

Heritage Conservation District Study
Public Information and Discussion Sessions
Monday, November 8, 2004
Burlington Central Lion's Club
- Afternoon and Evening Session Notes -

Please note that, with the exception of Jeff Wills' presentation, the afternoon and evening sessions covered the same content. Variations in the discussion period are reflected below.

Welcome and Introduction – Bruce Krushelnicki, Director of Planning and Building Department, City of Burlington

Study Process, role of City staff, the consultants and the Public Process Advisory Committee (PPAC) – Alana Mullaly, Planner, City of Burlington

Slide Presentation – Phillip Carter and Paul Oberst, (Phillip H. Carter, Architect and Planner in association with Paul Oberst, Architect)

- Slide #1: Made in Burlington, A unique heritage character (map of inventoried properties)
- Slide #2: “Any City would be proud to have buildings like these” (431 Burlington Avenue and St. Luke’s Church)
- Slide #3: “There are special qualities that create Burlington’s heritage. The lake, of course...” (painting by Elizabeth Simcoe and view of Lake from Spencer Smith Park)
- Slide #4: “More water, the creeks pop up in surprising places”. (photos of Hager and Rambo Creeks)
- Slide #5: “The water means that summer has a special place in Burlington”. (photos of the Elsinore and summer houses on Nelson Avenue)
- Slide #6: “A bungalow says summer even with snow on the ground”. (422 Burlington Avenue)
- Slide #7: “A wealth of bungalows”. (479 & 526 Burlington Avenue)
- Slide #8: “A wealth of invention – unique, un-repetitive, eccentric”. (photos of 543 & 558 Burlington Avenue, 514 Pearl Street)
- Slide #9: “Burlington’s most famous eccentric – the gingerbread house was a showcase for the Coleman Bros’ craft” (photo of 1375 Ontario Street)
- Slide #10: “A special slant on things” (416 Pearl Street, Village Square & 472 Locust Street)
- Slide #11: “A tradition of local eccentricity. The recent verandah and dormer addition kept close to home for inspiration” (482 Burlington Avenue & 555 Hurd Avenue)
- Slide #12: “The tradition of unique design crosses all styles and eras” (479 Nelson Avenue, 1436 Ontario Street, 2036 Emerald Crescent, 576 Locust Street)
- Slide #13: “Small colonial houses – The Yankees are coming”
- Slide #14: “Well-executed colonial revivals – A trademark of mid-20th century Burlington style” (2037 & 2046 Emerald Crescent, 1417 Eden Place)

- Slide #15: “Big house, little house, right next door. The integration of varied housing stock in downtown Burlington is a real civic asset” (547 & 549 Burlington Avenue)
- Slide #16: “Great trees”!
- Slide #17: “Great opportunity: Old Lakeshore = heritage + waterfront. Imagination, authenticity and human scale required” (Photos of 2105 Old Lakeshore Road, intersection of Pearl and Old Lakeshore)
- Slide #18: Heritage commercial buildings (Queen’s Hotel 400 Brant Street, Village Square 413-23 Elizabeth Street)
- Slide #19: “New development can respect heritage” (photos of 351-75 Brant Street, 1431-77 Lakeshore Road, 375-89 Brant Street)
- Slide #20: “Modern design, but heritage friendly” (photos of 421 & 442 Brant Street)
- Slide #21: “In the background: A remarkably wide scattering of big, tall apartment buildings”
- Slide #22: “The Zoning By-Law: The Planning Act doesn’t address visual aspects of design”
- Slide #23: “A little more effort: a few shutters and dormers don’t make up for blank walls and suburban garages (1345 Ontario Street). The Heritage Act allows the City to choose between these designs. The Planning Act doesn’t (1345 Ontario and 1383-97 Lakeshore Road). A sobering thought: Most of either of these two rows could be built on the site of the Gingerbread House under the current zoning by-law”.
- Slide #24: “Going, going...Demolition permits have been sought for these buildings (380 Brant Street, 2059 Lakeshore Road, 384 Pearl Street and 393 Pearl Street). Gone...1337 Ontario Street. C.F. Coleman, builder and Burlington mayor built his home at the top of Nelson Avenue”
- Slide #25: Documenting Burlington’s heritage.
- Slide #26: Mapping the elements of Burlington’s heritage environments (map depicts areas of high and moderate heritage value, as well as connecting axes and axes on heritage buildings).
- Slide #27: Character building: Opportunities for heritage friendly infill development. (photo of 3-storey commercial building). Even with 3-storeys, this is a high-density building. Planning with heritage: infill and replacement sites for heritage context buildings.
- Slide #28: Boundary issues: Heritage character schematic (study area and surrounds).

