

**A NEW APPROACH TO  
CONSERVING BURLINGTON'S  
HERITAGE**

**Final Report from Heritage Burlington  
to the Community Development  
Committee**

**City of Burlington**

**September 10, 2012**

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## List of Recommendations

Topics	Item Number	Recommendations
<b>1. The Significance of Heritage for Burlington (Pages 12 - 14)</b>	1	Instruct Heritage Burlington to establish a task force, in partnership with the Burlington Historical Society, Heritage Umbrella Group (HUG), the museums, the library, and archives, to meet monthly over the next several months to explore the various ways, including but not limited to DVDs, blogs, billboards, signage, newspaper articles, that the past history of Burlington can be told, promoted and celebrated. <i>(24/07/12:HB – Passed unanimously)</i>
<b>2. Transition Plan and the “Register” (Pages 15 - 20)</b>	1	Approve the 61 designated properties to remain on the Municipal Register. <i>(24/07/12:HB – Passed unanimously)</i>
	2	Continue the listing of all non-designated properties pre-classified as “A” under the Kalman system on the Municipal Register. <i>(24/07/12:HB – Passed 9/1 abstention)</i>
	3	Approve removal of all properties pre-classified as “B” under the Kalman system from the Municipal Register; <i>(24/07/12:HB – Passed unanimously)</i>
	4	Instruct Planning and Building staff to divide the current Directory of Heritage Properties online searchable database into two searchable lists: a) the Municipal Register which will contain all designated properties and non-designated properties pre-classified as “A” under the Kalman system, and b) the Other Identified Properties List, containing those properties pre-classified as “B”, “C”, or “D” under the Kalman system to be maintained as a working list to be used only for the purposes of tracking properties of cultural interest or value and having no legal status a tever. <i>(24/07/12:HB – Passed unanimously)</i>
	5	a) Discontinue the current Heritage Clearance system, and b) Develop a new service supported by the Planning and Building Department and Heritage Burlington entitled “Heritage Design

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		and Advisory Services” be available to all property owners on either the Register or the Other Identified Properties List <i>(24/07/12: HB – Passed unanimously)</i>
	6	Continue the current policy, as approved by Council on July 15, 2010, when a request for removal from the Register not related to a demolition is received [Appendix #3, and recommend, with the concurrence of the Planning and Building Department, an amendment to the policy specifying time frame (e.g. 60 days, 90 days, 120 days) when a decision must be rendered. <i>(24/07/12: HB – Passed unanimously)</i>
	7	Develop, in conjunction with the Official Plan Review Process and the development of the heritage conservation policy and program, a policy framework and guidelines for resolving conflicts between heritage conservations projects and other planning considerations such as the Official Plan and Zoning By-Law designations. For example, to resolve discrepancies between properties that are designated under the <i>Ontario Heritage Act</i> or properties listed on the Municipal Register which are zoned for medium density residential uses. <i>(24/07/12: HB – Passed unanimously)</i>
	8	<ul style="list-style-type: none"> <li>a) Approve Heritage Burlington working collaboratively with the Hamilton Municipal Heritage Committee (HMHC) to develop an accredited continuing education course for area realtors</li> <li>b) Instruct Planning and Building staff to apprise the Hamilton Real Estate Board of changes to the Burlington Municipal Register in a timely manner.</li> <li>c) Communicate to lawyers in Burlington the location and use of the on-line Municipal Register.</li> </ul>
<b>3. Evaluation (Pages 20 - 25)</b>	1	Instruct Heritage Burlington to develop draft guidelines including evaluation criteria by the end of 2012 that will assist those using the Regulation 9/06 criteria to evaluate properties of

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		cultural heritage value.
	2	Instruct Heritage Burlington and the Planning and Building Department to work collaboratively to revise the process to implement the draft guidelines after they are proposed.
	3	Authorize Heritage Burlington to invite public input once the draft guidelines and renewed process have been revised, to inform the final recommendations to Council.
	4	Endorse Heritage Burlington's promotion of the revised guidelines and processes to the public at large.
	5	Endorse members of Heritage Burlington to establish and provide training workshops for Heritage Burlington Members and other interested persons on how to use the guidelines in the evaluation process.
	6	<p>Approve Heritage Burlington, with the cooperation of the Planning and Building Department, to undertake the re-evaluation of the following classes of properties according to the following schedule:</p> <p>all "A" and "D" properties by the end of 2013  all "B" properties by the end of 2014  all "C" properties by the end of 2015  all uncategorized, and designated properties by the end of 2016</p> <p>And will discuss the re-evaluation with each property owner. <i>(Passed unanimously)</i></p>
<b>4. Incentives (Pages 26 - 31)</b>	1	<p>Approve immediately a tax rebate program to assist owners of designated properties with the maintenance of their properties as follows;</p> <ul style="list-style-type: none"> <li>applying a 20% reduction in the first tax year (2014) and adding 5% a year to a maximum of 40% in 5 years.</li> </ul> <p>A 20% reduction applied to 2011 property taxes would have resulted in a reduction of revenue to the City of Burlington of approximately \$35,500.00. A 40% applied to 2011 taxes would have resulted in a reduction of revenue of \$70,000.00. In the</p>

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		event, that this had been approved at all levels, a 40% tax rebate would have resulted in an overall savings of \$198,000.00 to the designated homeowners.
	2	Investigate a similar program for commercial properties.
	3	Instruct the Planning and Building Department to conduct a review of the effectiveness of the Community Heritage Fund with consideration being given to directing portions of the funds to offset any non-construction costs e.g. heritage consultants, design costs, compatibility studies etc.
	4	Establish a Burlington Heritage Trust with the likely cooperation of the Burlington Community Foundation to fund renovation projects for both designated and non-designated properties on the Register.
	5	<p>Establish a member benefits' program by the end of the first quarter of 2013 that would include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• a new service supported by the Planning and Building Department and Heritage Burlington entitled "Heritage Design and Advisory Services" be available to all property owners on either the Register or the Inventory</li> <li>• Allow access to a list of trades and suppliers involved in maintenance and restoration of historic buildings;</li> <li>• Create a community heritage portal to build a sense of community amongst heritage property owners and to facilitate the efficient management of the heritage conservation portfolio (<a href="http://www.buildingstories.co">www.buildingstories.co</a>).</li> </ul>
	6	Reinstate the program of recognition of conservation by owners by Heritage Burlington for February 2013.
<b>Summary and Next Steps (Pages 32 - 33)</b>	1	<p>Approve allocation of a total \$125,000.00 in the fiscal year 2013 for set-up costs for the following components of a Heritage Conservation Program:</p> <ul style="list-style-type: none"> <li>• Web site - \$24,000.00,</li> <li>• Communications - \$10,000.00,</li> </ul>

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		<ul style="list-style-type: none"> <li>• City staff support - \$30,000.00,</li> <li>• Heritage Property Tax Relief Program – \$25,000.00,</li> <li>• Grants - \$5,000.00,</li> <li>• Heritage Trust (Burlington Community Foundation) set up costs - \$25,000.00,</li> <li>• Loans - \$5,000.00,</li> <li>• Excess - \$1,000.00.</li> </ul>
	2	<p>Authorize Heritage Burlington to prepare for Council's approval a draft five-year (2014 – 2018) forecast for a Heritage Conservation Program, as part of the regular City budgeting process for 2014.</p>

## Introduction

Early in February 2012, Burlington City Council received the consultant's report, "The City of Burlington Appendix B; 2011 State of Heritage Conservation & Recommended Next Steps". Subsequently on February 21, 2012, Council adopted a staff report [Appendix # 1] which referred "the report and its recommendations to Heritage Burlington for considerations and final recommendations".

