

Protecting Heritage Buildings and their Architectural Significance

A White Paper by Nicole Graziano and Brian Baetz



(Priamo, 2020)

Introduction:

Rising pressure to increase Southern Ontario's population coupled with a lack of resources directed towards the City of Hamilton's Municipal Heritage Committee has led to the rapid and devastating destruction of distinct, historical buildings. As it currently stands, protecting architecturally significant buildings is a long and tedious process, which can often take tens of thousands of dollars and over a decade to complete. Comparatively, receiving a demolition permit takes a matter of weeks and developers are quick to capitalize on this unfortunate reality. Recently, the the Brandon House in Ancaster was destroyed and is soon to be replaced with a condo complex (Kyles, 2020). The destruction of the Brandon House led to a community-wide uproar and calls for the City of Hamilton to better protect charming, one-of-a-kind buildings. In light of these concerns and the mounting need to rapidly address them, this White Paper will first explore the existing official heritage-designation process, and propose potential time-efficient solutions.

Existing Process:

The challenging and lengthy process associated with designating a heritage building is a cause for concern. When compared to the relatively simple process of demolishing a building, it is unsurprising (albeit still disappointing) that beautiful, historic homes, are so recklessly destroyed. To be officially protected a building must first be added to the City of Hamilton's building inventory before being registered as "identified for designation" (Kyles, 2020). Once registration is completed, the building can finally be designated. Each step requires consultation from subcommittees including the Municipal Heritage Committee and later, City Council (Kyles, 2020). In most cases, the initiative to designate a building is undertaken by concerned citizens. Oftentimes, property owners are reluctant to nominate their own home for designation in fear that they will no longer be able to repair or alter their property (Kyles, 2020). However, the official designation and the restrictions associated with it only apply to the street-facing façade of the building. Once a building is included in the official inventory, it is still not protected until it is officially designated.

Often, the official designation process is undertaken by the Heritage Planning Office with support from the volunteer-based Hamilton Municipal Heritage Committee (HMHC) (Kyles, 2020).. HMHC is an advisory committee to Hamilton City Council and oversees activities regarding heritage properties (Kyles, 2020). In addition to HMHC, the Inventory Research Working group attempts to inventory and designate buildings. Unfortunately, due to the large

amount of buildings, lack of resources and slow approval rate, it may take a century to completely go through the inventory list. Prior to amalgamation, the Brandon House was identified as an important historic building. However, this designation was not transferred from Ancaster to Hamilton upon amalgamation.



Figure 1: The Brandon House during its demolition (Werner, 2020).

Inspiration from Other Municipalities:

Compared to other urban centers, Hamilton is sorely lacking when it comes to effectively and efficiently protecting architecturally and historically significant properties. This becomes an especially pertinent issue when the removal of these buildings seriously and permanently changes the architecture and landscape of the surrounding area. Within America, the National Institute of Building Sciences developed the Whole Building Design Guide (WBDG) to foster communication among federal and industrial partners in order to advance high-performing facilities, while preserving historic buildings. According to the WBDG, protecting architecturally significant buildings “is vital to understanding our nation’s heritage” (WBDG Historic Preservation Subcommittee, 2019). Moreover, it is an environmentally responsible practice that eliminates the energy needed to demolish old buildings and create them anew. Rather than destruct these valuable and historic buildings, WBDG suggests that minor modifications be made so that the existing building can become compatible with new uses (WBDG Historic Preservation Subcommittee, 2019). Preserving buildings, not destructing them for capitalist pursuits “not only makes good

economic sense, but preserves our legacy and is an inherently sustainable practice and an intrinsic component of whole building design” (WBDG Historic Preservation Subcommittee, 2019).

In 1966, the United States Congress established the National Historic Preservation Act (NHPA) which “mandates the active use of historic buildings for public benefit and to preserve our national heritage” (WBDG Historic Preservation Subcommittee, 2019). The process of preserving these buildings involves five steps: Identify, Investigate, Develop, Execute, and Educate. In order to avoid long and tedious identification applications, successful preservation requires early and regular consultation with government agencies, technical specialists, architects and landowners. Whenever dealing with historically significant buildings “the least amount of change to the building's historic design and original architectural fabric is the preferred approach” (WBDG Historic Preservation Subcommittee, 2019). This contrasts Hamilton’s market-led approach, which often has resulted in the demolition of architecturally significant buildings, in favour of commercial and large-scale residential buildings. Often, when developing treatment plans for historical buildings, local governments and building agencies conduct site-assessments which identify character-defining features. Additionally, these defining features are examined in relation to the whole of the building, in order to establish various “preservation zones” which also correspond to site-specific treatments. This zoning establishes the preservation priorities of a specific building and can eventually be extended to historical neighbourhoods.

Many cities within the United States are renowned for their preservation of historic buildings. In particular, Boston is well known for its many architecturally significant homes. By using a review process referred to as Article 85, Boston is able to determine the significance of its buildings. Boston’s government affirms that despite misconceptions that “a property is not worthy of protection if it’s not included in an official government list, a register of historic places, an inventory, survey, preservation report, or study, or something similar” there are still many significant but unidentified historic buildings across the city.



Figure 2: Boston's historic Beacon Hill remains in pristine condition (Tucker, 2020).