Points raised by Paul Oberst during slide presentation:

- Currently undertaking the examination phase: documenting the unique character of the study area and its surrounding context – have reviewed approximately 800 buildings
- Heritage district plan is a guide for development (including redevelopment and intensification)
- Urban creeks could be memorialized by the community with a marker to show where they pop up
- The area has a wealth of fantastic bungalows – bungalows are just as important as Victorian mansions

- The area has a wealth of eccentricities and unique features – including structures that have been altered over the course of their existence – not all are necessarily in keeping with the original house, but many have been altered to be in keeping with other styles in the area
- Compatible design and alterations are a matter of care, not a matter of expense – take the time to focus on the details
- The area’s mix of houses reflects different economic backgrounds and family sizes
- Old Lakeshore and Lakeshore Road represent a great opportunity, great heritage buildings with good potential to be a great shopping district
- New development can respect heritage without mimicking it – pedestrian scale, cornice line treatments, terracing of buildings, avoidance of blank walls, use of awnings on commercial buildings
- Planning Act cannot regulate design, Heritage Act has provisions to do so
- Infill development at 1383-97 Lakeshore, good scale, good neighbours to heritage buildings in the vicinity, windows are proportionate
- Mapping the heritage elements – two very high nodes (west and east) both with Brant Street as a spine – Brant Street has been neglected in many sections, few heritage resources – partially because much of the land north of Caroline was farmland when the area’s lower neighbourhoods were constructed – steps could be taken, however to stitch the two areas east and west of Brant together

Citizens’ Comments/Questions – AFTERNOON SESSION

1. **Citizen** – good presentation, downtown owners have historically acted responsibly, concerned that district designation would be a removal of rights from homeowners.
2. **Citizen** - agreed with above resident. Staff and consultants identified some buildings (alterations) that would not get a permit under a heritage district plan. We don’t need more rules imposed on us. The Heritage Act will cause more problems (i.e. heritage permit process will cause delays). Can the City hold a referendum? If an area is designated, can an individual property owner opt out?

Bruce Krushelnicki – response: Firstly, staff and consultants cannot comment on which types of alterations would or would not get a heritage permit if applied for today. This is because guidelines and a plan have not been created. The Municipal Act authorizes, but does not require, a municipal council to call referenda. Typically, however, municipal decisions are not made this way. The ability to “opt out” would be via the Ontario Municipal Board (OMB) process, wherein any citizen can go to the OMB and present evidence outlining the reason(s) for which a particular property should not be included in a district designation. You do not need to retain a lawyer to go to the OMB.

3. **Citizen** – concerned with the “wall of new development” along Burlington’s waterfront. Concerned that this will create a lot of tension in a “compressed area”.

Bruce Krushelnicki – response: Much of Burlington is facing significant development pressure. Planners attempt to maintain complementary development amid that development pressure.

4. **Citizen** – Questioned whether the designation of a heritage district could “protect against highrises”.

Bruce Krushelnicki – response: Massing and density issues are best dealt with using a municipality’s Zoning By-law and Official Plan (under the Planning Act). The Heritage Act deals with the character of an area and makes provision for design guidelines to be included in a Heritage District plan.

