

DOWNTOWN BURLINGTON CULTURAL HERITAGE LANDSCAPES STUDY TERMS OF REFERENCE

1. Introduction

The City of Burlington is seeking a consulting firm to complete heritage evaluations, statements of significance and make conservation recommendations for six potential Cultural Heritage Landscapes (CHL's) and eight potential heritage buildings in the downtown. The successful firm will have experience managing similar projects in the past and present a plan for delivering the study within a year.

2. Background

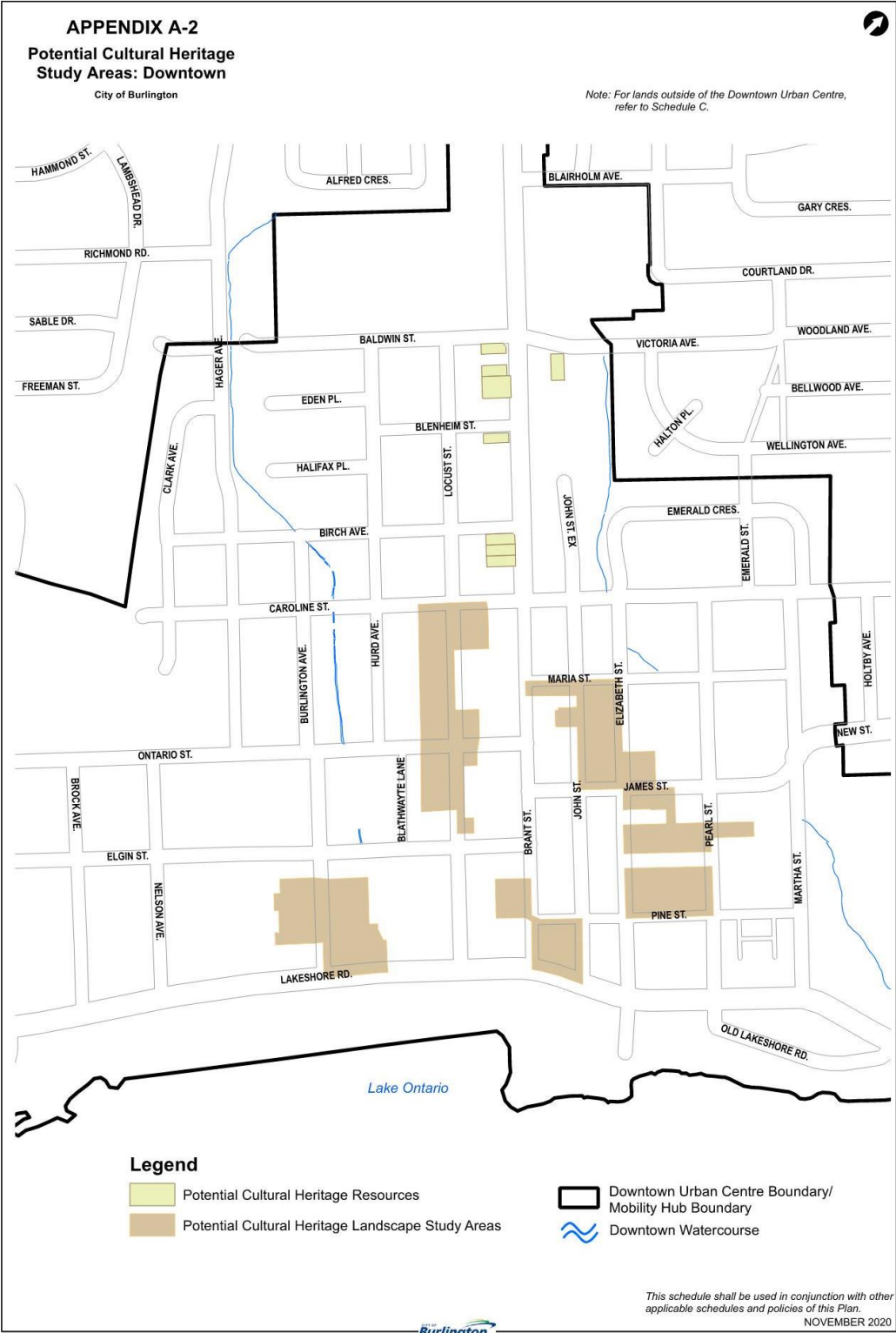
In 2017, the City retained Archaeological Services Incorporated (ASI) to complete Cultural Heritage Resource Assessments (CHRA) for three of four proposed Burlington Mobility Hubs (Aldershot, Appleby, and Downtown). The study concluded in 2019. In the Downtown Mobility Hub Study Area, ASI identified eight potential heritage properties and five potential cultural heritage landscapes containing 29 listed or designated heritage properties. Further work was required to determine exact boundaries, define heritage attributes and assess eligibility for heritage protection.

