative estimates would indicate that approximately 80 to 85 percent of this material has deteriorated to a condition which renders it, for the most part, structurally unsound and past its anticipated service life”. While the heritage materials reviewer will discuss the feasibility of repairing and restoring the terracotta, the method for determining the estimate that 85 percent of the material is unusable and the resulting associated costs with reusing it are not described or alluded to in any way. In the pictures within this report, there would appear to be more than 15 percent of the material that is in pristine condition and given the heritage value of the structure and specifically the terracotta, one would expect that after the initial review that a more pedantic and documented process would be followed before condemning the structural soundness of the material. Some of the pictures used in the report were submitted in the original HIA and it appears that the evaluator, as stated in his report, only completed a visual survey from the ground. While from a structural perspective, it is reasonable to assume that the material is unsound until proven sound, the HIA later uses these statements as justification to preclude the reuse of any of the material and the requirement to demolish the entire building. Within the structure report, an additional investigation is suggested and it would appear that this investigation should have been completed before the HIA was submitted to definitively determine the likelihood of reuse of the material as well as the safety of the public.

There is a statement on page 12 of the original submission that some stabilization work was halted by the city on July 18<sup>th</sup> 2005. It is unclear exactly what transpired but I would assume if a detailed methodology and scope had been submitted to the Heritage Planning Department and was reviewed by the Heritage Committee a limited investigation and stabilization plan that conserved the material and did not alter the façade unnecessarily could have been approved. The formal information questioning the structural stability of the terracotta was completed in November of 2005 and no record of emergency repairs or a documented trail of pursuing approval to react to a perceived danger was provided. In addition the inspection from the ground that was completed recommended further investigation and no record of this work being pursued, reference to an application to the City of Hamilton to complete this work or the results was provided. This inspection should be completed to ensure that the public is not in danger and the information regarding the anchorage and condition of the terracotta that is required should be determined. The owner’s lack of action would indicate that they do not perceive the current condition as an immediate danger.

Within the cost estimates that are provided as Appendix C to the HIA, cost estimates for restoration of the terracotta are provided by Clifford Restoration. Clifford Restoration is a respected contractor with experience in repairing terracotta. Within the details provided as part of their estimate, 175 pieces of terracotta are identified as requiring replacement and methods of repair are described. While this is an estimate from January 2000, even if a significant allowance for an increase in deteriorated units is included, one would not approach the 82 to 85 percent level described in the structural report. Based on a visual inspection from the ground, I would anticipate that the number of pieces requiring replacement is somewhere in the low 200's however this cannot be definitively determined until the method of anchorage and the condition of the rear of the terracotta pieces is established. Based on our visual inspection, the detailing of the capped terracotta pieces is such that diligent maintenance is required to ensure that the butted cornice pieces are sealed against the entry of water. This appears to be the root cause of the deterioration that is visible in the cornice and will be of the greatest concern if the terracotta can be conserved.

In summation, more investigation is required to definitively determine the condition and the method of anchorage of the pieces of terracotta. It is believed that the pieces are anchored due to the fact that although water has been allowed to penetrate behind the surface, the alignment of the pieces has remained more or less straight. Without the knowledge of the method of anchorage, one cannot determine whether the pieces could be removed and salvaged or if during removal significant additional damage will occur. Also without this information it is hard to see the justification for the statement that 80 to 85 percent of the material is deteriorated to the point where it is structurally unsound. The most puzzling thing about the conclusions of this report is that no record of additional actions since the time of the report has been presented. This would appear to indicate that this danger is not perceived as an immediate danger. The condition of the terracotta is used as the key element in rejecting any efforts to salvage this material for reuse and therefore is critical to the evaluation of the Heritage Impact Assessment.