Phillip Carter – response: Sometimes during a Heritage Conservation District Study it is determined that the existing zoning may not be compatible with the existing character of an area. During a district study, amendments to the Zoning By-law could be recommended to Council.

Bruce Krushelnicki – response: Municipal councils have the ability to make each regulatory framework compatible (i.e. Official Plan policies, Zoning By-law, Heritage District Plan).

Paul Oberst - response: It is important to note that the Heritage Act enables a municipal council to enact demolition control. Under the Act, a council can invoke a 180-day delay period, within which a compromise to the outright demolition may be negotiated. The ability to do so can have a significant impact on demolition in a community.

Bruce Krushelnicki – response: It is the role of planner to steer development. The Planning Act, which is the current extent of our authority, does not make provision for demolition control (or control over the aesthetic components of building design).

5. **Citizen** - Agree that we need to protect heritage resources. 2 questions: Firstly, is every property owner in a district subject to the same regulations? Second, what is the difference between designation under the Heritage Act and the use of design guidelines, entrenched in the Official Plan (i.e. could the implementation of downtown design guidelines serve as an alternative to district designation)?

Bruce Krushelnicki – response: All building in the municipality (with the exception of that undertaken on public property) is conducted by private landowners. Design guidelines can be a tool that works well with large landowners seeking to redevelop a large tract of land (i.e. a subdivision, an industrial property, a commercial property, etc.). Typically, municipal staff will work with a developer throughout the rezoning, subdivision and site plan stages to achieve a style of built form that is mutually acceptable. Some developers are more willing than others to entertain suggestions from municipal staff. Design guidelines are not a tool that can be used to address the redevelopment of an individual residential property. If you want to protect and enhance the fabric of an area you cannot use design guidelines on their own.

Phillip Carter – response: Design guidelines are very difficult to enforce. There is nothing in the Planning Act that allows a municipal council to use them, let alone enforce them. Design guidelines are a negotiation tool. Part V of the Heritage Act was created to recognize that some areas within a community have a special character that community members seek to preserve. To address the first question, designation under

Part V lends assurance to a property owner that the whole area is subject to the same standards. Important to recognize that structures from every decade can be an important part of our heritage.

Paul Oberst – response: Individual designation under Part IV cannot regulate the context within which the Part IV building exists. Part IV designation regulates the ‘hardware’ of an individual structure and only includes the building. Part V talks about the overall character, i.e. the features that are often identified by a community as valuable, such as the mature trees, the open spaces, and the streetscape. A community can write guidelines under Part V that are tailored to what exists on the ground. A district plan is a public document that is meant to be accessible, simple, and easy to follow. A plan should not be regarded or implemented as a big level of bureaucracy. Typically a heritage permit is processed concurrently with a building permit (as required under the Ontario Building Code Act).

6. **Citizen** – Is everybody within a district required to obtain a heritage permit?

Bruce Krushelnicki – Yes

Paul Oberst – Typically, a municipality will require that a heritage permit be obtained for all work that would require a building permit under the Building Code Act. These processes are typically run concurrently. Some approvals will be able to be granted within a couple of days.

7. **Citizen** – Agreed that Burlington has renovation success stories in the study area, however the area is under demolition and redevelopment pressures. Believe that community cannot be complacent about the future. Under the Heritage Act, citizens have an additional layer of regulation to ensure that development is compatible. Designation would assist the City in dealing with development pressure. Agree that nobody wants more red-tape. Business owners often face red-tape. Suggest that a heritage planner could work with applicants to negotiate the system. Suggested that support for a district may be engendered if Burlington had a heritage planner. LACAC should have an advisory role, but Burlington needs a heritage expert on staff. LACAC volunteers do not necessarily have expertise. Need a commitment from the City to retain someone with heritage expertise.

Bruce Krushelnicki – response: Municipalities of this size do not typically hire specialists, rather Burlington hires generalists. Municipalities must work within budget and priorities constraints. May be worthwhile to think about hiring a municipal heritage planner – ongoing investigation.

