SUBJECT: Request to Remove 176 Rennick Road from Heritage Register

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-03-18
Wards Affected: 1
File Numbers: 501-06.1
Date to Committee: September 11, 2018
Date to Council: September 24, 2018

Recommendation:
Retain 176 Rennick Road on the Municipal Register of Cultural Heritage Resources.

Purpose:
The purpose of this report is to respond to a property owner’s request to remove their property from the Municipal Register of Cultural Heritage Resources.

The following section of the Strategic Plan is relevant to discussion of this report:

A City that Grows
• Intensification
  o 1.2 (e): Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.

Background and Discussion:

Description of Property
The subject property is municipally known as 176 Rennick Road and comprises two lots divided by a hydro corridor, located at the eastern terminus of Rennick Road, at the
base of the Niagara Escarpment in North Aldershot, as shown in Figure 1 below and in Appendix A.

Figure 1: Location of 176 Rennick Road within North Aldershot

**The Northern Lot**

The northern lot is irregularly shaped and has an area of approximately 1.8 hectares, with 22 metres of frontage on Rennick Road. An unpaved shared driveway provides access from Rennick Road to this lot, as well as to the adjacent landlocked property to the north (175 Rennick Road). A Hydro One transmission corridor running along its own right-of-way separates the northern lot of 176 Rennick Road from the southern lot. A second Hydro One transmission corridor runs across the southern edge of the northern lot via an easement. The hydro transmission towers are visible in Figure 2 below.

A stuccoed stone house with modern additions is located at the east end of the northern lot. This house is described in greater detail under “Description of Heritage House” below.

The northern lot is approximately 58% wooded and is situated at the base of the Niagara Escarpment. The Niagara Escarpment Plan (NEP) designates the northern and western portions of this lot (roughly corresponding with the wooded portions) as Escarpment Natural Area and the rest of the lot as Escarpment Protection Area. Both of these designations permit existing uses and single dwellings, while the latter also permits agriculture. The northern lot is subject to the Niagara Escarpment Commission’s
Development Control permitting system, but is not subject to the City’s Zoning By-law. The western portion of the northern lot, including the shared segment of the driveway, is also regulated by Conservation Halton.

Burlington’s Official Plan (1994, as amended) designates the northern lot as Greenlands (Escarpment Plan Area) and Escarpment Protection Area, corresponding to the two NEP designations for the property. Both of these designations permit existing uses, detached dwellings, agriculture, and forest management, among other activities.

The City’s new Official Plan (Grow Bold), adopted by Council on April 26, 2018, but not yet enacted, maintains the same designations for the northern lot as the previous Official Plan (OP); these designations are subject to the policies of the NEP. Schedule M-1 of the new Official Plan also identifies the northern lot as part of the provincial Natural Heritage System.

Figure 2: the Northern Lot (2017 air photo)
The Southern Lot
The southern lot is approximately rectangular and has an area of 11.6 hectares. It comprises farmland and natural heritage features regulated by Conservation Halton, with no permanent structures. It is landlocked and accessed by farm equipment via unpaved pathways from adjacent lands to the south and north. A TransCanada pipeline traverses the southern lot via an easement in a southwest-northeast alignment, as shown in Figure 3 below.

The southern lot is not located within the Niagara Escarpment Plan area and is zoned DNA (North Aldershot Development) and O3-196 (Open Space with a site-specific exception). Burlington’s Official Plan (1994, as amended), designates the southern lot as a mixture of Environmental Protection Area and North Aldershot Special Study Area. These designations correspond with the O3-196 and DNA zoning boundaries, respectively (shown on Appendix A). Burlington’s new Official Plan (Grow Bold), adopted by Council on April 26, 2018 but not yet enacted, maintains the same designations for the southern lot. These zoning and Official Plan designations permit agricultural uses and detached dwellings, subject to certain restrictions. Schedule M-1 of the new Official Plan also identifies the southern lot as part of the provincial Natural Heritage System.