There are structural standards for the City of Hamilton which would indicate that regardless of whether the building is occupied or unoccupied that the owner is required to maintain the building. In researching the information regarding the building, there was a website found which listed the perceived infractions of the property standards for the City of Hamilton for the Lister Block. Until such time as a decision regarding the façade is made at minimum an effort to seal the building against the entry of water should be made. Skyward facing joints of the terracotta must be sealed to prevent the entry of water. This would slow the deterioration of this heritage feature. The standards include a requirement that the exterior of the building be kept weather resistant through the use of caulking and other appropriate weather resistant materials. If this had been done in the past, the condition of the terracotta may have been significantly better than it currently is.

Nowhere in the report did I find any mention of the condition of the chimney which appears to have a significant lean and should be evaluated.

## 6. COST ESTIMATES

Before evaluating the cost submission it must be recognized that cost is not the overriding factor in the heritage decision making process. Cost provides a background in which the judgement of the heritage alterations is assessed. It is not possible to convert the heritage value of a structure to a monetary value and determine the net benefit. The proponent derives a premium cost for heritage restoration in the millions of dollars. If one could convert the loss of heritage value of the Lister Block to a monetary value it might be assessed at 1, 4, 20 or more million dollars and this may outweigh the premium costs. That is what the HIA process is used to evaluate and why documentation of the historical value is required and not just the condition and cost. Therefore although this section evaluates the cost component as submitted and suggests a more detailed evaluation of the total cost to determine the financial viability this is not the only portion to be considered in the total evaluation.

The proponent has submitted cost estimates as appended in Appendix C of the HIA. The cost estimates are well organized and well documented but only describe the additional premium costs associated with three potential options to retain some of the heritage fabric. The options reviewed include the following.

- **Option A** – Retention of the existing façade and the floor structure of the first bay on each level.
- **Option B** – Retention only of the exterior façade.
- **Option C** – Removal of alternating floors of the existing structure and the retention of the façade.

Based on the submission, the premium costs are all that was requested by the owner of this consultant. The consultants provided a list of similar projects illustrating a familiarity with the type of work and the submission for each of the options is quite detailed including both cost savings and additional costs to arrive at a reasonable representation of the premium for each of the options. The cost estimates are presented as an order of magnitude cost and when the line items are reviewed it does not appear that any items were unduly exaggerated to inflate the cost to support an argument to demolish the building. In some cases, such as the cost estimate for the construction of the steel frame to maintain the façade the estimate, if anything, may be low.

The estimates conclude that there is a premium of between \$7.1 and \$8.7 million for the various options and the scope of work for this consultant was completed. From these estimates, in other sections of the HIA it is concluded that the cost of pursuing any of these more favourable heritage options is too excessive and new construction is the only option. Based on the submitted HIA, it is impossible to determine that. Every heritage restoration has an associated cost. What has been presented within the HIA could be equated with saying that elevators are not required because they are expensive. It does not take into account the value of the elevator or the ability of the building to support the

cost of the elevator. Just as there are regulations requiring the developer to include an elevator, there are regulations to preserve the heritage aspects of the building.

If the demolition of the building is based on economics, in my mind, the developer would as part of the total presentation have to illustrate that the potential rental incomes from the building in its current configuration would not generate sufficient funding to maintain the building, preserve and maintain the heritage materials and have a reasonable chance to generate an acceptable profit. Because the building is a designated heritage property, there is an onus to prove that it cannot be reused rather than to find a circumstance for which the building cannot serve. The floor area that is desired is sufficiently close to the floor area within the building that it is not obvious that this is the wrong site to accommodate that square footage. However, if the proposal had been for 600,000 square feet and it was argued that this building could not serve that floor area and therefore had to be demolished, one might come to the conclusion more quickly that this might be the wrong site for this size of building. Similarly if the proponent's project was to house a baseball stadium within the Lister Block and the argument was put forth that the floor heights did not accommodate baseball this does not prove that the building does not have another use. The argument that the floor heights are not high enough is based on the definition that Class AAA office space is what has to be built. This may or may not be true. It is yet to be determined if this is the right project for this site and the HIA is intended to be a method of balancing the needs of heritage with the needs of function and viability.