8. **Citizen** – Agree that we must protect heritage resources – many treasures have been lost to demolition and insensitive redevelopment. The prospect of a heritage district is of community-wide interest. Broad-based awareness of study is likely limited. Disappointed that PPAC was limited to property owners in the study area. Worthwhile investment to have a heritage planner on staff. Owner of a Part IV designated home, and believe that designation have enhanced monetary value of house and the value of the surrounding area. If done properly, a heritage district would not have to be “another layer of bureaucracy”. Hopes that Council will pursue district designation. Zoning By-law and Official Plan have limited ability to

address heritage preservation. Community needs to recognize limitations of existing tools. Some developers have deep pockets – community should look at a district as a means to protect the future.

9. **Citizen** – Concerned that many people in the study area don't know about it. What is study costing the City?

Bruce Krushelnicki – Council approved a budget of \$30,000.00 for the undertaking of a study. Council has approved an additional \$30,000.00 if Council decides to proceed with the development of a district plan and the adoption of a heritage district by-law.

10. **Citizen** – People don't want added bureaucracy, but everyone wants to protect against incompatible commercial development, without having an effect on individual homeowners. Residential owners have done just fine to date. It is the commercial property owners that need to be regulated.

Afternoon session adjourned.

EVENING SESSION

1. **Welcome and Introduction** – Bruce Krushelnicki
2. **Study Process, role of city staff, consultants and PPAC** – Alana Mullaly
3. **Slide Presentation** – Phillip Carter and Paul Oberst
4. **Slide Presentation** – Jeff Wills, citizen of Bowmanville and resident within a proposed Heritage Conservation District

Opening Slide: Impact of a Heritage Conservation District

- Slide #2: Risk #1 – Uncertainty over property value and ability to sell property
Slide #3: Risk #2 – Loss of control over property and increased regulation
Slide #4: Risk #3 – May need a heritage permit even when a building permit is not needed
Slide #5: Risk #4 – Additional layer of bureaucracy
Slide #6: Risk #5 – May face penalties for altering property without consent
Slide #7: Risk #6 – High cost of renovations
Slide #8: Risk #7 – Higher insurance rates

Jeff Wills – Firstly, my name is Jeff Wills and I am a homeowner in Bowmanville. Bowmanville is currently undertaking a heritage study for an area that includes my property.

The above statements were printed in a newsletter created and distributed by some of my neighbours. Upon receiving the newsletter, I became incensed and immediately signed a petition generated by a neighbour agreeing that I did not support district designation. Following this, I began to question the source of the above quotes. The authors of the newsletter were not able to provide any evidence to substantiate the claims made in the letter (and the basis upon which I signed a petition, along with 140 others out of 300 homes in the area). I decided to do my own research and this is what I found:

- Found a general lack of knowledge and education about heritage district designation under the Act on behalf of many property owners
- There are 73 districts within 27 Ontario municipalities, representing 10,250 properties – In the Burlington area alone, Oakville has 3 districts and Hamilton has 6
- 75% of heritage districts are primarily for residential properties, the remainder represent commercial or institutional properties
- There are over 8000 properties in existing residential districts

I prepared a series of questions for municipalities with districts (surveyed all 27 municipalities):