Heritage Burlington willingly embraced this challenge.

The direction from Council requested Heritage Burlington to (1) address a wide range of Heritage issues contained in the consultant's report; (2) engage the stakeholder and the community to provide input and feedback on the Heritage issues being addressed, and (3) expedite filling vacancies on the Heritage Burlington Advisory Committee to ensure the representation of a wide variety of perspectives. Heritage Burlington was directed to report back to the Community Development Committee by March 31, 2012. The original timeframe proved to be too short to address Council's request in a thorough and comprehensive manner. Therefore, the submission of the report was subsequently postponed to September 10, 2012.

Early in March, five new members joined Heritage Burlington to bring the membership to full complement. In addition, two alternative members (one has since resigned because of a transfer to Kingston) were appointed. The new members, as well as the former members, have created an Advisory Committee more representative of the community as a whole. These additions have addressed one of the directives in the request from Council.

In order to accomplish the first of the assigned tasks, Heritage Burlington divided into four teams-- the four key areas of the future report. These areas were:

- 1) The Significance of Heritage in Burlington;
- 2) Transition and the "Register";
- 3) Evaluation; and
- 4) Financial and Non-Financial Incentives.

A core group of Heritage Burlington members researched each of these topics and met almost weekly since February to develop proposed recommendations and rationales. The work in progress was shared with the other members of Heritage Burlington at the March, April, May, and June meetings of Heritage Burlington for further discussion and input. Between the meetings, e-mail messages transmitted the opinions and comments of all the members as each new development was debated. On July 24, 2012, Heritage Burlington met to discuss and approve all but one\* of the recommendations. Most were approved unanimously.



\* Heritage Burlington would encourage the creation of a Heritage Conservation District when supported by an overwhelming majority of property owners in the proposed area.

As Council had so expressed so too Heritage Burlington aspired to the development of a new approach to heritage conservation in Burlington-- one that would be to be open, transparent, and founded upon as much public input as could be solicited and gathered. To promote the maximum level of public engagement, Heritage Burlington used the City web site extensively, hosted a Public Open House, and funded, through the support of the City Manager, a telephone survey of Burlington residents to ascertain their views and values.

A letter to Burlington residents was the first document posted on the web site. This letter outlined the process that Heritage Burlington proposed to tackle the task assigned to it by Council and to invite residents to provide feedback. Accompanying the letter to residents, Heritage Burlington also posted on-line details of the Community Engagement Process and the work plan for achieving the goals set by Council. Later in February, a Report to City Council was posted providing more details of the issues to be discussed under each of the four topics.

On Thursday, May 31, Heritage Burlington with the assistance of City staff, hosted a Public Open House at LaSalle Park Pavilion. The invitation was posted on the City's web site, mailed to all property owners on the Heritage Inventory, and e-mailed to those for whom the City has e-mail addresses. As well the event was advertised in *The Burlington Post*. Approximately 70 residents attended, of whom the majority were self-identified owners of properties on the Register or Heritage Inventory. The evening started with the attendees completing a "pencil and paper" version for the planned telephone survey. This activity was followed by a power point overview of the major recommendations that Heritage Burlington proposed for a new approach to conserving Burlington's heritage. The power point overview had previously been posted on the City web site and copies were available at the meeting. For the rest of the evening, participants discussed the three major issues: (1) Evaluating Heritage Properties, (2) Listing Heritage Properties, and (3) Funding Incentives for Heritage Properties. Some of the comments and suggestions are included in the Public Input sections of the various topics in this report. Appendix # 2 contains a summary of all the comments and suggestions.

Between June 13 – 20, 2012, on behalf of Heritage Burlington, Foundation Research Group Incorporated conducted a telephone survey based on a random and representative sample of 756 Burlington residents aged 18 or over. Many of the respondents' comments and opinions are reflected in the Public Input sections of the various topics in this report. The complete survey has been posted on the City web site.

Heritage Burlington deeply believes that the recommendations contained in this report authentically honour and reflect the varying points of view and positions on the management of heritage properties gathered through the public engagement process. These recommendations, taken all together, provide a solid and balanced foundation for action by the Council, their heritage advisory committee, city staff and other interested citizens, and provide direction on the way forward to a new twenty-first vision for heritage conservation in Burlington.

# **“Nowhere Else But Here” –A (Very) Brief History of Burlington**

**By John Lawrence Reynolds**

Joseph Brant, Chief of the Six Nations peoples and a man who counted King George IV among his admirers, was more than culturally aware and politically astute. He was also, in the opinion of many residents of Burlington, exceptionally perceptive.

As a reward for his loyalty to the British Crown during the upheavals of the American Revolution, Chief Brant was awarded a substantial grant of land. He claimed 1400 hectares (3450 acres) bordering Lake Ontario, stretching from the middle of the Beach Strip separating the lake from Burlington Bay all the way to what is now Spencer Smith Park at the base of Brant Street.\*

It was an excellent choice. Along with access to the lake and its year-round moderating effects on the climate, the land included some of the richest agricultural soil in this part of Canada. In fact, over the 200+ years since, the sandy earth's productivity shaped the farming community that grew into the modern city of Burlington.

When the oak and maple forests were cut and much of the timber shipped to Britain as lumber to build sailing ships, the land was planted with wheat and oats. Later, when grain production moved west to Canada's prairies, local farmers shifted to fruit and vegetable production. Soon apple orchards began dotting the land bordering Brant Street, now Burlington's main thoroughfare. To the west, in Aldershot, the soil was especially favourable for growing melons. Through the late 19<sup>th</sup> Century, the label "Aldershot melons" was as familiar and highly regarded as "PEI potatoes" and "B.C. apples" are today.

Before the land could be cleared and made agriculturally productive, of course, it needed the spirit and determination of settlers, many drawn to the area by the same qualities that attracted Chief Joseph Brant.

Thanks to generous incentives it didn't take much money to become a land-owner, but it took a lot of energy and dedication. Early settlers could claim ownership to 100 acres of land if they agreed to "clear and fence five acres, build a dwelling house 16 feet by 20 feet, and construct one-half of a road in front of each lot," all within two years. This, of course, would be achieved only with the brute strength of horses, oxen and the settlers' own muscle, an intimidating goal.

\* Modern sensibilities will note, of course, that Chief Brant was simply given back a portion of land that his own people could lay claim to before the arrival of settlers.

But it worked. After the first settlers established productive farms, others came to provide necessary services. When a man named Alex Brown built a wharf bearing his name on the shores of Burlington Bay, ships began arriving to convey those rich and sweet Aldershot melons to York (now Toronto), Montreal, and beyond. And when mills to grind grain and cattle feedstock sprouted on the banks of nearby creeks and rivers, new communities sprang up around them. These villages, with names like Dakota, Tansley, Zimmerman and Lowville, were vibrant and lively. Sadly, with the decline of the mills and the drift to urbanization, they and a dozen others faded away, leaving only roadside historical plaques to mark their existence.

The settlement adjacent to Joseph Brant's homestead, however, survived, and through the balance of the 19<sup>th</sup> and into the 20<sup>th</sup> centuries it prospered. In 1873, its 800 or so residents petitioned to have their community incorporated as a village, changing its original name of Wellington Square to Burlington.

Where did that name come from? No one seems to know for certain. Since before the War of 1812, the western tip of Lake Ontario had been known as Burlington Bay, and the low promontory overlooking the bay had been labelled Burlington Heights, their designations just as obscure and mysterious. Obviously these sites influenced the new name of the village, but beyond that, all is speculation.

