



# EMSHIH DEVELOPMENTS INC.

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Friday, September 16, 2022

**Via E-mail**

City of Burlington  
 426 Brant Street  
 Burlington, ON L7R 2G2

**Attention: Mayor Mead-Ward, and Members of Council**

**Dear Mayor Mead-Ward and Members of Council,**

**Subject: Objection to 372-374 Brant St. & 380 Brant St inclusion on Heritage Register (PL-59-22 Proposed inclusion of downtown properties on the City of Burlington Heritage Register)**

On behalf of Emshih Developments Inc. (Emshih), we are writing to Council as the owner representative of the two above-noted properties regarding their proposed inclusion on the City of Burlington's Heritage Register. As long-time property owners in Burlington, the heritage value of both these downtown properties has been reviewed and studied numerous times over the past 20+ years.

Staff's recommendation, supported by the Community Planning, Regulation and Mobility Committee, to direct the Direct of Community Planning to add the 24 listed properties to the Municipal Heritage Register and provide notice to the property owner has left us with much concern.

**1. Prior Inclusion on the Municipal Heritage Register:**

In 2004, Emshih applied for a demolition permit for 380 Brant Street. At the time, it was included on the Heritage Register. Following review by the LACAC (now the Burlington Heritage Advisory Committee), LACAC determined that there were no concerns with issuing a demolition permit for the property as, over the years, many renovations and alterations to the building had left little of the heritage characteristics intact. (See letter from the Building Department, attached as Appendix A). The demolition permit was issued, but the property was never demolished and currently occupied by Wendel Clark's restaurant.

Both 372-374 Brant Street and 380 Brant Street continued to be included on the Heritage Register. In 2009, Emshih requested for both properties to be removed from the Register. Both properties were subject to further review by the Burlington Heritage Advisory Committee and Heritage Workshop. The removal for both was granted on July

15, 2010, by Council decision. (See letter from Council approving the removal of 372-374 Brant Street, attached as Appendix B).

**2. Lack of Notice and Consultation with Property Owners:**

Unfortunately, Emshih was not notified of the proposed inclusion of its properties until the day of the CPRM Committee meeting, held on September 13, 2022. The proposed inclusion to the Heritage Register came as a shock, considering both properties were removed over 10 years ago. It is also rather confusing and disappointing as to why property owners would not be notified and consulted in advance of a matter that has implications to their property and property rights.

**3. Unnecessary Workload for Staff:**

It is unclear who initiated the study of heritage properties in the downtown and why it was initiated at a time when the Planning Department is under-staffed and inundated with workloads related to development applications, OLT hearings and ongoing matters related to the new Official Plan appeals.

Even though downtown Burlington's heritage properties have been extensively studied numerous times over the past 20+ years, this latest proposal for inclusion appears to add yet another hurdle in bringing appropriate development to the downtown and bringing much needed housing, and affordable housing to the City.

In addition, it was noted in PL-59-22 that, if approved, planning staff anticipate many property owners to object to notices received, adding yet more unnecessary workload to staff. Precious staff time should be used more efficiently and re-directed towards rebuilding the city as a recovery from the Covid-19 pandemic.

In conclusion, Emshih Developments Inc. is not in support of staff's direction to add the 24 listed properties in PL-59-22 to the Municipal Heritage Register. Burlington's heritage properties have been studied extensively numerous times, and it is unclear why they are being studied again at a time when the City needs to focus on more complex development-related matters and Covid-19 recovery.

Should Council choose to reject staff's recommendation, Emshih welcomes consultation and engagement with city staff regarding Burlington's downtown heritage. On the other hand, should Council choose to support staff's recommendation to add the 24 properties to the Heritage Register, Emshih will be filing an objection to the inclusion of 372-374 Brant Street and 380 Brant Street.

Sincerely,  
**Emshih Developments Inc.**

Per: 

Kristina Didiano, Planner

Cc: Clerks Department