1. *Did you experience opposition to district designation?* 3 municipalities could claim that they did not experience any opposition. Most could identify with the Bowmanville experience.
2. *Has the opposition subsided since designation?* 3 continue to face opposition. All three noted complaints received about their respective permit process and guidelines – these municipalities (including Oakville) noted that they had “strict control”. Other respondents noted that, generally, the designation of one district generated requests for the designation of other areas.
3. *How strictly are guidelines regulated?* Oakville, Markham, Cobourg, and Niagara-on-the-Lake identified “pretty strictly”. Found that the permit approval varies, but that each community determines its own regulatory framework.
4. *Are paint colours included in your district guidelines?* 81% of communities with districts do not include paint colours in guidelines. This is largely because they regard a change in paint colour to be ‘reversible’ and not a permanent alteration of a heritage structure. 17% of municipalities do include paint colours (i.e. Cobourg, Markham, Oakville). Noted that they typically recommend use of the “heritage palette” colours produced by paint manufacturers such as Benjamin Moore and Pratt & Lambert.
5. *How are infill developments handled?* 7% of residential districts apply the same criteria to infill development as a heritage building within the district. The remaining municipalities have created a ranking system for the different types of development.
6. *On average, how long does approval take?* For minor alterations, most approvals take 2 to 3 weeks.
7. *What is the probability of fining an owner that alters or erects a building outside of the guidelines?* Markham is the only municipality to have ever laid a charge against a property for failing to comply with the district’s plan.
8. *What impact does designation have on property values?* Note that municipal staff can’t comment on private property values, but they did confirm that the most desirable neighbourhoods are often districts. There isn’t any comprehensive study available regarding a correlation between district designation and property values. The oft-cited Shipley report is not relevant for property owners contemplating district designation.

9. *What effects does designation have on insurance rates?* Designation should not impact rates – surveyed 22 insurance providers in Bowmanville area and none reported higher rates for buildings located within a district.

Questions for Jeff Wills:

1. **Citizen** – Doesn't the Charter of Rights and Freedoms protect against infringement on property rights? Wouldn't control over paint colours be counter to the Charter?

Jeff Wills – response: Chances are, most people in attendance at this session, are against designation. People don't come out to public meetings when they support something. The community debate about designation is often reduced to property rights. The point of my presentation is that paint colours are not a factor in most designated districts. A community determines the district guidelines. Paint is reversible; typically a district plan concerns itself with things that are not reversible.

2. **Citizen** – Is the same level of control applied to every building under Part V?

Jeff Wills – Part V enables a municipality to create a set of guidelines that are applied to a whole area, but within that there is typically room for flexibility. For example, there may be separate guidelines for infill development. This community should be cautious with infill – seems that there is greater development pressure in Burlington than in Bowmanville.

3. **Citizen** – Who is paying you to be here?

Jeff Wills – I do not have a monetary interest. Rather, I have been in your situation and have conducted my own research. Burlington staff offered to pay for my travel expenses and I refused. It has been compelling to do the research, I am here only to communicate my findings.

4. **Citizen** – You talked about impact on property values, did you find anything about tax implications?

Jeff Wills – I am currently doing that research. Typically, if property values go up then municipal taxes would follow. Many municipalities have introduced monetary incentives for district designation, such as tax abatement programs. There is a toolkit of financial resources to further preservation goals. Approximately, 1/3 of the communities with districts employ monetary incentives.

End of questions for Jeff Wills. Bruce Krushelnicki invites questions for panel.

1. **Citizen** – I think that the boundary of any district should be extended beyond John Street and should include Lion's Club Park. In the consultants' slide presentation several buildings were identified as having active demolition permit applications – how can Council let those buildings be demolished?

Bruce Krushelnicki – response: We don't have any tools to prevent or delay demolition. There is no provision for demolition control in either the Planning Act nor the Building Code Act. In regard to the boundary suggestion, this is part of the process. There are multiple options that need to be explored by the community.

2. **Citizen** – I have concerns with the expenditure on this study – the development threats are coming from Council every time they rezone a property to permit a new highrise development. The existing residential district is fine. A heritage district will impose another level of bureaucracy – the neighbourhood is already nice.
3. **Citizen** – All of the public consultations have been the same – they have all been a sales pitch. When will staff stop wasting peoples' time and money?
4. **Citizen** – Do any of the Councillors live in the district?

Bruce Krushelnicki – Council makes the decisions. Staff prepares a report, that includes a record of all public consultation. So far, staff have received comments that both support and oppose the use of the Heritage Act as a planning tool.

5. **Citizen** – Believe that residential development does well on its own. Commercial development however is not developing how we would like.

Bruce Krushelnicki – response: A district can include both residential and commercial properties. Guidelines would be tailored to their differences.

