



To: Members of the Development and Infrastructure Committee

Date: June 10, 2015

Subject: 795 Brant Street

From: Jim Clemens, Chair, Heritage Burlington

Discussion

Ontario Regulation 9/06 of the *Ontario Heritage Act* sets forth the criteria for adding a property to a municipal register and/or designating a property. The three criteria are: (1) Design or Physical Value, (2) Historical or Associative Value, and (3) Contextual value. Placing a property on the Municipal Register or designating a property needs only to satisfy one of these three criteria.

Design or Physical Value

Originally 795 Brant Avenue was a typical gothic Victorian farmhouse; however, over the years, this house has undergone many structural and cosmetic changes. The house no longer resembles the farm house in the 1902 photograph. Heritage Burlington is of the opinion that it would be difficult to support a decision to designate based on design or physical value.

Historical or Associative Value

Built in 1854 by a well-known Burlington builder, Jabez Bent, 795 Brant was associated with early agriculture in Burlington. The third owner, Ghent, was involved in early market gardening on a seventy-five acre farm covering the area around the farm house. Ghent Avenue is named for this particular farmer. As the town of Village Green, later Burlington, spread northward, Ghent subdivided his farm into lots and moved away from the original farm house. A much better case for designation can be made on the basis of historical or associative value.

Contextual Value

While the status of "landmark" could have been claimed for 795 Brant in the past, that status is now over, as the house is now surrounded by apartment buildings, businesses and modern homes. Heritage Burlington is of the opinion that 795 Brant only satisfies the contextual value criteria to a minimal extent.

Thus, historical or associative value is the only criterion that might justify a decision to designate.

In addition to the Ontario Regulation 9/06 criteria, Heritage Burlington would like to advance two other considerations.

1. As it stands, isolated in its modern situation, 795 Brant tells us nothing about its past history. Looking at the present physical building, many Burlington citizens would not be able to deduce anything at all about the past purpose or function of this house.
2. In October 2012, Council approved a report prepared by Heritage Burlington which contained the following recommendation:

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.

Heritage Burlington is of the opinion that 795 Brant Street presents neither a "rare occasion" nor is "of such significant cultural value or interest and importance to the City" to justify a "forced designation" with the City providing ... "some kind of negotiated financial settlement between the owner and the City."

Recommendations

1. Heritage Burlington would recommend that Council remove 795 from the Municipal Register in order to allow a demolition permit to be issued.
2. Heritage Burlington would recommend that the developer of any future edifice on the property be encouraged to erect a plaque with a photograph of 795 Brant as it was in 1902 with suitable text explaining its past importance. The agent for the owners has indicated in writing that anything possible to "memorialize" 795 Brant will be done.
3. Heritage Burlington would be pleased to photograph or video the various architectural features of the house before 795 Brant is demolished.

James M. Clemens, Chair, Heritage Burlington