The name and its source were secondary to the community's location and the optimistic attitude of its citizens. They ensured its growth and success, and through the balance of the century Burlington served as the hub of local agricultural activity and its associated industries.

Lake Ontario continued to play a key role in the town's development. Even after the provincial government began constructing roads along the lakeshore, the lake remained a primary route for commerce. Through the late 1800s, tall-masted sailing ships could be found anchored at piers along the shoreline, from Aldershot to Port Nelson at the foot of Guelph Line. Hefty stevedores handled cargo, lugging machinery and supplies off the ships and hauling locally-grown fruits and vegetables onto them.

The picture remained peaceful and bucolic for decades, changing only to accommodate the arrival of railways, motor cars, electric power, and other modern advances. Until the 1950s Burlington remained something of an island of peace and prosperity, separate from the heavy industrialization of neighbouring Hamilton and the solemn legislative focus of Toronto.

In the years after World War Two, however, both cities began expanding their suburban limits, transforming Burlington's orchards and farmlands into some of the most valuable residential acreage in the province. The Queen Elizabeth Way made access to Toronto relatively easy in modern automobiles, supplemented by the launch of GO rail service in the 1980s, and the opening of the Burlington Skyway in 1959 made Hamilton similarly accessible.

Citizens of both metropolitan areas recognized many of the qualities that had appealed to Chief Brant all those years earlier: Burlington is a great place to live, work, and enjoy life. Lake Ontario, the Niagara Escarpment, and the proximity to both major urban attractions and pastoral open country all contribute to a lifestyle that many Canadians admire and perhaps envy from time to time.

Like other North American communities, Burlington faces a wide range of challenges to be met and addressed in the future. Based on the history of its people and the constant appeal of its location, most of its citizens feel confident that the challenges will be met and solved.

Because they honestly prefer to be "nowhere else but here".

*John Lawrence Reynolds has published more than two-dozen award-winning works of fiction and non-fiction. His most recent book is a mystery novel titled, Beach Strip. He has been a resident of Burlington since 1964.*

# Topics and Recommendations

## Topic # 1: The Significance of Heritage for Burlington

### Introduction

John Lawrence Reynold's brief history of Burlington, featured on the previous pages, illustrates a few significant aspects of Burlington's history that are worth sharing, promoting and celebrating. But what of any interest is Burlington's past to the present generation of our citizens? Does our heritage have any value to the community as a whole? Here are some telling responses.

During the November 2011 Heritage Workshop, some of the participants indicated that:

- History was important not only for today's citizens but also future generations,
- History helped to explain families, people, events, buildings, and land use, and
- Burlington's history was significant to the heritage of Ontario and Canada.

The Burlington Official Plan (June 2011, Part 11, Page 58) states: "Within the city, cultural heritage resources provide physical and cultural links to the identity of the City. They assist in instilling civic pride, and contribute to the quality of life and commercial livability. Investments in the conservation of cultural heritage resources benefit the local economy by attracting visitors to the City, and favourably influence the decisions of those contemplating new investments or residence in the City. The conservation of cultural resources also contributes to the overall sustainability of the City."

At the November Heritage Workshop, participants reflected these same concepts contained in the Official Plan, but in their own words:

- As a part of the community, heritage creates a sense of place building pride and increasing the quality of life, and
- Heritage makes the City attractive and beautiful creating part of the City's identity and promoting tourism.

In a recent telephone survey conducted for Heritage Burlington, the question, "How interested would you say you are in heritage?" prompted 63% of the respondents to report that they were "somewhat interested" while 26% indicated that they were "very interested".

However, in direct contrast to both the above findings, individuals at the recent Public Open House (May 31, 2012) questioned how much the population cares about heritage or history, especially those living in new subdivisions. They suggested that, “History only has value if people know it.”

The key issue then is whether many of the citizens of Burlington do not know about or value the history of their city because they just don’t care, or because they don’t have easy and ready access to the stories about Burlington or the many communities – Kilbride, Lowville, Tansley, and Aldershot, to name only some – that comprise our modern city.

Despite the publication of several books, two civic museums, a library with an historical collection, a local archive, and a least two DVDs, this report contends that many Burlington citizens are not aware of the story of this city because the story of its past has not been presented to them in a variety of attractive, timely, digestible, readily available and digestible, modern formats. Burlington’s past must be researched, portrayed, and vigorously promoted over time in order that it can be known, valued, and cherished. The past must become visibly linked to the present.

<b>Significance of Heritage for Burlington Recommendation</b>
1. Instruct Heritage Burlington to establish a task force, in partnership with the Burlington Historical Society, Heritage Umbrella Group (HUG), the museums, the library, and archives, to meet monthly over the next several months to explore the various ways, including but not limited to DVDs, blogs, billboards, signage, newspaper articles, that the past history of Burlington can be told, promoted and celebrated. <i>(24/07/12:HB – Passed unanimously)</i>

## Topic # 2: Transition Plan and the “Register”

### Definitions

- ▶ Heritage Inventory
  - A database containing information and photographs of approximately 1,100 properties thought to have varying levels of cultural heritage value or interest. The inventory includes the classification of each property as designated, or listed on the Municipal Register or included on the Inventory as a property of interest to the City.
  
- ▶ Register
  - List of properties designated by City Council under the provisions of the *Ontario Heritage Act*. In addition, the register may include property that the council of the municipality believes to be of cultural heritage value or interest.

### Current Situation

From Burlington Official Plan, 2011 (8.3.3 Implementation a)

An inventory of buildings, structures and *cultural heritage landscapes* designated under the *Ontario Heritage Act* or worthy of designation, and buildings, structures and cultural heritage landscapes of architectural, historical and contextual interest shall be maintained in consultation with the municipal heritage committee (Heritage Burlington).

In October 2009, the Heritage Inventory listed 1,164 Burlington properties. Of this number, 671 were listed on the Register – 61 as designated properties; 225 as “A” properties under the Kalman classification, and 385 as “B” properties under the same classification. Most of the “A” and “B” properties were considered “worthy of designation” and were added to the Register in 2008 after the *Ontario Heritage Act* was revised. The revised *Act* provides a measure of protection for non-designated properties on the Register. An intention to demolish any of these properties initiates evaluations and reports to Council from both the Planning and Building Department of the City and Heritage Burlington. The reports must contain a recommendation either to grant the requested demolition permit or to designate the property. The Act allows sixty days for this reporting process. Another 493 properties are listed on the Heritage Inventory as “C” properties (387); “D” properties (42), or uncategorized properties (64).



Renovations and additions to both non-designated properties on the Register as well as those on the Heritage Inventory require a Heritage Clearance Certificate. The owner, however, is not required to follow the suggestions offered in the Heritage Clearance Certificate. Alterations to designated properties on the Register require a Heritage Permit rather than a Heritage Clearance Certificate.

In the course of the public consultation process and discussions with planning staff, it became evident that a common, root cause of conflict and concern to owners of heritage properties involves situations where the property has been zoned for a use, purpose or density that is in conflict with the conservation of the heritage attributes associated with that same property. For example, where a particular property has been traditionally used as a single family residence and is situated on a large lot but the area has been zoned for smaller lot sizes, or higher density or some other use. The property owner, being aware of the zoning for their property, feels entitled to take advantage of that higher and better use which often also comes with higher value for the property. When the owner or a potential purchaser act to take advantage of such zoning, the City will often identify the property as being on the Register and of heritage value. Such identification can often block the proposed renovations, changes in use or demolition. One of the factors contributing to the owners' frustrations in these situations is the lack of a council approved policy framework for managing these conflicts when they arise. Therefore, it appears to the owner that the City is acting in an arbitrary and ad hoc manner.