Ultimately the City of Hamilton should be seeking a development which will produce a viable building that has sufficient economical value that it can be maintained and will be viable in the community. Ideally that development in order of preference retains all, most or some of the heritage value of the original building. To rigidly adhere to the thought that nothing can be altered might seal the fate of the building. If the building is left derelict to deteriorate to the point where it must be demolished nothing is accomplished. The intent of the HIA process is to preserve heritage in the long run. From a cost perspective significantly more information is required regarding the potential to generate revenue while incorporating the heritage costs and not just the presentation of the additional costs.

## 7. ADJACENT PROPERTIES

In the initial review by the City of Hamilton, it was identified that more information regarding the adjacent properties both within and beyond the development was required. In Tab 2, a brief history of the adjacent buildings is provided.

Of particular interest appears to be 44 to 50 James Street North which was designed by William Thomas. It appears that the intent of the current proposal is to maintain approximately the front two structural bays and the front façade and to restore the façade to its original condition. This is not clearly defined as the final proposal. In the

architectural plans which show the new construction option the façade of 44, 46, 48 and 50 James Street North are shown with the metal cladding still in place. The elevations and plan view of the parking appear indicate that it will be below the roof line of this building and the two bays will be maintain however, their relationship to the new building is not defined. There is no information about the interior condition and ability to truncate this building. More information regarding the materials used in the façade and the condition as well as the materials used in the building will be required before this intervention can be assessed. At first blush, recreating a historic façade within a historic streetscape should be viewed as a positive however, the level of commitment to detail and materials must be established to ensure that the good will is translated into an actual asset and does not detract from the remaining original elements which are still present.

The inconsistency in the proposal and the drawings supplied, as well as the lack of commitment to materials for the restoration, does not provide the Heritage Committee with sufficient information to be confident that this plan will be well executed.

In that same tab, there is information on 56 to 60 James Street North. Information regarding past tenants, past uses and the general architecture of the streetscape is provided under the section on these buildings. Some of this information is missing for the building at 44 to 50 James Street North, which is part of the proposed development. Based on the submitted material, it appears that 54 to 60 James Street North will not be included in the development although on Drawing A101, property addresses are not numbered sequentially.

On page 4 of Tab 2, a history of the general area, as well as King William Street, is provided. There is reference to a building at 33 to 35 King William Street which the proponent also owns for which it is indicated that it will likely be reconstructed at the same time as the Lister Block. I would assume similar information will be required for this building such that the alterations can be assessed.

In that same paragraph, the building immediately adjacent to the Lister Block, 15 to 21 King William Street, is mentioned and it is indicated that it will be dismantled and reconstructed as a four storey building using new and original materials matching the storey heights of the new Lister Block. There is no information provided about the history, the condition or the heritage value of this building. The lack of information would make assessing the impact of this intervention impossible. I believe the developer is making the decision to rebuild this building on the perceived necessity that it must match the floor heights of the Lister Block. While this may be the case, there is no information provided that specifically links the fate of this building with the Lister Block or supports the notion that this is the only way to redevelop this property or that this method of redevelopment respects the historic value of this building. When the architectural elevations and drawings are reviewed, it appears that the general features of the front façade are intended to be replicated however the joining link between the Lister Block and this building is to be eliminated. While this joining link may have been added after the building was originally constructed, there is no documentation within the HIA to

show that the proponent is recreating a different era or the value of eliminating a feature that was added to the building, if in deed it was actually addition.

There is a definite deficiency in the HIA as submitted. In clearly defining what the end result of the proposed alterations are to the adjacent buildings that are within the project and how the work will be executed, a clear definition of the materials to be used and a summation of what exists currently and what will exist after the project is completed is required.

## 8. CONDITION INSPECTIONS

The proponent has submitted a condition inspection of the building. In the review by City of Hamilton staff, there was a request for information regarding the cause and effect relationship which resulted in the deteriorated condition. The intent of this request was to quantify the current condition of the heritage assets and establish an inventory of the amount of material that is lost, is recoverable or, is in good condition. This is required to assess the current value of the heritage assets. The pictorial inventory of conditions in the building provides information from which a summary of element, condition, cause of deterioration and extent could be produced. Unfortunately this summary does not seem to be included.

