

Item 5.2 Heritage Response to Bill 23 (PL-34-23)

Community Planning Regulation & Mobility Meeting
June 27, 2023



BILL 23- Legislative Changes Impacting Burlington

High Impact

- Any non-designated property that was on the Heritage Register on January 1, 2023 will be automatically removed on January 1, 2025 and cannot be added back for another five years
- Properties must meet at least one of nine criteria to be added to the heritage register



490 Elizabeth Street, c. 1855, non-designated heritage property



BILL 23- Legislative Changes Impacting Burlington

Moderate Impact

- To qualify for inclusion on the Heritage Register, a property must meet one of nine provincial criteria
- To qualify for heritage designation, a property must meet two of nine provincial criteria
- Properties that are not on the heritage register when an Official Plan amendment, Zoning Bylaw Amendment or subdivision application is deemed complete cannot be heritage designated



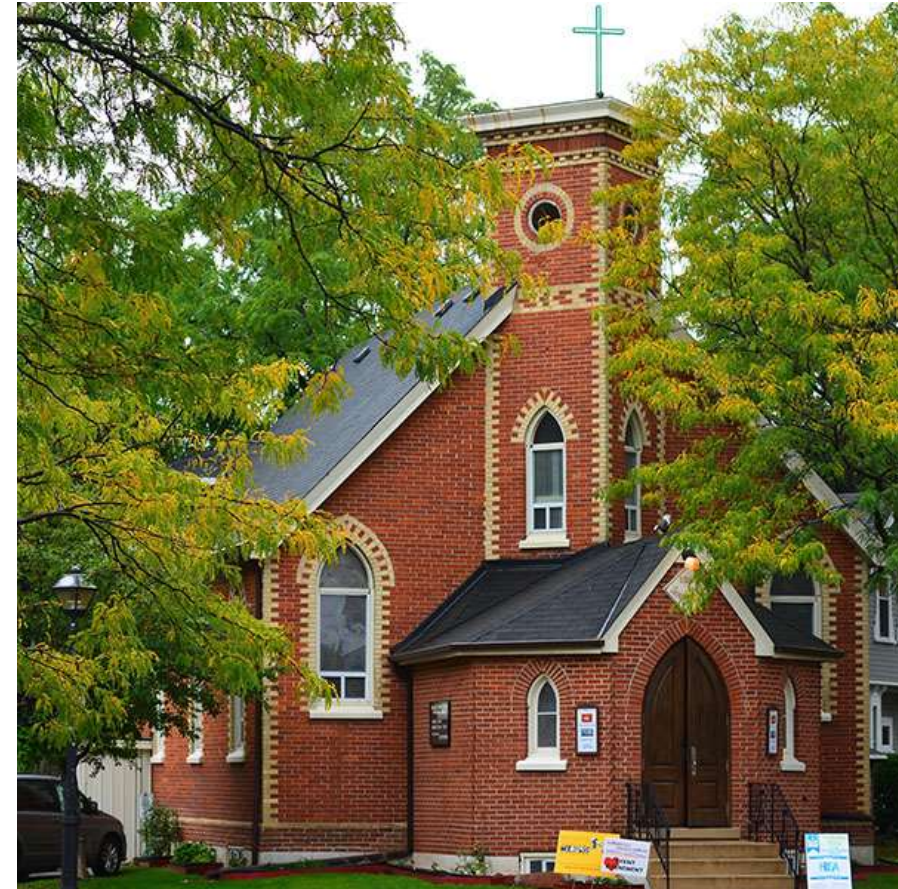
Knox Presbyterian Church, c. 1865, 461 Elizabeth Street, non-designated heritage property



BILL 23- Legislative Changes Impacting Burlington

Moderate Impact

- To designate a heritage conservation district (“HCD”), at least 25 per cent of the properties in the area must meet two out of nine criteria under Ontario Regulation 9/06.
- Non-designated properties are required to be automatically removed from the Heritage Register if a municipality withdraws a notice of intention to designate, does not pass a designation bylaw in time or repeals a designation bylaw.



Paroisse Saint-Philippe, c. 1875, 472 Locust Street, non-designated heritage property



BILL 23- Legislative Changes Impacting Burlington

Low Impact

- A municipality's Heritage Register must be accessible on the municipality's website.
- The owner of a non-designated heritage property on the Heritage Register may object to their inclusion, regardless of when the property was added.
- To qualify for heritage designation, a property must meet at least two out of nine prescribed criteria under Ontario Regulation 9/06, whereas previously a property only needed to meet one.
- Heritage Conservation District bylaws can be amended or repealed



Stewart Spence House (entrance), c. 1832, 176 Rennick Road, non-designated heritage property



BILL 23- Heritage Response

Guiding Principles

1. **Make lemonade out of lemons.** Bill 23 gives the City the opportunity to focus its attention on permanently protecting the most rare, exceptional, well preserved, historically significant and publicly visible heritage properties.
2. **The sky is not falling.** Just because a property is removed from the Heritage Register does not mean it will be demolished.
3. **Honey over vinegar.** Messaging to property owners and developers should focus on incentives.
4. **Work smarter not harder.** Use already completed research to speed up work on designations (LACAC files, Downtown Cultural Heritage Landscape Study conclusions, etc.....)



Burlington Central High School, c. 1922, 1433 Baldwin St, non-designated heritage property



BILL 23- Heritage Response

Strategic Actions

1. Develop Heritage Response Plan (February-July 2023)
2. Evaluate Heritage Register, Generate Shortlist (March- August 2023)
3. Improve Heritage Incentives (June-September 2023)
4. Communications (September- January, 2024)
5. Study Shortlisted Properties (November 2023- December 2024)
6. Voluntary Designations (January-September 2024)
7. Improve Heritage Processes (September 2023- September 2024)
8. Amend Official Plan (See report PL-45-23)



Former Burlington Public Library, c. 1873,
470 Elizabeth St, non-designated heritage property



BILL 23- Prioritizing Properties for Designation

Prioritization Criteria

1. Property type
2. Architectural style
3. Visibility from the public right-of-way
4. Building condition (alterations)
5. Estimated number of 9/06 criteria met
6. Population density within 800m
7. Associations to Communities or Historical Figures



The Queens Hotel/Sherwood Inn, c. 1860,
400 Brant St, non-designated heritage property

BILL 23- Communications

- Contact all 200 non-designated owners is recommended (vs only shortlisted properties)
- Explain approach, promote incentives, in-person consultation



BILL 23- Recommendation

- Endorse the proposed strategic actions; and
- Endorse the Engagement and Communication Plan; and
- Direct the Director of Community Planning to explore funding options to retain external consulting assistance to review and complete cultural heritage evaluation reports for a prioritized list of properties currently on the City's Cultural Heritage Register.

