

Official Plan - Responses to Heritage Burlington Comments

Submission Date	Name/Company/ Organization	OP Section	Stakeholder Comments	Staff Response
16-Jul-17	Heritage Burlington	3.5 preamble	Suggest adding the wording “... archaeological resources, many of which are privately owned and are located...” and also, replace irreplaceable with important.	Preamble modified to acknowledge private ownership. The word "irreplaceable" has been maintained to acknowledge that cultural heritage resources are lost forever if the City permits them to be removed.
16-Jul-17	Heritage Burlington	3.5.1 b)	Like the idea of the objectives but less heavy handed...HB is not in favour of stewardship or custodial language which deems people are not “owners”.	Objective modified. The word stewardship is maintained for consistency with natural heritage policies.
16-Jul-17	Heritage Burlington	3.5.1 d)	Reject the sentiment that this could be done at all costs to the Burlington taxpayer or worse the home owner. Recommend adding language such as “....To minimize, wherever economically feasible, the demolition, destruction....”.	Objective maintained. The policy is worded to allow flexibility by using the word "minimize" rather than "prohibit".
16-Jul-17	Heritage Burlington	3.5.1 f)	Character areas are not clearly defined and therefore do not fall under the OHA, so this should be modified to Heritage Conservation District or omitted completely.	Objective modified. Wording revised to reflect that the heritage character of an area must be defined through study.
16-Jul-17	Heritage Burlington	3.5.1 h)	Recommend continuing to emphasize significance. We appreciate the “valued” language as it assumes a monetary value and we endorse this thinking.	Objective modified. (1) Definition of "cultural heritage resources" in Ch. 13 has been modified to match the definition in the Growth Plan. This definition resolves the question of significance. (2) Objective simplified by removing redundant language that already appears in definition of cultural heritage landscapes. (3) Use of the word "valued" in policy refers to a range of values including cultural, historical, design, social, and economic.
16-Jul-17	Heritage Burlington	3.5.1 k)	Need to be clear that not all cultural heritage resources are City owned...there is a distinction that needs to continue to be appreciated.	Objective modified to provide the requested clarity.
29-Jun-17	Roger Goulet, PERL	3.5.2.1	Does this OP policy include the possibility of reviving the 'Rural Cultural Landscape Conservation Designation' for the Mount Nemo Plateau? If not, why not?	Comment noted. Policies do not preclude designation of the Mount Nemo Plateau. Section 3.5.2.5.1 provides guidance.

16-Jul-17	Heritage Burlington	3.5.2.1	Heritage Burlington, Council and Staff have dialed back the rhetoric that once characterized heritage exchanges, demonstrated clear respect for property owners and expanded our incentive program. The policies related to Cultural Heritage Resources must continue to build on the positive and constructive relationship that we have established over the past few years. Going forward, it will be imperative that the policies in the OP provide direction to Council and Staff to ensure we maintain our “carrot not stick approach” and a development “tool kit” comprised of both financial and non-financial options that would permit designation, where necessary and at the same time, not penalize the owner(s) of the property.	Comment noted.
16-Jul-17	Heritage Burlington	3.5.2.1	Suggest adding: a) The City shall recognize the word and spirit of the Council approved 2012 report” NEW APPROACH TO CONSERVING BURLINGTON’S HERITAGE”.	Policy maintained. Reference to this document is not required in the Official Plan.
16-Jul-17	Heritage Burlington	3.5.2.1	Suggest adding: b) The City shall acknowledge and adhere to the principle that the conservation of privately-owned cultural resources may be accomplished with the assistance of the community at large, not solely at the cost of the individual property owner.	Policy maintained. Section 3.5.2.1 refers to programs that are available to support owners.
16-Jul-17	Heritage Burlington	3.5.2.1 a)	As mentioned above, it is important to distinguish between what is City owned what is not. Specific wording recommended in comments.	Policy modified to provide the requested clarity.
16-Jul-17	Heritage Burlington	3.5.2.1 c)	Omission of cemeteries. Historic cemeteries are equally valuable. Specific wording recommended in comments.	Policy modified to use "should" instead of "shall" and to reflect that a cemetery is a type of cultural heritage landscape, as defined in Chapter 13.
16-Jul-17	Heritage Burlington	3.5.2.1 d)	What context would the City have non-government funding? Also, important to emphasize the use of both financial and non-financial tools.	Policy modified to refer to a wide range of tools available to the municipality. Official Plan does not need to identify possible future sources of funding. The policy as proposed constitutes a strategy.
16-Jul-17	Heritage Burlington	3.5.2.1 e)	Standards are already mentioned and limit us. For example, our tax rebate program is an initiative but not a standard per say. Specific wording changes recommended in comments.	Policy maintained. The Standards and Guidelines guide the conservation of cultural heritage resources. Policy 3.5.2.1 (d) refers to the tax rebate and other funding initiatives.