Exemplary cases of historical building preservation do not solely exist outside of Canada as Canadian locations, such as Old Québec, provide enviable displays of architectural protection. Old Québec is still surrounded by the original bastions, gates and defensive works which were a part of its 17th century beginnings (United Nations, n.d.). While the Upper Town has remained the religious centre of the city, the Lower Town is equally note-worthy and consists of ancient districts, ultimately providing “one of the best examples of a fortified colonial city” (United Nations, n.d.). Old Québec has managed to retain its essential historical components by ensuring that the fundamental property area of the town remains of adequate size, so that there is complete representation of its significant features (United Nations, n.d.). The city has been well protected from the adverse effects caused by both development and neglect. Moreover, many restoration and protection processes have been carried out, most of which are largely supported by all levels of government. The intergovernmental committee, called Comité de Concertation du Patrimoine de Québec, coordinates actions from varying government and legal agencies (United Nations, n.d.).

Quebec's Cultural Property Act, which was adopted in 1963, protects the historic district of Old Québec and its architecturally significant buildings (United Nations, n.d.). Additionally, it was included on the 1984 World Heritage List (United Nations, n.d.). The entire city, as well as individual buildings, benefits from strong political and legal protection. Any construction, renovation and demolition are closely monitored by several agencies that work alongside the City of Quebec (United Nations, n.d.). While the "Conseil de Quartier Vieux-Québec-Cap-Blanc-Colline-Parlementaire (district council) must be consulted before any amendments are made to urban planning bylaws," any construction, restoration and signage installation must receive authorization from the Commission D'Urbanisme et de Conservation of the City of Québec (United Nations, n.d.).

Residents and politicians alike recognize the value of Quebec's architecture and historical buildings. Several policies are in place in order to ensure that individual buildings and the city as a whole, are protected. Since 1963 and the adoption of Quebec's Cultural Property Act, Old Québec has been carefully protected. The city is even recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO). Widespread advocacy for the preservation of architecture in Old Québec city, government grants which support restoration projects and local, provincial, federal and international support ensure that historical city is well protected.



Figure 3: Old Quebec is renowned for its preservation of its original architecture (United Nations, n.d.).

Suggested Improvements:

The public desire for change that is needed to improve Hamilton's current historical building designation process already exists, but it must be mobilized into political action. By transforming the existing designation process so that it is more efficient, more people will be encouraged to protect these immensely valuable buildings. In order to improve the slow and tedious process of identification and designation, whole areas and neighbourhoods could be collectively designated through aerial photos. Although this will not work in every case, using aerial photos to identify historical and architecturally significant buildings can provide a relatively quick means of protecting valuable and vulnerable properties. Moreover, the current process of site plan control should be strengthened so that when builders seek to destroy architecturally significant buildings, the City of Hamilton has more mechanisms to deny demolition requests. Ideally, as in the case in Boston, the City of Hamilton will be able to deny building requests, regardless if the historical value of a building has been previously identified or not. Upon receiving a building demolition request, the City would be able to protect these properties, even if they have not been registered individually or by aerial photos.

Site Plan Control is a form of development control which reviews detailed property designs, in order to “ensure that City, Regional and other agency standards and requirements are met” (Oshawa, n.d.). Within Hamilton, Site Plan Control is supported by By-law No. 03-294, which was passed by Hamilton City Council on October 15, 2003. This By-law designated “the whole of the City of Hamilton as a Site Plan Control Area” (Planning and Economic Development Department, 2014). Thanks to this By-law, almost all development within Hamilton is subject to Site Plan Control and requires approval prior to beginning construction. According to Ontario’s Ministry of Culture, site plan control is a method of “minimizing or avoiding a negative impact on a cultural heritage resource” (2005, p.4). Moreover, site plan control acts as a planning tool, which can help municipalities protect “significant cultural heritage landscapes” (Ministry of Culture, 2005, p.5). Currently within Ontario, Site Plan Control upholds the architectural significance of a whole area, by ensuring that new buildings fit within the existing landscape and share the same height and setback as their neighbouring buildings (Ministry of Culture, 2005). Although these are important considerations, Site Plan Control has the ability to not only create requirements around novel construction, but also protect existing, architecturally significant buildings. If strengthened, so that the current site plan control by-law more closely mirrors Boston’s historical protection plans, Site Plan Control could protect heritage buildings and refuse building demolition requests that infringe upon architecturally significant areas. Even if a building has not been officially designated as a heritage site, changes to the Site Plan Control By-law should be made so that Council could easily deny requests to destroy (or build near) architecturally significant buildings.

Site plan control is a tool that is used by the City to make sure that land development is designed appropriately, safe, functional and minimizes potential impacts on neighbouring properties. It also makes sure that the City's standards for developing land are respected.

The City of Ottawa reviews site plan control applications.

✓ **A site plan control application outlines, in part, the...**

- » location of buildings;
- » landscaping;
- » traffic and pedestrian access;
- » drainage;
- » parking lot layout.

Certain developments are exempted from site plan control.

A complete list of exemptions is available at

ottawa.ca/siteplancontrol

Figure 4: The City of Ottawa (n.d.), like Hamilton, has specific site plan control outlines that ensure development is safe and considerate of the surrounding area.

Summary:

Site- Plan Control has the potential to protect valuable and historic buildings, if it is coupled with political will and wide-spread appreciation of heritage buildings. The infrastructure needed to protect architecturally significant buildings already exists in the form of Site- Plan Control, Hamilton Municipal Heritage Committee processes and heritage building designations. The tragic destruction of the Brandon House illustrated the continuously rising need to protect these disappearing and stunning buildings. The continuous loss of historical buildings will permanently alter the appearance of the surrounding neighbourhood. Hamilton must strive to mirror the success of Quebec City and Boston, while creating a plan that is uniquely our own and tailored to Hamilton's needs. "Let Brandon House be not just a tragedy, but the catalyst for change" (Kyles, 2020).

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