6. **Citizen** – When was the steering committee reconfigured into the PPAC?

Bruce Krushelnicki – response: The group was established this past summer. The PPAC met for the first time in October. The purpose of the PPAC is to be consultative – it is not a decision-making body. Following the March meeting staff received complaints that the process was flawed, staff created the PPAC to address this concern.

7. **Citizen** – Concerned with the process. The majority prevails in a democracy. How will staff determine the will of the majority in this exercise?

Bruce Krushelnicki – response: We will consult with the PPAC to see if a survey is useful. Our job is to prepare a report with recommendations to Council based on the consultants' findings, staff professional experience and public consultation. Council is the decision-making body.

8. **Citizen** – Has staff already decided that they will recommend district designation?

Bruce Krushelnicki – response: No. To do so would be premature. We have not yet received the consultants' study for review, nor has public consultation been completed. As a professional, I have a preference, but I do not, at this point, have a position.

9. **Citizen** – Have other districts included schools? I would like to see Central Public School included in a district.

Phillip Carter – response: Yes, some municipalities have included municipal institutions such as schools within their districts.

Paul Oberst – response: The community needs to talk about a boundary before any guidelines can be prepared. The boundary has to come first.

10. **Citizen** – Does the report to Council have to include public comments?

Bruce Krushelnicki – response: As with all studies, all written comments are attached to the staff report. Staff does not attempt to represent the community – that is the role of Council.

N.B. Upon receipt of the consultants' study, staff will take a report to Council recommending that Council refer the study to staff and the public for consideration. No recommendations regarding council's adoption of a district will be made at this time. Staff's report regarding Council's referral of the consultants' study will NOT contain public comments on the content or adoption of a district. Inclusion of public comments in this report would be limited to any that recommended Council not to refer the study to staff, specifically because the council-approved terms of reference had not been met (AM).

11. **Citizen** – What role do public comments play in the formation of professional opinion?

Bruce Krushelnicki – response: If there is no public consensus, then a district plan would be difficult to implement.

12. **Citizen** – I would like to see a district that is extended to Caroline Street. I cannot understand the opposition that I am hearing from some people tonight. This community animosity concerns me. Property values go up, staff at City Hall can assist owners with the process. Neighbours will abide guidelines – everybody wants their house to look good. I am concerned with ugly infill development. We need guidelines.

13. **Citizen** – I support conservation efforts. We are currently undertaking a restoration. I am interested in hearing more about financial incentives.

Phillip Carter – response: Many municipalities have implemented a grant program. Monetary incentives are likely something that we will recommend that the city investigate in their contemplation of a district.

Paul Oberst – response: Compatible renovations don't necessarily require more money; they require more care, more attention to detail.

Phillip Carter – response: There is a growing number of tradesmen skilled in restoration work which means that the cost of hiring an experienced contractor is coming down.

Bruce Krushelnicki – response: I'm not sure if there will be an appetite for financial incentives. Municipalities don't have a lot of money to give to private landowners for enhancements to private property. Tax rebates often come with strings. There would not be a requirement to hire a professional restoration contractor or architect. The process would be to apply the district guidelines. There wouldn't be a fee for a heritage

permit (only the building permit fee). We would aim to develop a good process that will result in a good outcome.

14. **Citizen** – Would building permit and heritage permit processes be tied? Wouldn't want to go to the expense of a building permit application only to learn that I couldn't get a heritage permit for the work.

Bruce Kruchelnicki – Applicants would likely make a heritage permit application first and staff would assist you to get a compliant permit. A building permit would be applied for after this.

15. **Citizen** – Seems to be agreement that homeowners will respect area without district designation, but what about developers?

Bruce Krushelnicki – We don't distinguish between land owners. By-laws and Official Plan policies are applied equally. If a demolition permit comes in, the guidelines apply.

16. **Citizen** – In the case of demolition, the Heritage Act could help?