### Public Engagement Input

During the past four years, owners of properties listed on either the Register or the Heritage Inventory have grown increasingly concerned about being on either of these lists. Some property owners perceive that being on the Register will reduce the eventual sale price for their homes. Some have complained about the difficulty of purchasing insurance especially for designated homes. Many regard being on the Register as one step away from arbitrary designation of their properties. Others regard the necessity of a Heritage Permit for designated properties or a Heritage Clearance Certificate for the rest of the listed properties as unwarranted municipal interference in changes that they can make to their own property. Still others simply object to being on governmental lists of any kind.

The report prepared by Dialogue Partners after the November 2011 workshop stated: "Overall there is confusion around the different categories and lists related to the assignment of heritage properties, including the definition of these lists and why properties are identified on them. Because of this lack of clarity, property owners are

uncertain of the impacts heritage listings and designation has on them and what their property rights are....” (Page 9)

Many of the participants at the recent Open House agreed that there should be a public list of significant heritage properties. Some of the reasons they suggested for keeping such a list were:

- To inform potential purchasers, and
- To provide a record explaining why a significant property is listed.

However, many participants urged that all of the properties currently on the list should be re-evaluated in co-operation with the property owner. Thus the list might be reduced to a more manageable number (100 – 150). Unfortunately, the legal standing of the Register was not widely discussed at the Open House.

The recent telephone survey conducted for Heritage Burlington revealed the following opinions about buildings that are considered to be of historical or architectural significance.

- Privately owned properties that are considered to have significant heritage value should be regulated by the City.
  - 20% strongly agree – 41% somewhat agree
- Owners of private properties should be allowed to demolish their properties.
  - 6% strongly agree – 9% somewhat agree
- Owners of private heritage properties should be allowed to renovate or make changes to their properties that will erode the heritage value of such properties.
  - 7% strongly agree – 17% somewhat agree
- Preserving private properties that have significant heritage value is a benefit to the community that enhances the entire neighbourhood or city.
  - 47% strongly agree – 39% somewhat agree
- Appropriateness for the City to maintain a list of properties of cultural heritage value or interest that are not designated for the purpose of enabling the City to take steps to preserve and conserve the heritage property.
  - 86% yes – 12% no
- 97% of the telephone respondents indicated that, if they were purchasing a property in Burlington, they would like to know whether that property has been

determined to have heritage value and is subject to restrictions on what changes could be made to the heritage attributes.

Sixty-seven participants, of whom 71.6% were self-identified owners of properties of heritage value or interest at the Public Open House responded at the Public Open House to similar questions or statements as follows:

- Privately owned properties that are considered to have significant heritage value should be regulated by the City.
  - 20.9% strongly agree – 19.4% somewhat agree – 38.8 strongly disagree
- Preserving private properties that have significance heritage value is a benefit to the community that enhances the entire neighbourhood or city.
  - 47% strongly agree – 39% somewhat agree
- Private owners who own properties that have significant heritage value should be allowed to demolish their properties without limitations being imposed by the City that are only for the purpose of conserving the heritage value of such properties.
  - 49.2% agree – 43.3% disagree – 5.9% no response
- Private owners who own properties that have significant heritage value should be allowed to renovate or make any changes to their properties without limitations being imposed by the City that are only for the purpose of conserving the heritage value of such properties.
  - 71.7% agree – 20.4% disagree

In the following recommendations, Heritage Burlington has weighed the opinions of the respondents at the Public Open House and from the telephone survey and has attempted to satisfy some of the concerns of property owners as follows: by removing some of the non-designated properties from the Register and ending some of the perceived restrictions on renovations or additions, while at the same time, maintaining a core of those properties perceived to have significant cultural value or interest important to the history of the City.

<b>Transition Plan and the Register Recommendations</b>
1. Approve the 61 designated properties to remain on the Municipal Register. (24/07/12:HB – Passed unanimously)
2. Continue the listing of all non-designated properties pre-classified as “A” under the Kalman system on the Municipal Register. (24/07/12:HB – Passed 9/1 abstention)

<p>3. Approve removal of all properties pre-classified as “B” under the Kalman system from the Municipal Register. <i>(24/07/12:HB – Passed unanimously)</i></p>
<p>4. Instruct Planning and Building staff to divide the current Directory of Heritage Properties online searchable database into two searchable lists:</p> <p>a) the Register which will contain all 61 designated properties and 225 non-designated properties pre-classified as “A” under the Kalman system, and</p> <p>b) the Heritage Inventory which will contain those properties pre-classified as “B”, “C”, or “D” under the Kalman system, and be maintained as a working list to be used only for the purposes of tracking properties of cultural interest or value and which would possess no legal status whatever; <i>(24/07/12:HB – Passed unanimously)</i></p> <p>All properties on both the Register and the Heritage Inventory lists will be evaluated over the next several years (See Topic # 3 Recommendation #6]</p>
<p>5.</p> <p>a) Discontinue the current Heritage Clearance system, and</p> <p>b) Develop a new service supported by the Planning and Building Department and Heritage Burlington entitled “Heritage Design and Advisory Services” which will be available to all property owners having properties listed on either the Register or the Heritage Inventory. <i>(24/07/12: HB – Passed unanimously)</i></p>
<p>6. Continue the current policy, as approved by Council on July 15, 2010, when a request for removal from the Register not related to a demolition is received [Appendix # 6, and recommend, with the concurrence of the Planning and Building Department, an amendment to the policy specifying time frame (e.g., 60 days, 90 days, 120 days) for a decision. <i>(24/07/12: HB – Passed unanimously)</i></p>
<p>7. Develop, in conjunction with the Official Plan Review Process and the development of the heritage conservation policy and program, a policy framework and guidelines for resolving conflicts between heritage conservations projects and other planning considerations, such as the Official Plan and Zoning By-Law designations. For example, to resolve discrepancies between properties that are designated under the <i>Ontario Heritage Act</i> or properties listed on the Municipal Register which are zoned for medium density residential uses. <i>(24/07/12: HB – Passed unanimously)</i></p>

8.

- a) Approve Heritage Burlington working collaboratively with the Hamilton Municipal Heritage Committee (HMHC) to develop an accredited continuing education course for area realtors.
- b) Instruct Planning and Building staff to apprise the Realtors Association of Hamilton-Burlington of changes to the Municipal Register in a timely manner.
- c) Communicate to lawyers in Burlington the location and use of the on-line Municipal Register. *(24/07/12:HB – Passed unanimously)*

## Topic #3: Evaluation

### Background

The first professional evaluation system used in Burlington was developed by Harold Kalman, a noted heritage architect, who used the following five criteria: architecture; history; environment; usability, and integrity.

Architecture considered: (1) the style of the structure and whether or not it was a rare, unique or early example of a particular architectural style; ( 2 ) the construction and whether it was reflective of a quality example of a particular method or material; (3) the age of the structure in the context of the City; ( 4 ) the architect and whether she/he was notable; the design and whether it was particularly attractive or unique, and (5) the interior and its condition.

History considered the historical context of the structure and its relevance to the history of Burlington including; whether it was owned by an individual who made a significant contribution to the City; and/or was the home of a particular and notable event or significance; and/or the context of the structure in terms of the illustration of cultural, social, political, military, economic or industrial history.

Environment considered the contribution of the structure, site and landscape made to the local environment including the contribution to the continuity of the neighbourhood, and whether or not the structure was some form of a local landmark.