Figure 3: Northern and southern lots within surrounding context (2017 air photo)
While the address 176 Rennick Road comprises two lots, the listing of 176 Rennick Road on the Municipal Register of Cultural Heritage Resources applies only to the northern lot on which the house is located, as shown on the sketch in Appendix A. Accordingly this report concerns only the northern lot, henceforth referred to as the subject property.

**Description of Heritage House**

The building located on the subject property is a 19th century stone farmhouse with modern (late 20th century) additions. The original farmhouse, constructed before 1860, is a one-and-a-half storey, side-gabled, vernacular stone building displaying elements of the Georgian architectural style. The three-bay front (north) façade consists of a centrally placed entryway flanked by asymmetrically placed window openings. The wood and glass paneled entryway door is deeply recessed in an arched embrasure. The east and west side elevations both have a two-bay design with a central stone chimney. The property slopes downward from north to south so the basement level is exposed at the rear (south) elevation.

The stone exterior of the farmhouse has been coated with white stucco and a shed-roof dormer clad with wood siding has been added to each of the front and rear rooflines. A flat-roofed addition has been added to the centre of the rear (south) elevation, with a raised deck beside it. A large one-and-a-half storey addition has been added to the east elevation, consisting of a two-car garage with living space above. The original building has a footprint of approximately 117 m², while the eastern addition has an area of approximately 80 m².

The subject property forms part of a 100 acre parcel that was transferred by the Crown to King’s College (predecessor to the University of Toronto) in 1826. King’s College sold the property in 1842 to John Stewart, during whose tenure the house was likely built. The property passed from the Stewart family to the Spence family in 1875 and from the Spences to the Rennicks in 1945. The Rennicks parceled off the land and sold the 9.9 acre parcel, on which the subject house is located, to the Walker family in 1972. These associations do not lend significant heritage value to the property.

The house was unoccupied for portions of its history, including at the time of the 1891 census when the Spences were living in another house on the property. Modern additions were added to the house by the Walkers after 1972.
Figure 4: Front (north) elevation of house

Figure 5: West side elevation of house
Description of Application/Request

The subject property is currently held by the estate of the late owner. The Estate Trustee (Executor) submitted a written request to remove the subject property from the Municipal Register. This request was received by the Department of City Building on August 30, 2017. The Executor has not expressed any intention to demolish or remove any structure or building in connection with the request to remove the property from the Register.

The Municipal Register

The Ontario Heritage Act (OHA) requires municipalities to maintain a register of all heritage-designated properties in the municipality. Since 2006, the OHA has additionally allowed municipalities to list non-designated properties on the register.

The owner of a designated property must obtain written permission (a heritage permit) from the City in order to make alterations to their property that might affect its heritage attributes. Alterations to non-designated properties are not restricted, except where demolition is concerned; owners of non-designated properties on the Register must give the City 60 days’ written notice of their intention to demolish or remove any structure or building on the property.

Any person may request that City Council add a property to or remove a property from the Register. The OHA requires Council to consult with its municipal heritage committee, Heritage Burlington, prior to making any such change to the Register.

The Register is used to formally identify properties of cultural heritage value or interest within a community. In this way the Register plays an important role in the promotion of understanding about the City’s cultural heritage resources. The Register is used by staff when reviewing development proposals and applications. It is also used by the general public, including property owners, students, real estate agents, developers, etc. when seeking information about the City’s built heritage. Staff considers the inclusion of non-designated properties on the Register to be an important and proactive measure in Burlington’s heritage conservation efforts.