Bruce Krushelnicki – response: the current legislation can delay demolition. Bill 60 – an Act to amend the Heritage Act is currently under review in the Provincial legislature. The provisions of Bill 60 would allow a municipal council to refuse a demolition permit. Applicants would have an avenue of appeal to the Ontario Municipal Board.

17. **Citizen** – I live beside a new home within the study area. It is a nice house, but if we had a heritage district then the house would have the same front yard setback as the other houses on the street. The current zoning resulted in an inconsistent streetscape.

18. **Citizen** – It is a pity to lose heritage buildings to demolition, but we need to balance the rights of homeowners with heritage preservation. There are conflicting interests between commercial and residential property owners. Any information that the City provides needs to be balanced. The Shipley report is not quoted in its entirety and therefore is deceiving in the Q. & A. section of the study update newsletter. We need full and balanced reports from the City.

19. **Citizen** – What is the cost of a heritage district for taxpayers? Will district designation result in higher staffing costs? What is so important about a district?

Bruce Krushelnicki – response: Council has budgeted \$30,000.00 to undertake the study. If Council decides to proceed with the development of a District plan and its implementation, an additional \$30,000.00 is available. Staff will be deployed accordingly, within the Planning budget. There will not be an additional line number on a property owner's tax bill for a property included in a heritage district. 99% of people voluntarily comply with zoning and the existing regulatory framework. A Heritage Conservation District depends on people buying into it as a planning tool and offering their voluntary compliance.

20. **Citizen** – Voluntary guidelines should be sufficient. Redevelopment choices should be left to the discretion of property owners.

21. **Citizen (same as above citizen)** – Why should property owners, who are currently burdened with owning an historic home, be saddled with additional burdens? What about voluntary heritage districts? What will the city do to hold up its’ responsibility to preserve heritage?

Bruce Krushelnicki – response: City property would also be included in a district (buildings, roads, sidewalks, street lighting and furniture, etc.). District guidelines would also apply to City property. Voluntary districts – there will always be people who choose not to develop their properties in accordance with voluntary guidelines.

22. **Citizen (same citizen)** – Is the City not interested in pursuing voluntary districts?

Bruce Krushelnicki – response: The City has interest in utilizing the planning tools that Provincial legislation affords. We could, however talk about a voluntary heritage district to see if it is a viable alternative.

23. **Citizen** – What stops a person from applying for a demolition permit and then leaving a vacant lot?

Phillip Carter – A municipality can withhold a demolition permit and the applicant can go to the Ontario Municipal Board. The board has made decisions in the past to uphold a Council’s decision if a Heritage Study is being undertaken by a municipality.

24. **Citizen** – It is difficult to create heritage. It is a long-term process. The last two generations have done a great job of destroying our heritage buildings. I have experienced living in a non-compatible heritage area. District designation may help us to guide development.

25. **Citizen** – Grants and monetary incentives may be a good rallying point for citizen support of a district. If the City wants this for the benefit of the whole City, then what do we get in return? What have other municipalities done?

Phillip Carter – In Port Hope’s commercial district, everybody benefited. It is a highly sought after area – there aren’t any vacant/boarded up buildings. In the residential district, the benefit is that houses are maintained. Owners are assured that their investment will be protected because everyone is required to abide guidelines. A district can be a stabilizing factor. Houses will outlive us – we are stewards of our heritage. It is our legacy to future generations.

Paul Oberst – Some municipalities have developed tax abatement programs, whereby the proportion of tax tied to any increase in value attributable to an improvement on the exterior is abated. The key to heritage friendly alterations is not a high output of money, rather it is about care.

Bruce Kruschelnicki – Staff will investigate financial incentives.

26. **Citizen** – This presentation has only offered the upside. What about the restrictions? What will happen first, guidelines or designation?

Phillip Carter – The guidelines come first. Council cannot pass a by-law without seeing guidelines.

27. **Citizen** – This is a community-wide issue and everyone in the City should have a vote.

EVENING SESSION ADJOURNED.