Usability considered also the contextual relationship of the structure to its surroundings including: if the current use of the structure was compatible with its surroundings; if the structure could undergo adaptive re-use without affecting the elements of the structure that were significant; if the structure was proposed or could be adapted for public use; if services were available; and if the cost of restoration/re-use was reasonable relative to the cost of new construction.

Integrity considered the degree to which the structure and site has been altered including: whether the structure occupied its original site; the extent of alterations; and the condition of the structure.

Each category received several numerical scores. The total score would determine whether the property was classified “A”, “B”, “C”, or “D”. The higher the total score, the more likely that the property would be classified “A” or “B”. However, it is important to recognize that the scoring was only part of the evaluation process. Evaluators also visited the site, took photographs, and researched the history of the property in various

publications and archives.

Although most of the structures currently listed on the Register and the Heritage Inventory were evaluated using the Kalman system of classification, this system was replaced after the passing of the revised *Ontario Heritage Act* in 2006.

### Current Situation

*Ontario Regulation 9/06*, made under the revised *Ontario Heritage Act*, established new criteria for determining cultural heritage value or interest. The Regulation provides that “A property may be designated under section 29 of the *Act* if it meets one or more of the following [three main] criteria for determining whether it is of cultural heritage value or interest>” The main criteria are:

1. The property has design value or physical value because it:
  - a) is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - b) displays a high degree of craftsmanship or artistic merit, or
  - c) demonstrates a high degree of technical or scientific achievement.
  
2. The property has historical value or associative value because it:
  - a) has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community, or
  - b) yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - c) demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
  
3. The property has contextual value because it:
  - a) is important in defining, maintaining or supporting the character of an area,
  - b) is physically, functionally, visually or historically linked to its surroundings, or
  - c) is a landmark.

These same three criteria are currently used by both the City Planning and Building Department and Heritage Burlington when the owner of a non-designated dwelling requests a demolition permit. In such cases, the Planning Department and Heritage Burlington must use these criteria to recommend to the council either that the dwelling be designated or the demolition permit issued.

It is interesting to compare the Kalman classification system and the new criteria

contained in the regulation. Both include the architectural, historical, and contextual (environment) criteria, but the newer set of criteria omits some parts of Kalman's usability criterion and all of his integrity criterion. The absence of a regulated requirement to judge a structure on the basis of adaptive re-use, cost of restoration, degree that alterations have compromised the structure, and condition of the property fails to recognize very practical realities. These include but are not limited to the financial aspects of achieving a comprehensive course of action for a particular property can complicate the evaluation of a particular property.

### Public Engagement Input

The participants at the Public Open House (May 31, 2012) were unable to reach any consensus about the relative importance of the three main *Ontario Regulation 9/06* evaluation criteria. These same attendees regarded the criteria as too vague and too subjective. They also raised questions about the expertise of those who conducted the evaluations and many suggested that all evaluations should be done by experts. They did think that the contextual value criterion might apply better to neighbourhoods. Whether this opinion was a weak vote for Heritage Districts is difficult to determine.

However, the survey administered at the Public Open House indicated that architectural and contextual criteria were considered to be the most important indicators of heritage value by the participants.

During the telephone survey, the interviewer wanted to solicit the opinion of the residents on the importance to the resident of various criteria outlined in *Ontario Regulation 9/06*. Some of the results follow:

- The property is a rare example of an early style of architecture.
  - 46% very important – 37% somewhat important
- The property has direct association with a theme, event, belief, person, activity, organization or institution that is significant to Burlington.
  - 42% very important – 43% somewhat important
- A property defines, maintains or supports the character of an area.
  - 44% very important – 47% somewhat important
- The property is a landmark



- 61 % very important – 31% somewhat important
- Assessing the relative importance of the attributes that might be used to determine the heritage significance of a property
  - A building which, though not unique to look at, is associated with an historically significant person or event (score: 1702)\*
  - A building or landscape that defines, maintains or supports the character of an area (score: 1644)
  - A building which is interesting to look at. (score: 1190)

*(\*Datas shown are composite scores based on 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> choices by respondents with first choice score 3, second, 2, and third given a score of one. Higher scores indicate a higher degree of importance.)*

Of the three *Ontario Regulation 9/06* evaluation criteria, the Public Open House participants voted for architectural and contextual, while the telephone survey seemed to indicate preference for historical and contextual criteria. These preferences will prove useful in reviewing the evaluation criteria in the future

### Recommendations

The public engagement input illustrated that the public understands neither the current evaluation criteria nor how these criteria are employed in assessing properties of heritage cultural value. Therefore, Heritage Burlington recommends a thorough review of both the guidelines and their implementation. Also, Heritage remains convinced that some of the properties listed on the Register and the Heritage Inventory have been placed on these lists in error. Therefore, Heritage Burlington recommends a complete staged re-evaluation of all the properties on these lists over the next several years.

<b>Evaluation Recommendations</b>
<p>1. Instruct Heritage Burlington in cooperating with the Planning and Building Department to develop draft guidelines by March 31, 2013, including evaluation criteria by the end of 2012 that will assist those using the Regulation 9/06 criteria to evaluate properties of cultural heritage value.</p> <p>In the course of developing these guidelines, Heritage Burlington will consider incorporating other criteria that are not currently being used. Such additional criteria</p>

may include, but not be limited to, adaptive re-use, cost of restoration, degree that alterations have compromised the structure, potential for synergy with economic development or community improvement objectives, and the degree to which public opinion should impact the evaluation. (24/07/12:HB – Passed unanimously)

2. Instruct Heritage Burlington and the Planning and Building Department to work collaboratively to revise the process to implement the draft guidelines after they are proposed. (24/07/12:HB – Passed unanimously)

3. Authorize Heritage Burlington to invite public input once the draft guidelines and implementation processes have been completed to inform refining the final recommendations for Council. (24/07/12:HB – Passed unanimously)

4. Endorse Heritage Burlington’s promotion of the revised guidelines and processes to the public at large. (24/07/12:HB – Passed unanimously)

5. Endorse members of Heritage Burlington to establish and provide training workshops for Heritage Burlington members and other interested persons on how to use the guidelines in the evaluation process. (24/07/12:HB – Passed unanimously)

6. Approve Heritage Burlington, with the cooperation of the Planning and Building Department, to undertake the re-evaluation of the following classes of properties according to the following schedule:

all “A” and “D” properties by the end of 2013

all “B” properties by the end of 2014

all “C” properties by the end of 2015

all uncategorized, and designated properties by the end of 2016

And will discuss the re-evaluation with each property owner. (24/07/12:HB – Passed unanimously)

Note: Every attempt will be made to ensure that the above re-evaluation will be prioritized by neighbourhood with higher concentration of heritage properties and in conjunction with the City’s Official Plan review and other related initiatives.

## Topic #4: Financial and Non-Financial Incentives

### Introduction

“Conserving heritage helps to establish a sense of place in a community and has been identified by the province as an important component of life in Ontario. Through its various policies and legislation, the province has made a commitment to the conservation of significant cultural heritage resources. Part of the challenge [of conservation] is that many of the properties worthy of protection are owned by private property owners and the cost of acquiring them would be too costly for municipalities. The costs incurred to maintain these buildings in keeping with their original character and materials can cause greater than normal financial burdens to homeowners. Provisions in the *Municipal Act* and the *Ontario Heritage Act* permit municipalities to offer incentives to property owners to assist in offsetting some of the costs associated with their conservation efforts.”(from: J. Puletto (Langdale) *Inventory of Ontario Heritage Incentive Programs; An Excerpt from: Heritage Incentive Programs: The Key to Achieving the Potential of Heritage Conservation in Ontario* (2011).