In addition, the organization of the pictures is based on individual vertical bays of the elevation while the deterioration appears to be related to individual horizontal elements. Organizationally, I think it would have been clearer to divide the building into the following groups.

1. **The Upper Cornice** – with discussion of the open joints which allow water penetration and the associated deterioration below the joints.
2. **The Masonry Pilasters** – with a discussion of the weathering of the surface of the brick and the natural roughness that is associated with rug brick as well as the relatively large areas of mortar pointing in good condition with some areas requiring repair.
3. **Windows and Copper Panels** – This section would describe the deterioration and condition of these original elements which are specifically designated as character defining elements and require further attention in the report.
4. **Lower Entablature** – This section would describe the configuration of the open joints in the terracotta on the top of this level and the resulting deterioration below and behind.
5. **Pilaster and Pilaster Capitals** – This section would describe alterations and damage due to signs, impacts and other deterioration.

6. **Store Fronts** – This section would describe the condition of the store fronts as well as what portions of the altered store fronts are still unaltered or representative of the original construction.
7. **Lower and Upper Arcades** – This section would describe the condition and features of the individual store fronts as well as describing the condition and features of the flooring on both arcades.
8. **General Review of Structural Elements** – This section would describe the condition of the structural elements and a preliminary assessment of the load carrying capacity of the structure relative to the intended use and current codes.
9. **Roofing** – This section would describe the condition of the roofing.

By completing the inventory and inspection based on elements rather than position the asset would be grouped into features with like composition and heritage significance rather than a section of an elevation composed of several features. This organizational book keeping would have married better with the evaluation process for the building.

## 9. REVIEWED ALTERNATIVES

The fourth requirement of the heritage impact assessments guidelines is the identification of several conservation options taking into account the significance of the heritage feature. In this section the order of preference for conservation options is presented. Because there is no summary or a single location where a logical progression through reviewed alternatives are evaluated it would be easier to reject the document and ask that it be reorganized. Ultimately this may be required. In an attempt to assess the HIA and continue to move the process forward I have attempted to discern what options were evaluated and what finally is being recommended. It appears in the early submission that it was intended that the four options reviewed were as follows:

1. The complete conservation of the building.
2. Options that maintain the Facade
  - a. The complete conservation of the façade.
  - b. In the later appendices to the report, Appendix B adds the option of eliminating every second floor behind the existing Lister façade and adding floors on top of the building to maintain the desired usable space.
3. The complete conservation of the façade and one internal bay.
4. The removal of the terracotta and reuse in a new building of sympathetic architectural design.

All of the options above include general concepts that would require refinement with specific details to fully describe the heritage conservation element of the options but the analysis of the options in the proponents view does not require their inclusion. While this would be discussed the major premise which the proponent puts forward to eliminate these options is the incompatibility of the floor to floor heights of the existing building with the requirements of the desired office space.

It appears after these initial options were evaluated that an additional inspection and cost estimates were prepared and reports for the cost estimates and the inspection appear as Appendix C and Appendix D of the HIA. A brief summary of the results of the evaluation of the various options is included in tab 7 and in other locations within the tabs.

Option 1 is eliminated within the original submission because it will not result in a state-of-the-art office building complete with the required floor heights. No exploration of alternative uses for the building is reviewed to illustrate that other end uses are not viable that would not require the additional floor height nor is there any description of the affect on revenue based on the reduced class of office space that an exposed services alternative would generate. This option has the greatest potential from a heritage perspective and would be highly valued. It is completely possible that the project is not viable for other reasons but a clear illustration that this is not viable is warranted before a designated building is demolished.

Option 2a, is re-labelled in sections of the report as Option A this option is eliminated based both on cost and the fact that the windows in a preserved façade would not have the correct relationship to the usable space and would be perceived as a negative aspect of the finished building. The cost of the steel structure to temporarily support the façade during the erection of the new building was also highlighted as an issue however there is no mention of the detrimental effects of supporting a brittle material for that height and the required methods of attachment between the temporary support and the original façade.

