

## EXECUTIVE SUMMARY

At the request of Peter and Terri Marit, the owners of 4210 Inglewood Drive and a designated property under Part IV of the *Ontario Heritage Act*, I have undertaken an objective and independent review of the Part IV Designating By-law (By-Law Number 4-2008) passed by the City of Burlington pursuant to the *Ontario Heritage Act* in 2008. I have also reviewed supporting consultant reports prepared by D. R. Chalykoff and *Archaeological Research Associates Ltd.*

The results of this review are contained in the report entitled “*Review and Evaluation of 4210 Inglewood Drive, City of Burlington, Designating By-Law No. 4-2008 and Associated Evaluation Reports*” prepared in October 2017. The report is divided into five (5) sections as follows:

Section 1 introduces the subject property with background information (Pages 1-6).

Section 2 contains information on the chain of property title and in particular the 1920s era which describes land transactions during this period and concludes that Alexander Irwin Proctor was not the builder. There appears little evidence that the consultants or the City of Burlington explored the chain of title, land development or construction history (Pages 7-20).

Section 3 describes briefly a number of pertinent architectural styles and landscape design principles that have been alluded to either in the designating By-Law Number 4-2008 or the most recent report by *Archaeological Research Associates Ltd.* A number of architectural styles have been attached to this property by City consultants. They provide no description of features, materials, appearance and distinguishing characteristics of these stated style’s (Pages 21-43).

Section 4 provides a critical review of the Designating By-Law Number 4-2008, the supporting work by D. R. Chalykoff, Heritage Consultant and the report by *Archaeological Research Associates Ltd.* The intent of this section is to highlight those areas where there is disagreement on facts or differences of opinion that calls into question the accuracy of the cultural heritage values or the description of heritage attributes contained in the designating By-Law Number 4-2008 (Page 44-61).

Section 5 provides conclusions respecting the validity of designating By-Law Number 4-2008 and recommends a course of future action (Page 62-63)

## PROFESSIONAL OPINION

Following several site visits to the subject property, I am the opinion that the subject property is now much altered from its 1920s appearance with considerable loss of features including doors, windows, and original stucco surface and the introduction of later alterations and additions.

Inaccuracies in the research of the City's consultants to date include:

- The subject property was not part of the settlement of Port Nelson.
- The subject dwelling was not constructed by Alexander Irwin Procter, a Hamilton based "Gentleman" and "Manufacturer", the purported builder identified by the City.
- The subject dwelling is not an example of the Regency or Beaux-Arts architectural styles.
- The suburban landscaped lot is not in the Picturesque style and now displays features such as a double driveway, double garage, swimming pool, former garage, concrete steps, concrete rubble walls and a modest bungalow that are not characteristic of or support a Picturesque design intent.
- The subject property is not distinguished by a stepped landscape with stonework graduating through successive flights of stairs to a raised ground floor plane.
- There is nothing that distinguishes the property as part of the Inglewood Survey that exhibits the "*conservative British ethos*" which is undefined by the City in its research.
- The subject dwelling is not a unique example of the Regency or Classical Revival architectural elements and styles.
- Inglewood Survey was not one of the City of Burlington's early twentieth century residential developments along Lake Ontario.
- The subject dwelling is on a corner location but is not a prominent feature sufficient to be of cultural heritage value.

The designating by-law is not sufficiently sound that it should remain as a legitimate municipal administrative tool for the purposes of Part IV of the *Ontario Heritage Act*.

I recommend that Peter and Terri Marit, the owners of 4210 Inglewood Drive, formally request the Council of the City of Burlington, Heritage Burlington in its role as a municipal heritage advisory committee to Council under the *Ontario Heritage Act* and City staff take action to de-designate the subject property pursuant to Section 32(1) of the *Ontario Heritage Act* which states that "An owner of property designated under this Part may apply to the council of the municipality in which the property is situate to repeal the by-law or part thereof designating the property. R.S.O. 1990, c. O.18, s. 32 (1)."