### The Current Situation in Burlington

The City employs one full-time heritage planner to deal with all of the Planning and Building aspects, e.g., Heritage Clearance Certificates, Heritage Permits, requests for removal from the Register related to heritage in Burlington. In addition, the City Clerk's office provides assistance for the various activities undertaken by Heritage Burlington.

In the 1980s, City Council established a Community Heritage Fund to encourage the preservation of buildings with identified cultural heritage value by providing financial assistance for the conservation of these buildings, and to encourage the designation of cultural heritage resources under the *Ontario Heritage Act*. The Community Heritage Fund is available to owners of properties designated under the *Ontario Heritage Act* in the form of grants or loans for eligible conservation projects. Loans of up to 50% of the total eligible project costs to a maximum of \$15,000.00 may be approved by Council, subject to specific guidelines. There are no interest charges on loans of less than \$5,000.00. Grants of up to 25% of the total eligible project costs to a maximum of \$15,000.00 may be approved by Council subject to specific guidelines. Upon approval of a grant, the applicant must enter into a Conservation Agreement with the City. The balance in the Burlington Community Heritage Fund as of March 31, 2012 is \$251,487.00.

For more detail about the Community Heritage Fund go to:

<http://cms.burlington.ca/AssetFactory.aspx?did=15812>.

The City Council also allocates approximately \$11,000.00 annually to the budget of Heritage Burlington Citizens' Advisory Committee.

### Public Engagement Input

#### **Public Open House**

The participants at the Public Open House definitely had mixed views as to how the preservation of cultural heritage in Burlington should be funded.

- Some suggested a property tax rebate program but wanted safeguards such as easements built into such a program. Some seemed willing to fund such a program through limited property tax increases, while others were adamantly opposed. "It is not up to the City to provide money to home owners."
- Some suggested City-funded loans for the difference in cost between regular renovations and the additional costs in renovating a heritage home. They assumed that such renovations would increase the value of the home and the loan could then be repaid through the increased price when the property was sold.
- Some participants favoured City grants of up to 30% for maintenance and renovation but with inspections to make sure that the grant money was being spent according to the grant application.
- Some suggested that special provision such as a charity be established for pensioners who own heritage homes and experience difficulty in maintaining them.
- One entrepreneurial suggestion was to create an organization that would purchase old homes, renovate, and then sell them.
- Insuring designated homes presents some problems. One participant suggested that the City should insure such homes.
- Establishing a heritage trust drew great support; however, there was no indication by the participants that they would financially support such a trust.

On the survey completed at the Public Open House, 55.2% of the respondents thought that taxpayers money should be used to conserve properties that have significant heritage value (19.4% strongly disagreed), but 71.3% thought that funds should come from a re-allocation of existing City commitments. Only 20.9% supported an increase in existing taxes for this purpose.

## Telephone Survey

The telephone survey included questions related to the use of property taxes to fund heritage conservation.

- 28% agree strongly and 38% somewhat agree that owners of heritage properties should be compensated by the City for City imposed costs of maintenance
- 48% supported City funding for the preservation of private heritage properties via a reallocation of funding from existing related areas (arts, culture, economic development), and are prepared to experience a potential reduction in these areas
- 76% of the respondents supported some increase in property taxes to support heritage conservation. The amount of support ranged from a low of \$1 - \$3 (29%) to a high of \$13 - \$15 (10%) with the average being \$4.60.

The survey also indicated that 43% probably would make a personal tax deductible donation to a Heritage Trust, but only 4% definitely would make such a donation

### **Incentives Programs in other Ontario Municipalities**

Jenna Puletto (Langdale), Heritage and Development Planner, Department of Planning and Building, City of Burlington was kind enough to share with Heritage Burlington one of her papers written as part of her Masters of Planning program at Ryerson University. The following description is taken from her paper, *Inventory of Ontario Heritage Incentive Programs; An Excerpt from: Heritage Incentive Programs: The Key to Achieving the Potential of Heritage Conservation in Ontario* (2011).

Ms. Puletto found that:

- “The most commonly offered incentive program was a matching grant....the majority of grant programs offered between \$1,000 and \$5,000 for eligible projects. Heritage grants were offered by 17 municipalities....”
- “The next most commonly offered incentive program was a property tax rebate for heritage [designated] properties. ... [rebate] programs were offered in 13 municipalities. ...The vast majority of municipalities offering heritage property tax rebates offered the maximum 40% [allowed under the Act].”
- “A number of area specific programs were identified through the research process. These programs focused on a specific Community Improvement Plan area for a Heritage Conservation District (HCD)....” One such example is

Hamilton's Heritage Grant Program for structural/stabilization work within the downtown BIA/CIP area.

- "The least offered program appeared to be the loan program, with only four municipalities [Hamilton, Markham, Burlington, and Cobourg] found to be offering them.

### **The Peterborough Experience**

In 2003, Peterborough introduced the Heritage Property Tax Relief Program with 40% rebate for residential designations and 20% for commercial and multi-residential properties. The program began in 2004 with 13 properties and by 2009 had grown to 61 properties. The cost to the City has grown from \$31,510.00 in 2004 to \$122,350.00 in 2009. While the main aim of the Peterborough program was to revitalize the commercial core of the City, two studies, *The Impact of Heritage Designation: Case History of Downtown Peterborough* (Chakrapani & Hernandez, Centre for the Study of Commercial Activity, Ryerson University, 2010) and *A Review of the Effectiveness of the Heritage Property Tax Relief Program* (Heritage Preservation Office, City of Peterborough, 2011) have found that the program has been well received by residents who have expressed their satisfaction with the benefits of the program. Some general benefits of the Tax Relief Program that could apply to Burlington might be:

- To encourage and promote the protection of heritage properties through designation;
- To attract new visitors who contribute to the local economy;
- To increase maintenance on designated properties that might not otherwise be completed;
- To increase the use of trades skilled in maintenance and restoration of older homes, and
- To increase the assessment and thus the taxes on commercial buildings benefiting from the program.

<b>Incentives Recommendations:</b>
1. Approve immediately a tax rebate program beginning in 2014 to assist owners of residential designated properties with the maintenance of their properties as follows:

- Application of a 20% reduction in the first tax year (2014) and with the addition of 5% a year to a maximum of 40% in 5 years.

A 20% reduction applied to 2011 property taxes would have resulted in a reduction of revenue to the City of Burlington of approximately \$35,500.00. A 40% applied to 2011 taxes would have resulted in a reduction of revenue of \$70,000.00. In the event, that this had been approved at all levels, a 40% tax rebate would have resulted in an overall savings of \$198,000.00 to the designated homeowners.\* (24/07/12: HB 8 in favour/ 2 abstentions – Conflict of interest)

\* This saving is based on the assumption that all designated homes in Burlington also have conservation agreements in place as these are the two preconditions for eligibility. In fact, this is not the case. Very few of the designated properties in Burlington also have conservation agreements in place. Therefore, these properties would not be eligible for this benefit without negotiating and putting such agreements in place.

2. Investigate a similar tax rebate program for commercial designated properties based on 15%, 2.5% to a maximum of 25% (24/07/12: HB – 8 in favour/ 2 abstentions – Conflict of interest)

3. Instruct Heritage Burlington and the Planning and Building Department to conduct a review of the effectiveness of the Community Heritage Fund with consideration being given to directing portions of the funds to offset any non-construction costs, e.g., heritage consultants, design costs, compatibility studies etc. The review to be completed by March 31, 2013.