Strategy/process

Staff conducted a site visit to the subject property on August 24, 2017, with the consent of the owner. Upon receipt of the property owner’s formal request to remove the property from the Municipal Register, staff retained Archaeological Research Associates Ltd (ARA) to conduct a heritage evaluation of the subject property to confirm its heritage value. ARA evaluated the property with consideration for the designation criteria outlined in Ontario Regulation 9/06, and found that the property has design/physical and contextual value, but not historical/associative value. ARA provided the following Statement of Cultural Heritage Value or Interest:
Statement of Cultural Heritage Value or Interest

Introduction and Description of Property

176 Rennick Road is located on the south side of Rennick Road, east of Old Waterdown Road in the City of Burlington. The property consists of a one-and-a-half storey stuccoed vernacular stone residence constructed pre-1860.

Statement of Cultural Heritage Value or Interest

Physical/Design Value

176 Rennick Road is representative of an early vernacular structure that has been significantly modified since its construction in the early to mid-19th century. The original portion of the building (west portion) displays elements of the Georgian style of architecture exemplified by its simple, solid, and symmetrical design. The one-and-a-half storey stone structure has been stuccoed and features a side gable roof with simple return eaves. The stone used to construct the house may have come from the nearby Niagara Escarpment, which historically provided a good source of stone and was used in the construction of Georgian buildings along the coast of Lake Ontario in this area. Cut stone chimneys are found in the centre of both the west elevation and the east elevation of the original structure, indicating that the house had at least two fire places.

176 Rennick Road features simple rectangular window openings and the fenestration exhibited in the side gables is symmetrical. The original portion of the building exhibits window openings with stone sills. A wood and glass paneled front door is set in the centre of the original façade in a deep embrasure designed to reflect a simplified ogee arch.

Contextual Value

176 Rennick Road is one of the earliest houses remaining in the former Township of Flamboro East and is located on the former Old Waterdown Road. Typical of a farmstead, the house is set back and not visible from the road. It is located at the end of a long private driveway with a grand view from the Niagara Escarpment. The house is situated on a large, heavily treed lot with a gently rolling topography. Given its age, 176 Rennick Road is important in establishing the dominant historic character of the area as a rural farming community.

Cultural Heritage Attributes

The heritage attributes that contribute to the cultural heritage value or interest of 176 Rennick Road include, but are not limited to:

- Set back from the road on a large lot with a gently rolling topography;
- Mature trees surrounding the house;
- One-and-a-half storey stone structure;
• Side gable roof with return eaves;
• Two cut stone chimneys;
• Rectangular window openings;
• Stone window sills; and
• Wood and glass paneled door set in a deep embrasure reflective of a simplified ogee arch” (ARA 22-23).

Discussion

The farmhouse on the subject property is one of the oldest in North Aldershot and “is important in establishing the dominant historic character of the area as a rural farming community” (ARA 24). It is a representative example of an early vernacular stone structure displaying elements of Georgian architecture, despite several modifications. The modern alterations and additions to the building are easily distinguished from the original structure, allowing the beholder to understand the building’s origins and evolution. The property has both design/physical and contextual value as defined by Regulation 9/06, and is therefore worthy of inclusion on the Register.

The Provincial Policy Statement 2014 (section 2.6), Niagara Escarpment Plan 2017 (2.10), Growth Plan for the Greater Golden Horseshoe (4.2.7), and Halton Region Official Plan (165-167) all promote the conservation of cultural heritage resources. Burlington’s Official Plan (1994, as amended) calls for the identification, inventorying, and protection of cultural heritage resources (Part II, 8.1-8.3). The new Official Plan (Grow Bold), adopted on April 26, 2018 but not yet enacted, builds on these objectives (3.5.1-3.5.2) and specifically refers to the listing of non-designated properties on the Municipal Register as an implementation method Council may use to achieve these objectives (3.5.2.3b). Retention of the subject property on the Municipal Register is consistent with the objectives and policies of the above-cited provincial, regional, and municipal legislation.

In reviewing the owner’s request to remove the property from the Register, staff considered the relative isolation of the subject property and the lack of visibility of the farmhouse from the public realm, which currently detract from the ability of residents to appreciate this cultural heritage resource. Staff note that the Thomas Alton farmhouse, now addressed at 3215 Settlement Court, was once similarly isolated: set far back from Dundas Street and Walker’s Line, and screened from view by hedgerows. That resource is now a focal point for the Alton Community that has developed around it, and plays an important role in linking the young community to its historic context.