16-Jul-17	Heritage Burlington	3.5.2.2 a) & b)	Wherever possible it is important to emphasize the significance. This ties back to the OHA as well. Also, emphasize the new approach and our collaboration with property owners and other groups alike. Specific wording recommended in comments.	Policy modified to list Heritage Burlington and property owners first. "Co-operation" not added as it is not required by the Heritage Act.
16-Jul-17	Heritage Burlington	3.5.2.3 & 3.5.2.4	Again, we'd like to see significant cultural and not just cultural referenced throughout these sections and not limit the City to certain options.	Policy maintained. Definition of "cultural heritage resources" has been defined to conform to provincial plans and address the question of "significance".
16-Jul-17	Heritage Burlington	3.5.2.5 c) & v)	Again, we are looking to have options and not limiting...options may be outside our borders e.g. across Derry Rd to Milton or to Hamilton	Policy modified to allow for "other conservation solutions as appropriate".
31-Jul-17	Suzanne Mammel, HHHBA, Part D	3.5.2.5 d)	It is recognized through the OP that the Heritage Impact Study is required prior to any approvals being received, versus the potential practice of being required as part of a complete application.	Policy modified. Wording revised to clarify that studies are required to recognize complete application, to be consistent with 12.1.5.1.2.1. The policy acknowledges the potential that study will not be required where no impact is foreseen.
31-Jul-17	Suzanne Mammel, HHHBA, Part D	3.5.2.5 i)	A definition is missing for landmark trees.	Policy modified to provide the requested clarity.
16-Jul-17	Heritage Burlington	3.5.2.5.1	The word "major" needs to be defined and best financial so this does not include taking down a tree but more about a development over \$100Ketc...Might this be something included in the NEC or other provincial legislation?	Policy maintained. The Plan does not define major or minor in order to allow for interpretation subject to context, scale, and potential impacts.

16-Jul-17	Heritage Burlington	3.5.2.5.2	Some Archaeological companies do not respect the cultural sensitivity of the peoples they are excavating or perceive the project as being more important than heritage they are excavating. These archaeological excavations result in the discarding archaeological objects from an excavation to hasten an excavation and reduce the likelihood that further research into the site will continue. The purpose of requiring monitors on an excavation, while not always required in a Stage 2 excavation under the Ontario Heritage Act, will ensure that Burlington actively respects the heritage of the people and culture they are excavating, while taking a leading role in encouraging other Municipalities to preserve their archaeological heritage. This guideline presently does not exist in the Burlington Heritage By-Laws, but it is recommended that the City enact.	Comment noted.
16-Jul-17	Heritage Burlington	3.5.2.5.2	Suggest adding: The City of Burlington shall under archaeology excavations have monitors on site from the beginning of any stage 2 excavation until the research on the site concludes in adherence to the Ontario Ministry of Tourism, Culture and Sport legislation of the Ontario Heritage Act.	Policy modified. This comment as stated cannot be addressed in the Official Plan. Policy 3.5.2.5.2 (e) added to address the intent of this comment. Policy 11.2.1(c) may further address the intent of this comment.
16-Jul-17	Heritage Burlington	3.5.2.5.2	Suggest adding: Monitors shall be on the excavation site to register objects found and control the sensitivity of actions taken by the archaeologists ensuring relevant objects found are recorded, and preserved in accordance with the Ontario Heritage Act.	Policy modified. This comment as stated cannot be addressed in the Official Plan. Policy 3.5.2.5.2 (e) added to address the intent of this comment. Policy 11.2.1(c) may further address the intent of this comment.