4. Establish a Burlington Heritage Trust with the likely cooperation of the Burlington Community Foundation to fund construction projects for both designated and non-designated properties on the Register. (24/07/12:HB – 9 in favour/1 abstention – Conflict of interest)

We perceive this to be a cooperative venture whereby the City would provide a degree of matching funds from the overall Community. We would like to see this Fund capitalized overtime at \$1 million. Heritage Burlington requests an implementation budget of \$50K to establish this program.

5. Establish a member benefits' program by the end of the first quarter of 2013 that would include, but not be limited to:
  - a new service supported by the Planning and Building Department and Heritage Burlington entitled "Heritage Design and Advisory Services" to be available to all property owners on either the Register or the Heritage Inventory lists;
  - Allow access to a list of trades and suppliers involved in

<p>maintenance and preservation of historic buildings, and</p> <ul style="list-style-type: none"><li>• Create a community heritage electronic portal to build a sense of community amongst heritage property owners and to facilitate the efficient management of the heritage conservation portfolio. <a href="http://www.buildingstories.co">www.buildingstories.co</a>. (24/07/12:HB – 9 in favour/1 abstention – Conflict of interest)</li></ul>
<p>6. Reinstate the program of recognition of conservation by owners by Heritage Burlington for February 2013.(24/07/12:HB – Passed unanimously)</p>
<p>7. Rare occasions may occur where a property is considered to be of such significant cultural value or interest and importance to the history of the City that a designation against the property owner’s wishes may have to be contemplated. While Heritage Burlington will not as a rule endorse “forced” designations, we realize that both the City and its Heritage Advisory Committee are governed by the applicable legislation. Heritage Burlington would recommend that these types of designations would be accompanied by some kind of negotiated financial settlement between the owner and the City.</p>





## Summary and Next Steps:

The recommendations contained in *A New Approach to Conserving Burlington's Heritage* have dealt with most of the concerns that have been identified through the various workshops, the Public Open House, and discussions with Councilors, City Staff, and interested citizens. Heritage Burlington regards this report as "Phase One" in a multi-phased approach over the next five or six years in managing Heritage in Burlington. Some of the recommendations can be implemented more quickly than others, and some will cost little or nothing while others will demand a commitment of tax-payers dollars and other City funds from Council.

A. Some of the recommendations that can be implemented quickly at little cost to the City are:

- Exploring the various ways that the past history of Burlington can be told, promoted, and celebrated;
- Removing the "B" classified properties from the Municipal Register;
- Ending the current Heritage Clearance Certificate requirement;
- Continue the process approved in 2010 for dealing with requests for removal of non-designated properties from the Municipal Register;
- Reviewing the current criteria and guidelines for evaluating heritage and potential heritage properties, and
- Some of the member benefits program, e.g., a new service supported by the Planning and Building Department and Heritage Burlington entitled "Heritage Design and Advisory Services" to be available to all property owners on either the Register or the Heritage Inventory lists>

B. Creating a Heritage Conservation Program that will promote pride in the City and bring satisfaction to its citizens requires that the City of Burlington make a significant financial contribution.

Therefore, Heritage Burlington advances the following two recommendations:

1. allocate a total \$125,000.00 in the fiscal year 2013 for set-up costs for the following components of a Heritage Conservation Program:
  - Web site - \$24,000.00,

- Communications - \$10,000.00,
- City staff support - \$30,000.00,
- Heritage Property Tax Relief Program – \$25,000.00,
- Grants - \$5,000.00,
- Heritage Trust (Burlington Community Foundation) set up costs - \$25,000.00
- Loans - \$5,000.00,
- Excess - \$1,000.00

*(24/07/12:HB: 9 in favour/1 abstention –Conflict of interest)*

2. that, as part of the regular City budgeting process for 2014, Heritage Burlington will prepare for Council's approval a draft five-year (2014 – 2018) budget forecast for a Heritage Conservation Program.*(24/07/12:HB – Passed unanimously)*

### Conclusion

Developing this blueprint for a new approach to heritage conservation in Burlington has taken somewhat longer than originally proposed. The work has demanded the ability to listen with an open mind to the opinions of others and shape the blueprint accordingly. Our work has also demanded the rare ability to look to the future of our City and to “think outside the box” from time to time. Heritage Burlington is excited about the future possibilities that we have envisioned and hopes to continue to work together, with Council and staff, and the public to create a viable cultural heritage community for all to be proud of and enjoy.

# Implementation Time Lines

## September to December 2012

Recommendations	2012			
	Sept	Oct.	Nov.	Dec.
<u>1. Significance of Heritage</u>				
1. Task Force				
<u>2. Transition Plan and The Register</u>				
1. 61 Designated Properties`				
2. "A" Properties `				
3. Remove "B" Properties				
4. Division of current Directory				
5. Heritage Clearance System				
6. Time frame for Non-Demolition Removals				
7. Policy Framework and Guidelines				
8. Courses for realtors Communication to Lawyers				
<u>3. Evaluation</u>				
1. Draft guidelines				
2. Process of Implementation				
3. Public Input				
4. Promotion				
5. Training Workshops				
6. Re-evaluation "A"s & "D"				
Re-evaluation "B"s				
Re-Evaluation "C"s				
Re-evaluation uncategorized				
& Designated				

<b>Recommendations</b>	<b>2012</b>							
	<b>Sept</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec.</b>				
4. Incentives – Financial & Non-financial								
1. Tax Rebate Program								
2. Commercial Tax Rebates								
3. Community Heritage Fund								
4. Burlington Heritage Trust								
5. Member Benefits Program								
6. Recognition Program								
7. Forced Designations					ongoing			
<b>January 2013 to December 2016</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr. - Dec.</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	

1. Significance of Heritage

1. Task Force

2. Transition Plan and The Register

1. 61 Designated Properties`

2. "A" Properties `

3. Remove "B" Properties

4. Division of current

Directory

5. Heritage Clearance

System

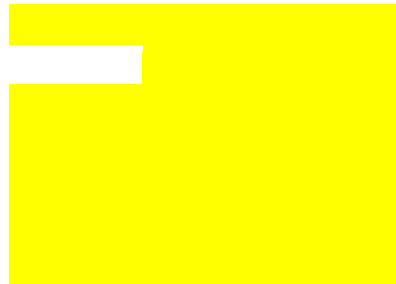
6. Time frame for Non-Demolition Removals

7. Policy Framework and Guidelines

8. Courses for realtors  
Communication to Lawyers

3. Evaluation

- 1. Draft guidelines
- 2. Process of Implementation
- 3. Public Input
- 4. Promotion
- 5. Training Workshops



3. Evaluation (continued)

- 6. Re-evaluation "A"s & "D"  
Re-evaluation "B"s  
Re-Evaluation "C"s  
Re-evaluation  
uncategorized  
& Designated



4. Incentives

- 1. Tax Rebate Program
- 2. Commercial Tax Rebates
- 3. Community Heritage Fund
- 4. Burlington Heritage Trust
- 5. Member Benefits Program
- 6. Recognition Program
- 7. Forced Designations



on  
going  
on  
going

# Appendix # 1

## Council Direction to Heritage Burlington Feb. 21, 2012

### DIRECTION TO HERITAGE BURLINGTON COMMITTEE TO REPORT BACK REGARDING A WIDE RANGE OF HERITAGE ISSUES

Direct Heritage Burlington to report back to the Community Development Committee (CDC) during the 2nd quarter of 2012 addressing a wide range of heritage issues including but not limited to the following:

Key recommendations provided by the facilitating consultant, Dialogue Partners;

Process for placing and removing properties on the Municipal Register and criteria for designation;

Property rights and values;

Incentives and support for heritage preservation;

Alterations, demolitions and restorations including the heritage clearance and permit process;

Legislative responsibility, and

Decision making processes.