On January 27, 2020, Council directed staff to report back with a workplan and funding source for a detailed study assessing the heritage value and appropriate protections (including possible Heritage Act designations) for the potential resources identified by ASI in their 2019 report.

In addition to the 2020 Council direction, the new Burlington Official Plan (2018) contains an Appendix A-2: Potential Cultural Heritage Study Areas: Downtown, showing the study areas and properties from the ASI report. Policy 8.1.1(3.23)(d)(i) states that the City may prioritize the cultural heritage evaluation of potential cultural heritage landscape study areas and potential cultural heritage resources identified in this Appendix.

On May 11, 2022, the Heritage Burlington Advisory Committee recommended that the St. Luke's Church and Cemetery at 1371 Elgin Street be studied as a potential cultural heritage landscape. Elizabeth Brant, daughter of Mohawk Chief Joseph Brant, donated the property to the Anglican Church in 1834. The church was constructed in 1834 and generations of pioneers are buried in adjoining cemetery.

2.1 Project Area



2.2 Burlington Official Plan (2008) & (2018)

In the Burlington Official Plan (2008), Heritage policies are found in section 8.

Section 8.3.4 of the Burlington Official Plan states that cultural heritage landscapes may be conserved through designation as a Heritage Conservation District under the OHA. Cultural heritage landscape must have the following features:

- (i) the District contains buildings that reflect an aspect of local history by nature of location and historical significance of setting;
- (ii) the District contains buildings that are of a style of architecture or method of construction which is historically or architecturally significant to the City, Region or Province;
- (iii) the District contains other important physical, environmental or aesthetic features that, are not sufficient for designation, but lend support in evaluating the criteria for designation; and
- (iv) the District is in an area of special association that is distinctive within the City and, as a result, adds to the character of the entire community.

The draft Burlington Official Plan (2020) broadens the criteria as follows, with changes underlined:

- (i) the District contains **cultural heritage resources** that reflect an aspect of local history by nature of location and historical significance of setting;
- (ii) the District contains **cultural heritage resources** that are of a style of architecture or method of construction which is historically or architecturally significant to the city, Region or Province;
- (iii) the District contains other important **earth science features, archaeological resources, natural elements, landscape** or aesthetic attributes that are not sufficient for individual designation, but lend support in evaluating the criteria for designation; and/or
- (iv) **that together are of cultural heritage value to a community for their interrelationship, meaning or association, which is explored and determined through a community engagement process.**

3. Objectives

The objectives of the study are:

1. Identify properties and CHL's eligible for heritage designation or alternative protection measures, based on a review against criteria in Ontario Regulation 9/06, the Burlington Official Plan and relevant definitions in the Provincial Policy Statement (2020)
2. Screen out potential heritage properties and CHLs to eliminate those with insufficient heritage value or integrity from further consideration

3. For eligible properties and CHLs, produce statements of significance to enable the City to pursue designation or further protection immediately upon study completion
4. Recommend protection measures, conservation incentives and other tools to protect eligible properties