Option 2b, Appears as Option C in appendix B this alternative is only briefly explored. The reasons given for the elimination of this option is “the issues complicating this approach have to do with the complexity of demolition, the temporary framing required to support the façade during construction, the underpinning of the existing perimeter and the duplication of structure between the new construction and the retained façade”. It is implied in this option that the other effect would be that two additional floors would be constructed above the current façade or that more of the site would be covered with structure. The additional floors would be visible and affect the overall appearance of the building. The listed issues due not appear sufficiently developed to completely eliminate this option. This option is not further developed to show the effect of increasing floor areas using below grade parking and using some of the parking space as office area to compensate for the lost floor area. Nor is there a development of what the implications of increased height would be. Zoning and bylaws may prevent exploring some of these

options without concessions however the downtown secondary plan discusses the potential for special consideration if it can be shown that there is a tangible increase in the value and amount of heritage assets that are preserved. This option may have been finally eliminated by the assumptions regarding the condition of the terracotta but as was explained in earlier sections this assumption should have been verified.

Option 3 is re-labelled Option A in Appendix B and this option is eliminated due to the discrepancies between the new and undesirable original floor heights and the relationship between the original windows and the new floors. An additional reason involving providing the required floor plate and transitions between the existing floor heights is also provided.

Option 4 appears to be the preferred alternative in the original section of the report allowing the reuse of the terracotta. This alternative appears to be eliminated after the evaluation of the terracotta. The confusion regarding the final alternative is compounded by the fact that alternatives including reuse of the terracotta are included in Tab 7 Requirements 7 and Requirement 8 while in Tab 6 under Requirement 6.2, it is stated that “it is not the intention of the proposed development to reuse a significant portion of the existing structure.” “Accordingly, a discussion of the process for salvage for architectural features and how they would be removed from the site has not been pursued.” “Discussion in this regard given the practical and financial implications and the direction of the proposed development would be an academic exercise and would serve no purpose.” Based on these statements, it appears that the recommended solution is to demolish the entire building and build a new building of similar or sympathetic architectural style.

Alternatives where portions of the building such as the first two floors are retained do not appear to have been included. This may be due to the assumption that a large percentage of the terracotta is unusable but the interior floors and arcade are listed separately as defining elements. Given this status, alternatives that respect their heritage value would be anticipated.

Because the document jumps back and forth, there is not a clear progression through the conservation options from the preferred heritage options to the less preferred heritage options which would allow the evaluation of the significance of the loss of heritage value relative to viable options for preservation. This confusion and the lack of an orderly march towards the least palatable option do not match one of the intents of the Heritage Impact Assessment Guidelines as a method of justifying the proposed alterations. One would have expected a progression through the order of conservation options negating the potential for preservation and conservation, adaptive re-use, incorporation, then salvage mitigations such as relocation, reunification and symbolic conservation right through to technical recording mitigation, where a detailed record of every aspect of the historic item is preserved and ultimately the structure is demolished and individual elements are preserved or reincorporated.

Some significant issues are brought forward in the HIA regarding the usability of the finished space however some of the justifications related to cost are simply dismissed because of the significant cost. Every heritage preservation option has a cost associated with it. The questions that are not answered are is the cost justified purely based on heritage value or can this cost be accommodated or is the cost so high that the project would no longer be viable?

The proposed development, when reviewed based on the downtown secondary plan, contradicts the goals regarding the development of areas including heritage buildings. While this would not eliminate this type of development, if it is the only viable option, it does place the onus on the developer to prove that this is the only viable option and, even after the loss of a building was justified, careful preservation of portions of the building would have to be considered.

I believe that the intent of the HIA Guidelines has not been followed by the current submission and that the alternatives evaluation section of the submission would have to be reorganized and presented in a logical sequence that leads to the proposed development or a less invasive alternative.