A proposed process of stakeholder and community engagement to be entered into by Heritage Burlington, with input from the Public Involvement Coordinator, before final recommendations are presented to CDC by Heritage Burlington; and

Direct the City Clerk to expedite filling vacancies on Heritage Burlington and in so doing, ensure that a variety of perspectives are represented. (Mayor Goldring) (SD-2-12)

## Appendix # 2

### Summary of Participant Round Table Feedback from the Public Open House, May 31, 2012

#### #1: EVALUATING HERITAGE PROPERTIES

Based on the three existing categories (architectural value, historical value and contextual value):

How do these broad criteria relate to Burlington?

What criteria is significant for Burlington?

Why?

Rate the above criteria in order of importance

Are there any criteria that are missing or should be considered?

(There is no way to count how many people ranked the criteria and in what order each person did, so the rankings are based on the number of comments recorded about that particular criteria.)

#### Contextual Value

#1 Defines, maintains or supports the character of an area

- May apply to certain neighbourhoods more than others, i.e. Lowville
- Neighbourhoods with character could contribute to the economy
- How is it defined? – seems subjective
- If all the houses on the same street are similar, it may be less important to save an individual house (since there are other examples)
- What value is a nice home in the country where no one can see it?

#2 Is a landmark

- This term seemed to cause the most trouble with how it is defined, but it is valued

#3 Is physically, functionally, visually or historically linked to its surroundings

## Historical Value

- Historical value may be too vague
- History only has value if people know it. Respondents questioned the interest and knowledge of the general population in the city's history.

#1 Has direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community

- Significant early families or original settlers should be criteria
- Burlington may not have many homes lived in by particularly significant people (Joseph Brant and a few others)

#2 Yields, or has the potential to yield, information that contributes to an understanding of a community or culture

#3 Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community

- This criteria should be under Architectural Value

## Architectural / Design Value

#1 Is a rare example of an early style architecture

- Unusual forms

#2 Displays a high degree of craftsmanship

- This criteria is good because it allows for more recent features to be included
- Consider such features as chimneys, tin ceilings, gingerbread, windows

#3 Demonstrates a high degree of technical or scientific achievement

- e.g. fieldstone houses on Lakeshore
- visibly superior technique
- real stucco
- perfect door with cut or leaded glass

## General Comments

- Has value to visitors



- No consensus on whether property should meet all of the criteria or only some of them
- The criteria are inter-related and some people could not rank them because they are all important
- Concern over who is doing the evaluating and what is their expertise and that the criteria are too subjective
- The evaluation should have something to back it up, justify it
- Evaluation should not be done by the owners but by someone with expert knowledge
- Some people questioned how much the population cares about any of these attributes, especially people living in new subdivisions
- There should be some consideration of need (of the owner? The house? Not sure what the respondent meant)
- The interior should be considered as well as the exterior

## **#2: LISTING OF HERITAGE PROPERTIES**

**Should the City include non-designated properties on a list which are deemed to have cultural heritage value?**

- Yes, but only with the owner's consent
- Additions to the list should be made by qualified experts
- The property should be removed at the owner's request

**If yes, what is the purpose? Why should there be a list?**

- To protect non-designated properties, including the Cs and Ds
- all 1,100 properties should be re-evaluated – Cs and Ds shouldn't just be dropped off automatically
- property owners should be contacted to update the information
- Cs and Ds should stay on list because they may become As and Bs later due to changes in taste, people's values
- A property may become more significant in the future if others of its type are demolished, making it rarer
- to acknowledge value for a property owner
- To inform potential buyers
- list can be for people's interest to look on line and read the info
- if we have a list and it has standards they should be abided by, instead of demolitions being rubber stamped

- The list should be publicly available and there should be an explanation of why each property is on it
- The information on the list should be up-to-date and accurate
- Property owners on the list would have access to resources to maintain their property
- List should be smaller than it is now, 100-150 properties
- A real estate agent should be required to disclose the fact that a property is on the Register

#### **If no, why not?**

- the process to get off the list is extremely difficult, arbitrary, and stacked against the home owner
- Because being on the list makes it harder and more expensive to get home insurance
- There is no benefit to the property owner

### **#3: FUNDING/INCENTIVES FOR HERITAGE CONSERVATION**

**It is critical that the City, on behalf of the public, make a “financial investment” if they are to have a say on which properties are conserved and how they are maintained.**

#### **How should it be funded?**

City purchases the property, but who decides what fair market value is?

- Properties should not be expropriated against the owner's will
- Tax rebate program
- Have an organization that buys and restores old homes to sell
- Set up a trust
- Agree to taxpayer funded support but with safeguards to ensure that the investment stays for the long term – maybe only for designated homes or in exchange for an easement
- loan that is paid back on the sale of the home from the increase in value
- loan would be for the difference between the cost of regular reno work and heritage reno work
- Cs & Ds should qualify for loans because they could be brought up to A and B standard through the reno
- grants – up to 30% on completion with check and inspections

- designate some of the funds raised by community foundations for heritage
- try to do as much as possible with volunteers so it is not an expense to the city
- set up a charity for pensioners and those who cannot afford upkeep and renovations
- if property is not maintained City will do the work and add the bill to property owner's taxes
- no interest in how it should be funded because it should not be funded
- Insurance companies do not want to insure designated historic houses – will the City insure designated properties?

### **Where does the funding come from?**

- do not use taxes to pay for this – there are other, more important, things in the City budget
- public money should not be spend on Cs and Ds
- Burlington Heritage Trust (charitable donations) – could be run through Burlington Community Foundation
- increased property taxes
- Ontario government grant program
- Trillium Foundation
- property taxes are a burden for the individual – heritage may be of some importance but not up to the City to provide money to home owners
- volunteers who would come in to do repairs to maintain roof or foundation or porch
- Levy on new home construction

### **Parking Lot (doesn't fall under any of the above questions)**

- Concern about future generations losing interest in heritage
- Owners should have the final say about if it should be designated
- The reason to conserve an old home shouldn't be to avoid monster homes
- By forcing designation you anger the home owners – it should be voluntary
- Criteria isn't important to anyone - what matters is the list, what rules are imposed and who decides
- The people involved in the City's system ruined my whole experience; the process was horrible; the people were terrible to deal with
- even though buildings are designated they are still being demolished
- better communication would make people more willing to volunteer to be designated
- should be standards for infill
- keep the door open to heritage districts – neighbourhoods such as Roseland, downtown, Lowville if they ask for it

- the homeowner should have all the rights
- designation inhibits the value and depresses house prices
- What are the disadvantages of owning a designated house?
  - - hiring a planner
  - - property value
  - - materials can be expensive
  - - takes away choice
- demolition is only beginning of the process – then owners get variance and severance to put 2 big houses on lot that had one small house before – so it's not just about demolition

## Appendix # 3

### City Policy (PB-43/10), May 10, 2010 (revised July 15, 2012) Removal of a property not related to demolition

When a removal request is not related to a demolition, the owner submits a letter to the Director of Planning and Building concerning the request to remove the non-designated property from the Municipal Register. Planning Staff, in conjunction with Heritage Burlington, assesses the cultural heritage value of the property, sufficient to ascertain whether there is cultural value or interest (i.e. design or physical value, historical value, and/or cultural value). Planning staff presents a report to Council via the Community Development Committee recommending one of the following options:

1. That the property has cultural heritage value or interest and therefore remain on the Municipal Register as a non-designated property; or
2. That the property does not have cultural heritage value or interest and therefore should be removed.