4. Deliverables

1. Six (6) evaluations of the potential CHLs identified in the 2019 ASI study and by the Heritage Burlington Advisory Committee;
2. Statements of significance (SOS) for CHLs that qualify for further protection;
3. Eight (8) evaluations of properties identified as heritage potential properties in the ASI study;
4. SOS for properties eligible for Heritage Designation;
5. A final report with the following contents and any others the consultant considers important:
 - a. Summary of study findings
 - b. Methodology
 - c. Historical and Background research
 - d. Field work results
 - e. Summary of Public Engagement
 - f. Evaluation Criteria
 - g. Boundary Criteria
 - h. Results, including ranked list of potential CHL's and heritage properties prioritized based on local historical significance, quality and intactness and eligibility for further protection
6. Recommendations regarding next steps and further protection measures for any CHL or cultural heritage resource that meets the test for designation or formal protection

5. Study Considerations

5.1 Structure

The successful consultant will design a study that builds on the work already completed in the 2019 ASI study and avoids redundancies. The study should include the components listed in Appendix A, and any others the consultant team believes are essential to or would add value to the study.

5.2 Project Management

The Study is to be undertaken by a consulting group or team of consultants, with the assistance of city staff and in consultation with the public and the [Heritage Burlington](#)

Advisory Committee. The Heritage Planner will act as Project Manager with oversight from the Coordinator of Special Projects & Urban Design and Manager of Development and Design. The Heritage Planner will monitor the project schedule and budget in cooperation with the lead consultant or project manager from the consulting team and ensure the study unfolds according to the Terms of Reference.

5.3 Consulting Expertise Required

The successful consulting team will include members with the following key competencies and qualifications:

- Heritage specialist (CAHP member)
 - Demonstrated experience in Cultural Heritage Landscapes
- Land Use Planning expertise (MCIP, RPP)
 - Experience writing urban growth management plans and policies is an asset
- Architectural Specialist (Architect/Architectural Historian)
 - A team member with an academic background and/or specialized expertise evaluating buildings and streetscapes would be an asset

5.4 Heritage Burlington Advisory Committee

The successful consultant should budget to appear at the Heritage Burlington Advisory Committee on two occasions to consult on the study scope and present findings. Meetings are scheduled for the second Wednesday of each month at 7PM.

5.5 Public Engagement

- After preliminary assessments are complete, participate in a public workshop to gather feedback from key stakeholders and the public (In partnership with City of Burlington) and to establish whether candidate CHL's have significance to a community
- Communicate with affected owners to request access to properties where it is necessary for completing a full evaluation

City of Burlington staff will lead the following consultation measures:

- Provide notice to property owners within CHL boundaries about project purpose and possible outcomes
- Provide notice to business association, residents and other stakeholders
- Create project website

5.6 Committee/Council Consideration

The successful consultant should budget to appear at a Community Planning Regulation and Mobility Committee meeting and a City Council meeting to present findings of the study.

5.7 Ontario Land Tribunal

The successful consultant should be prepared to defend the reports, including methodology and findings before the Ontario Land Tribunal, or other tribunals as necessary. Arrangements for such work would be under separate contract based on per diem rates.

5.8 Proposal Costing

The consultant team shall provide a costing breakdown of each Phase with reference to the tasks as outlined in Appendix A. The consultant team's work program may be subject to additions or modifications by the City of Burlington. The consultant should include hourly rates for additional work.

5.9 Study Timing

It is intended that the study commence in Fall 2022. The finalized Study will be submitted within twelve (12) months of the contract award date. This is a general time frame and earlier timeframes would be desirable. The consultant shall provide a detailed time table showing the various study components, and a timetable for completion of the study products.

5.10 Invoicing

Upon invoicing the city for services/products rendered the consultants team shall reference the tasks as identified and numbered in Schedule "A" to identify which tasks have been completed.