176 Rennick Road is located in an Escarpment Protection Area and is unlikely to redevelop as part of a subdivision; however, it is located at the edge of a “North Aldershot Special Study Area” designation within the East Sector of North Aldershot. The Official Plan (1994, as amended) and new Official Plan (Grow Bold) both identify
the East Sector of North Aldershot as requiring further study to identify possible areas for potential future development.

By retaining the subject property on the Municipal Register, Council can ensure that this resource will be conserved for the benefit of both current and future Burlington residents.

**Options considered**

Council may respond in the following ways to the request to remove 176 Rennick Road from the Municipal Register:

1. Retain the property on the Register (deny the request for removal)
   - This option would maintain the property’s current status, ensuring that the property owner must provide 60 days’ notice of any future intention to demolish or remove a building or structure from the property.

2. State an intention to designate the property under Part IV of the Ontario Heritage Act
   - If Council states an intention to designate the property, staff will publish notice of Council’s intention in a newspaper of general circulation. If no objections are received within thirty days of this notice, Council may then designate the property. Once designated, the property would become eligible for grants and loans from the Community Heritage Fund, and the Heritage Property Tax Rebate Program (if assessed as residential). The owner would need to obtain a heritage permit from the City prior to making any alterations to the property that could affect its heritage attributes. If any person states an objection to Council’s intention to designate within thirty days after notice is published, a Conservation Review Board hearing will be triggered.

3. Remove the property from the Municipal Register (approve the owner’s request)
   - Removing the property from the Register would remove any heritage regulations or protections from the property. The property owner would be free to demolish or alter buildings on the property, after obtaining building permits, Niagara Escarpment Commission development permits, and/or Conservation Halton permits as appropriate.

Staff recommend that Council retain the property on the Register. While the property is eligible for designation, staff are not recommending designation at this time.
Financial Matters:
Not applicable.

Public Engagement Matters:
Heritage Burlington was consulted regarding the property owner’s request to remove the subject property from the Municipal Register at their meeting of October 10, 2017, and passed the following motion:

“Heritage Burlington recommends that after reviewing the cultural heritage value or interest of 176 Rennick Road that the property be removed from the Municipal Register.”

Staff respectfully disagree with the recommendation of Heritage Burlington for the reasons described under Discussion above.

Conclusion:
The subject property is the location of a stone farmhouse that is one of the oldest buildings in North Aldershot. It has cultural heritage value on the basis of its design/physical and contextual value as defined by Ontario Regulation 9/06, and is therefore worthy of conservation and inclusion on the Municipal Register. The property owner has requested that the property be removed from the Register; staff recommend that Council deny this request and retain the property on the Register.

Respectfully submitted,

Thomas Douglas
Planner – Development Review & Heritage
(905) 335-7600 ext. 7811

Appendices:
A. Location/Zoning Sketch
B. Evaluation of 176 Rennick Road, by Archaeological Research Associates Ltd.
Notifications:
  Kathleen J. Wood, Executive Trust Officer, TD Wealth – Private Trust, The Canada Trust Company
  Jo-Anne Rudy, Committee Clerk – Heritage Burlington, City of Burlington

Report Approval:
All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.
Appendix A: Location/Zoning Sketch

Sketch No. 1
LOCATION / ZONING SKETCH

Application by the owners of 176 Rennick Road to remove their property from the heritage register.

- SUBJECT PROPERTY
- Portion of subject property listed on the Municipal Register of Cultural Heritage Resources
- Niagara Escarpment Commission (NEC) Development Control Area

File No.: 501-06.6

GENERAL ZONING LEGEND

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Date: 31 Jul, 2018
Department of City Building/Planning Section