## 10. VALIDITY, ADEQUACY AND COMPLETENESS OF THE ASSESSMENT

Based on the above sections, it becomes apparent that more information is required to properly complete a heritage impact assessment for the proposed development. The heritage assessment process, by its very nature, is one where the proponent must describe the importance and condition of the heritage resource and then justify the use of the minimum required invasive or altering method. The proponent appears to be proposing to completely destroy the asset with the mitigation being that the new building will be of a sympathetic design. While this is not a trivial commitment, there is insufficient documentation to indicate that portions of the buildings could not be salvaged or that the building (or portion there of) in the current configuration does not have a viable use. The fact that it is not documented does not prove that a viable use exists as one would expect an owner of a building that has the potential to generate revenue to seek methods to realize that revenue and the current building does not generate revenue and has not generated revenue for some time.

I would expect that a Heritage Impact Assessment would achieve the following:

1. Educate the reader about the history and importance of the structure, site and neighbourhood to define its heritage value.
2. Describe and document the condition of each element of the building concentrating especially on the character defining elements to assess the remaining portion of the heritage fabric and the threats to the fabric.

3. Explain how the proposed alternative preserves the heritage value and steps through different levels of increasing intervention until a plan for management of the asset is acceptable. In the extreme case this results in documentation and demolition.

To satisfy the general goals above more information regarding the surrounding buildings is required; more focussed information about the condition of original elements is required; a progression through less invasive alternatives to the most severe alternative is required. In revisiting each aspect of the HIA the anomalies in the drawing and the text should be corrected. The assessment as presented appears to rely significantly on the condemnation of the condition of the terracotta. Further investigation including the establishment of the anchorage, condition of backup and structural condition of the tiles is required.

## 11. GUIDANCE AND RECOMMENDATIONS TO THE CITY OF HAMILTON

Based on the HIA to date, I believe the proponent does not understand clearly the goal of the HIA within the City of Hamilton. The HIA Guidelines provide direction using terms that are familiar to heritage professionals but may not be apparent to those less familiar with the process. In addition, there are variations from city to city in the interpretation of the requirements which should be captured within the guidelines. The ultimate goal of the guidelines would be to have the assessments that are submitted to be as complete as possible and in a defined order that mimics the evaluation process.

The proponent has expended a significant effort but has not focused on the key elements which are required. Because this building is a significant heritage structure which is very visible and has not gone un-noticed in the public forum, the City may choose to help the proponent through the process so that a well presented, well documented, step-by-step progression through the least invasive to most invasive option results. If this process is followed either a more preferred alternative from a heritage aspect will precipitate or it will be clear that the proposed alternative or a modified version of the proposed alternative should be pursued. The modification would likely involve preserving some heritage fabric in situ or incorporating some recovered heritage fabric. It appears clear that some preliminary guidance regarding the city's perception of the alternatives as they relate to the heritage impact may be beneficial to the proponent.

The proponent should be encouraged to submit a detailed methodology and scope to the Heritage Committee and Planning Department for an investigation plan of the terracotta that conserves the material and does not alter the façade unnecessarily. The plan should include the scope of investigation methods to be used and temporary stabilization methods including the sealing of the terracotta against the penetration of water. It would appear that the property standards bylaws would require an owner to know the condition of the building and to act to preserve the integrity.

This report is written based on the material provided and a brief site visit. It is not intended as a comprehensive assessment of the buildings in question but is intended to evaluate if the submitted Heritage Impact Assessment provided sufficient information to complete a review in accordance with the City of Hamilton's Heritage Policies including the Heritage Impact Assessment Guidelines of the City of Hamilton and the Downtown Secondary Plan. While suggestions are made as to some of the additional material required to be added to the Heritage Impact Assessment the additions if made do not guarantee the acceptance of any one proposal. The sole responsibility for the evaluation for acceptance of proposals belongs to the City of Hamilton.

Prepared by,

Andy Huctwith, P. Eng.  
Structural Engineer

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