6. Reference Documents

The City of Burlington will provide the following with the selected consultant:

- Chronology of staff directions and events pertaining to the study
- City of Burlington Strategic Plan (web)
- Halton Regional Official Plan (2006) (web)
- City of Burlington Official Plan (2008) (web)
- City of Burlington Official Plan (2020) (web)
- City of Burlington Zoning By-law 2020, as amended (web)
- Cultural Heritage Resource Assessment: Built Heritage Resources and Cultural Heritage Landscapes Study by Archaeological Services Inc., dated September 2019

- Designation bylaws and statements of significance for any designated heritage property in the study boundaries
- City of Burlington Heritage Register (web)
- Master Plan of Archaeological Resources of The Regional Municipality Of Halton 2008 Update
- City of Burlington ESRI Arc GIS mapping and orthoimagery
- Ontario Heritage Tool Kit (web)
- Standards and Guidelines for the Conservation of Historic Places in Canada (web)
- Canadian Register of Historic Places- Writing Statements of Significance

APPENDIX “A”

Key Tasks

Task #	Task
1	Kick-off meeting with staff
2	Notifications: Notify affected property owners of study commencement (staff to lead)
3	Historical research: Review section 3.0- Historical Background section in ASI report and identify key historical themes and phases of development that will put individual features and CHL's in context.
4	Screening: <ul style="list-style-type: none"> • Complete a field survey of the nominated CHLs and sites to document current conditions and assess changes since the 2019 CHRA • Assess the intactness and historical integrity of the six CHL's and eight individual properties and the impact of any modern alterations or additions completed since 2019 • Eliminate from further evaluation properties that have been demolished or landscapes that have been drastically altered
5	<p>Research of Individual Properties and CHL's: Building on the research already completed in the ASI report, research each CHL's historical land uses and subdivision pattern.</p> <p>Complete a survey/inventory including landscape features, pattern of spatial organization, circulation networks and patterns, heritage properties, heritage buildings or structures, archaeological features, views and viewsheds, vegetation patterns, land uses and boundaries.</p> <p>Each inventory entry should include an identification of the entry (municipal address or legal description), approximate date of construction if applicable, listing of heritage attributes, significance within the context of the study area, general evaluation of the integrity of the feature, as well as a discussion about the need for protection.</p> <p>Provide mapping and supporting visuals.</p>
6	Evaluation of Significance/Determination of Cultural Heritage Value:

	Assess the CHL's and individual resources for their cultural heritage value or interest based on Ontario Regulation 9/06 and other applicable provincial criteria. Assess the CHL's against criteria under Section 8.3.4 of the Burlington Official Plan (2008) and 3.5.2(4) (e) of the Burlington Official Plan (2018).
7	<p>Statement(s) of Significance: Based on the results of the assessments undertaken for task 5, prepare statement(s) of significance for all qualifying Cultural Heritage Landscapes or properties. The SOS should include the following:</p> <ul style="list-style-type: none"> • Description of the area location and boundaries • Description of the area's cultural heritage values (historical/associative, design/physical, contextual) • List of character-defining attributes or elements <p>Reference should be made to public value, if applicable.</p>
8	<p>Recommendations:</p> <p>The Study should make recommendations as to the boundaries of qualifying CHLs and properties and include a ranked list of potential CHL's and heritage properties prioritized based on local historical significance, quality and intactness and eligibility for further protection</p> <p>The City of Burlington Official Plan and Halton Regional Official Plan should be analyzed to evaluate how CHLs could be harmonized with existing policies and plans, including avoidance of any conflicts; and whether any City of Burlington Official Plan policies may be amended or adopted to further support the conservation of heritage in the area.</p>
9	<p>Public Consultation: Undertake public consultation</p> <ul style="list-style-type: none"> • Complete a public workshop focused on establishing whether the candidate CHL has cultural heritage value to a community in Burlington and gather feedback from key stakeholders and the public (In partnership with City of Burlington) • Communicate with affected owners to request access to properties where it is necessary for completing a full evaluation <p>City of Burlington staff will lead the following consultation measures:</p> <ul style="list-style-type: none"> • Provide notice to property owners within CHL boundaries about project purpose and possible outcomes

	<ul style="list-style-type: none">• Provide notice of the exercise to business association, residents and other stakeholders• Create project website
10	Heritage Burlington Committee: Present findings to the Committee for their endorsement, and make any necessary changes or revisions in response
11	Final Approval: Present to Community Planning, Regulation and Mobility Committee and City Council for endorsement